The heart of technical cooperation is the idea of self-help. There is little to be gained by imposing on others plans and ideas in which they have no interest. These programs are intended to be cooperative efforts. Unless the recipient country wants and believes in a project or program, enough to put its own funds into it at whatever level it can afford, the cooperation aspect is lost.

In this connection, reports given to the Congress on the extent of host country contributions have been more than a little misleading. These are usually expressed for comparative purposes in terms of equivalent dollars. Yet, by the use of par-value exchange rates which have no current significance, the contributions of some countries have been greatly exaggerated. We found, for example, one country where local contributions as presented to Congress had been magnified in this way by a factor of 20. In other instances, under a category called contributions in kind, a dollar value had been placed on a number of intangibles and everything conceivable has been counted as a host country contribution, including duties they had waived collecting on imports for the program. Most ridiculous of all was reporting, as a host country cash contribution, the local currency obtained by the sale of U.S. commodities we had given them.

As I have pointed out earlier, local contributions, when account is taken of the general financial situation of the host country, can be most revealing about local acceptance of programs and projects. I therefore believe that more effort must be made to adhere to the "fair share" rule than is now the case. I make this observation out of a conviction that the planning of programs, their day-to-day conduct, and their chance of achieving their ultimate goals will be improved thereby.

PROJECT PLANNING

The third requirement, that programs be related to efforts being made by the host country itself, brings up the question of planning. What seems to be absent in most cases is a realistic estimate of the situation. Projects are often initiated with only the most hazy idea of how extensive a problem is involved, without determining in advance the availability of the technical personnel who will be needed, and without fixing a goal by which progress toward completion can be measured. Few projects are based on the kind of preliminary survey and analysis which would determine how much of what kind of technical knowledge or skill needs to be and can be supplied over what period of time. In place of careful planning, the tendency is simply to initiate and to expand programs, in the words of one oversea U.S. program officer, "to provide facilities which haven't been provided heretofore."

It is this approach which leads to pressures from Washington and even from officials in the field to get projects underway, not so much because they are relevant to local needs, but because a similar activity is underway in some adjacent country. This is hardly a sound basis for relating programs to activities of the host country, and it has accounted for a number of notable failures. Fits and starts in other cases have occurred because the problem of recruiting technical personnel to carry out the work was not adequately considered. In Uruguay, for example, a program in health was delayed for more than a year after the chief of the program arrived because four or five technicians could not be supplied.

CONCLUSION

Reviewing these observations, it is clear that most of the faults in technical cooperation programs are matters of administration. Yet, paradoxically, some of them are at the same time tributes to the good intentions and zeal of the administrators who have been activated by a strong desire to obtain tangible results and impatient in their haste to reach ultimate goals. One can applaud enthusiasm—but not when it initiates action with inadequate planning and results in wasteful errors caused by hasty judgments.

A basic trouble, I am coming to believe, lies in a failure to appreciate the fact that there are significant limits to the rate at which technical knowledge and skill can be absorbed by an underdeveloped economy. As Americans we are attuned to a dynamic and open society in which technological change is rapidly assimilated. We must keep in mind the fact that the differing societies of many underdeveloped lands cannot now make use of all the skills we can offer them. First, some far-reaching changes must take place in the nature of the societies themselves. What I am referring to, of course, is the problem generally called cultural lag. For example, it may be possible in a given country to suggest improved methods of agriculture and yet have few of them adopted because to do so may require a revision of age-old traditions of land tenure and ownership and perhaps even of family relationships. Similarly, technical improvements in tax administration may require a totally different view of the role of government within a given culture. Such changes do not come about quickly nor do they result from the availability of technical knowledge. The need for improved skills may be apparent now, but the demand for them may require cultural changes which time alone can bring.

No one is better fitted to take such considerations into account than host country officials who, of necessity, are representative of their own culture. This is why the participation of the host government in planning and carrying out technical cooperation programs is of such paramount importance. This is why unilateral judgments by U.S. officials of what projects are to be undertaken should be discouraged.

It can, of course, be argued that adhering strictly to the rules might result in a reduction in the number and scope of activities now underway. This, indeed, might prove to be the case and in some instances it might be wise. It is also possible that sounder programs might result. In addition, there is a real possibility that when full account is taken of the limits imposed by cultural lag, to say nothing of administrative matters like the recruitment of adequate numbers and kinds of U.S. technical personnel, the seemingly modest level at which these activities are operating may turn out to be very nearly the maximum which is currently feasible.

I have not commented on the relationship of these programs to our more costly undertakings in the fields of outright economic assistance and military aid. Obviously they are related, since improved economies and greater military strength require added technical knowledge and skills. Conversely, the full use of such knowledge and skills may depend upon the addition of considerable amounts of physical capital.

Technical cooperation is basically education, and it is as an educational activity that it must be assessed. In my view, its fundamental concept is sound. The broad policy guides which have been set up for its conduct are inherently wise. If to the good intentions of the U.S. officials administering these programs there can be added sounder judgment, and a greater degree of common sense, I believe we will more fully accomplish our purpose.

For its part, Congress, I am sure, will continue to give this activity its strong support. It is to be expected, however, that a careful congressional eye will be kept on technical cooperation operations, and that the sharpest criticisms will still come from those Members of Congress who most devoutly want these programs to succeed.

SENATE

FRIDAY, SEPTEMBER 11, 1959

(Legislative day of Saturday, September 5, 1959)

The Senate met at 10 o'clock a.m., on the expiration of the recess.

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

Our fathers' God and ours, our help in ages past, our hope for years to come: In the whelming waters of tribulations and abominations which this day flood the earth, Thou art as a shelter from the storm, a covert from the wind, and the shadow of a great rock in a weary land.

Give us to realize that Thou art our challenge, as well as our shelter and refuge; and that in the crises of these days, Thy voice to us is calling, in all the want and woe, in all the hunger and misery, of our fellows under all skies.

May our hearts be moved with a compassion that will fit us to be the dedicated heralds of Thy healing.

Teach us to toil and to serve, that we may so play our part in this age on ages telling that we may face with clear conscience the gaze of our contemporaries and the judgment of posterity, and may, at last, hear Thy "Well done. Thou hast been faithful."

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 10, 1959, the President had approved and signed the act (S. 6) to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons.

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, and withdrawing the nomination of 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, which nominating messages were referred to the appropriate committees.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour, for the introduction of bills and the transaction of other routine business, subject to a 3-minute limitation on statements.

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

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 7452. An act for the relief of William B. Jackson (Rept. No. 1006).

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

H.R. 8685. An act to amend the Internal Revenue Code of 1954 to provide for the Presidential appointment of a Chief Counsel for the Internal Revenue Service, and for other purposes (Rept. No. 1007).

By Mr. HILL, from the Committee on Labor and Public Welfare, with an amendment:

S. 2105. A bill to amend the laws relating to St. Elizabeths Hospital so as to fix the salaries of the superintendent, assistant superintendent, and first assistant physician of the hospital, and for other purposes (Rept. No. 1008).

REPORT ENTITLED "CANCER: A WORLDWIDE MENACE"—REPORT OF A COMMITTEE (S. REPT. NO. 1009)

Mr. HUMPHREY. Mr. President, from the Committee on Government Operations, pursuant to Senate Resolution 347, 85th Congress, and Senate Resolution 42, 86th Congress, I submit a report entitled "Cancer: A Worldwide Menace." I ask unanimous consent that the report be printed, with illustrations.

The VICE PRESIDENT. Without objection, the report will be received, and printed, as requested by the Senator from Minnesota.

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY" (S. REPT. NO. 1010)

Mr. ERVIN. Mr. President, on behalf of the Senate Committee on Armed Services, I submit a report of the Subcommittee on the Operation of Article VII of the Status of Forces Agreement, which report of the subcommittee has been approved by the full committee. I ask unanimous consent that the report be printed, with illustrations.

The VICE PRESIDENT. Without objection, the report will be received and printed, as requested by the Senator from North Carolina.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

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

Walter E. Alessandroni, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania;

Herbert Magil, of the District of Columbia, to be an Examiner in Chief, U.S. Patent Office;

Richard A. Chappell, of Georgia, to be a member of the Board of Parole; and

Elliot L. Richardson, of Massachusetts, to be U.S. attorney for the district of Massachusetts.

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

Fifty postmaster nominations.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, as in executive session, I report favorably the nomination of Col. Robert F. McDermott for appointment as dean of the faculty, U.S. Air Force Academy, with the rank of brigadier general, and the nomination of Verne J. McCaul and Robert E. Hogaboom to be placed on the retired list of the Marine Corps with the grade of lieutenant general. I ask that these names be placed on the Executive Calendar.

The VICE PRESIDENT. The nominations will be placed on the Executive Calendar, as requested by the Senator from Massachusetts.

The nominations placed on the Executive Calendar are as follows:

Col. Robert F. McDermott, Regular Air Force, for appointment as dean of the faculty, U.S. Air Force Academy, with rank of brigadier general; and

Verne J. McCaul and Robert E. Hogaboom, officers of the Marine Corps, to be placed on the retired list with the grade of lieutenant general.

Mr. SALTONSTALL. I also report favorably 3,232 promotions to captain in the Regular Air Force and 234 promotions in the Regular Army in the grades of captain, major, first lieutenant, and second lieutenant.

All of these nominations have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that the nominations be ordered to lie on the Vice President's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, the nominations will lie on the desk, as requested by the Senator from Massachusetts.

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. YARBOROUGH:

S. 2681. A bill for the relief of Yi Young An; to the Committee on the Judiciary.

S. 2682. A bill to amend the Veterans' Benefits Code with respect to the payment of compensation and pension to widows of veterans; to the Committee on Finance.

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

By Mr. GREEN:

S. 2683. A bill for the relief of Melvin O. Miller; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2684. A bill to assure that citizens of the United States will not be denied the right to vote in Federal elections because of their race, religion, color, or national origin; to the Committee on Rules and Administration.

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

By Mr. LONG of Louisiana:

S. 2685. A bill to amend titles I, IV, X, and XIV of the Social Security Act to increase Federal financial participation in the State public assistance programs established pursuant to such titles, and for other purposes; to the Committee on Finance.

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

S. 2686. A bill to amend the National Labor Relations Act, as amended, to provide for the appointment of Regional Directors of the National Labor Relations Board by the President by and with the advice and consent of the Senate; to the Committee on Labor and Public Welfare.

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

By Mr. LANGER:

S. 2687. A bill to provide for a highway bridge across the Missouri River in Emmons County, N. Dak.; to the Committee on Public Works.

S. 2688. A bill for the relief of Helene Leutz; to the Committee on the Judiciary.

By Mr. CASE of New Jersey:

S. 2689. A bill for the relief of Hwachii Lien; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 2690. A bill to promote greater diversification of U.S. agricultural production; to shift U.S. farm production to those commodities in relatively greatest demand, taking into account both domestic and export markets; to provide larger supplies of protein meals for balanced rations for the dairy, livestock and poultry industries; and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. MURRAY:

S. 2691. A bill for the relief of Ratko (Felix) Herskovic; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. SMATHERS, Mr. SCHOEPPEL, Mr. BARTLETT, Mr. YARBOROUGH, Mr. CASE of New Jersey, Mr. ENGLE, Mr. SCOTT, Mr. MCGEE, Mr. BUTLER, and Mr. HART):

S. 2692. A bill to advance the marine sciences, to establish a comprehensive 10-year program of oceanographic research and surveys; to promote commerce and navigation, to secure the national defense; to expand ocean resources; to authorize the construction of research and survey ships and facilities; to assure systematic studies of effects of radioactive materials in marine environments; to enhance the general welfare and for other purposes; to the Committee on Interstate and Foreign Commerce.

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

By Mr. ANDERSON:

S.J. Res. 142. Joint resolution proposing an amendment to the Constitution of the United States relating to the adjournment of Congress; to the Committee on the Judiciary.

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

ONE-YEAR PERIOD DURING WHICH CERTAIN VETERANS MAY BE GRANTED NATIONAL SERVICE LIFE INSURANCE

Mr. LONG of Louisiana. Mr. President, yesterday, I introduced, for appropriate reference, a modified version of my bill, S. 1113, to give veterans of World War II, the Korean war, and the period between those two conflicts, a 1-year period to reinstate the national service life insurance to which they were once entitled.

My colleagues will recall that S. 1113 was approved by the Senate as an amendment to the recently passed Veterans' Pension Act of 1959. However, the House of Representatives, although it accepted every other Senate amendment to that bill, refused to accept this amendment which had the overwhelming support of the Senate. In order not to delay the passage of the Veterans' Pension Act, I did not offer a motion to send the bill with this amendment back to the House for its further consideration. As Senators will recall, I stated on the floor that the distinguished chairman of the House Veterans' Affairs Committee assured me that if this proposed legislation comes back to the House as an amendment to any other veterans bill he will use his best efforts to see to it that the House has an opportunity to vote for the measure on the floor.

The Senate has passed this amendment in basically the same form in the last three Congresses. The next time that we pass the amendment, I am confident the House of Representatives will also give it its approval since the bill merely enables us to help millions of veterans at almost no cost at all to the Federal Government.

The Veterans' Administration suggested several technical modifications to S. 1113. The bill which I am introducing today on behalf of myself and 55 other Senators incorporates the technical suggestions made by the VA, but it does not modify in any way the basic provisions of the bill. It simply states in somewhat more precise terms the intent of the sponsors of this legislation.

I ask unanimous consent that the memorandum prepared by the Veterans' Administration on S. 1113 be printed at this point in the RECORD, and following it a copy of the bill which I introduced on yesterday, Senate bill 2675.

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

ANALYSIS, COMMENTS, AND COST DATA, REGARDING S. 1113, 86TH CONGRESS

INSURANCE PROPOSED FOR NONDISABLED VETERANS

Section 38 U.S.C. 725(a), as proposed by S. 1113, limits eligibility to insurance thereunder to persons who served on active service, as that term was defined in the NSLI Act[1] prior to its repeal. Although the service of certain groups was not considered active service as defined by that act, they were brought within its purview by later statutes. Attendance of cadets and midshipmen at the academies during World War II was deemed active service for insurance purposes by section 10 of Public Law 144, 78th Congress. Commissioned officers of the Coast and Geodetic Survey assigned to duty under certain conditions were brought within its scope by Public Law 786, 78th Congress. Commissioned officers of the Public Health Service entitled to full military benefits under section 212 of Public Law 410, 78th Congress, and Executive Order 9575, were eligible for national service life insurance. If the bill is considered further it should be clarified as to whether it is intended to reopen national service life insurance to such persons.

The bill provides that the insurance to be issued under the proposed 38 U.S.C. 725(a) would be subject to "the conditions and limitations" of section 602(c)(2) of the NSLI Act. Among other things, this is apparently intended to exclude from its purview persons who served before July 1, 1946, in the organized military forces of the Government of the Philippines while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941. By virtue of a statute referred to in the mentioned section 602(c)(2), which statute is now restated in 38 U.S.C. 107(a), the rights of such persons to insurance coverage are limited to contracts of insurance entered into before February 18, 1946. A question may arise, however, concerning persons who served in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945. Section 107(b) of title 38 limits the rights of such persons to insurance contracts entered into before May 27, 1946, or insurances issued under section 620 or 621 of the NSLI Act, or under 38 U.S.C. 722. However, there is no provision in section 602(c)(2) with respect to their rights to insurance. If the bill receives favorable consideration it should be clarified as to whether these Philippine Scouts are to be eligible for insurance under the proposed section 725(a).

The maximum amount of insurance for which a veteran who has cash-surrendered a permanent-plan policy would be eligible under the proposed section 725(a) would be decreased by the principal amount of the insuance surrendered. This would result from a limitation in section 602(c)(2) of the NSLI Act which would be made applicable to insurance granted under the bill. Since veterans whose term policies have expired or whose permanent-plan policies have lapsed would be eligible for insurance under the bill, there appears no sound reason to exclude from the full benefits of the bill persons who cash-surrendered their insurance, possibly for impelling financial reasons at the time.

The proposed subsection 725(b) of title 38 provides for the issuance of insurance in accordance with the provisions of section 621 of the NSLI Act, with certain exceptions. One of these exceptions is that the insurance shall be limited convertible term or permanent-plan insurance with premiums based on table X–18 and interest at the rate of 2½ percent with an additional amount for administrative costs. It may be intended that this insurance be the same (with the exception of loading for administrative costs) as that authorized under 38 U.S.C. 123(b), the only limited convertible term insurance presently issued. However, in its present form the bill is ambiguous.

The "limiting" factor in the convertible term insurance now issued under section 723(b) is that after September 1, 1960, such insurance may not be issued or renewed on the term plan after the insured's 50th birthday. Unless this provision is to apply to the limited convertible term insurance authorized under the bill such insurance would be limited in name only. It could be issued at any age and would be renewable indefinitely throughout the lifetime of the insured.

If the age limitation of section 723(b) is to apply and the bill becomes effective after September 1, 1959, persons over age 50 will not be afforded 1 year within which to apply for limited convertible term insurance. On the other hand, if such limitation does not apply, the bill would create a group of term policyholders who would be paying a lower premium than policyholders of term insurance issued under section 621 of the NSLI Act, but who would have the same right of renewing their term insurance without age limitation. Further, the bill does not specify what mortality table will be used to calculate the guaranteed values of permanent plan insurance or the rate of interest for settlement of annuities. Annuity settlements under section 621 are based on the annuity table for 1949 with interest at 2¼ percent per annum whereas annuity settlements under section 723(b) are based on the same table with interest at 2½ percent per annum. The bill should be clarified as to the intent regarding each of the above aspects.

INSURANCE PROPOSED FOR THE SERVICE-DISABLED VETERANS

The insurance to be issued under the bill to the service-disabled veterans would be granted in accordance with the provisions of section 620 of the NSLI Act. Section 620 of that act has been repealed and restated, with certain amendments, as 38 U.S.C. 722(a). The amendments extended the time during which application may be filed on behalf of persons who are mentally incompetent and made some liberalization in the group of persons eligible for such insurance. If the right to purchase service disabled veterans' insurance is to be reopened at this time it should be made available to persons previously eligible to apply therefor under either the mentioned section 620 or 38 U.S.C. 722(a), and the insurance should be granted in accordance with the latter section.

ADMINISTRATIVE PROVISIONS AND COST

The bill provides that the premiums on insurance issued in accordance with section 621 of the NSLI Act shall be based on table X–18 and interest at the rate of 2½ percent "with an additional amount for administrative costs as determined by the Administrator." The latter is authorized to transfer annually an amount representing such administrative costs from the revolving fund to the general fund receipts in the Treasury. It is assumed that for this purpose it is intended that in addition to the administrative costs incurred by the Veterans' Administration there is to be included as well the costs which may be incurred by other Government agencies, such as the Departments of Defense, Treasury, Justice, etc.

From the standpoint of the veteran, as well as administrative feasibility, the so-called section 621 insurance should be offered at a fixed premium rate so that he will know what the cost will be in the future. We construe the bill as extending discretion to the Administrator under which the annual administrative costs per policy year could be determined at the time of issue, with such costs remaining constant with the life of the policy. In the case of participating insurance authorized under the bill, the same reasoning does not apply since claim costs are not fixed. Under the authority vested in the Administrator, the administrative expenses on that insurance would be transferred from any surplus otherwise available for dividends. It is noted that the transfer would be from the national service life in-

[1] For brevity, the National Service Life Insurance Act of 1940, as amended, is referred to as the "NSLI Act."

surance fund to the national service life insurance appropriation. Since that appropriation is used for the payment of benefits rather than administrative expenses it would appear logical such administrative costs also should be transferred to the general fund receipts in the Treasury.

Persons applying for insurance under the bill would be required to submit evidence satisfactory to the Administrator of their qualifying condition of health. While the nondisabled veterans issued insurance under the bill are expected to pay for the year-to-year administrative costs of their insurance there is no provision in the bill specifically requiring them to pay for their initial qualifying physical examination. Under VA Regulation 3464 an applicant for national service life insurance may be examined by a medical officer of the Army, Navy, of Public Health Service, or he may be examined free of charge by a full-time or part-time salaried physician of the Veterans' Administration, or at his own expense by a duly licensed physician.

If the bill is enacted in its present form it is estimated that the Veterans' Administration would be requested to furnish free medical examinations to approximately 665,000 of the expected 1,330,000 applicants for insurance. It is obvious that these examinations cannot be timely accomplished by the 94 clinics of our Department of Medicine and Surgery in addition to the other work required of them. The costs of accomplishing these 665,000 examinations under the fee basis medical care program would be about $9 million. Under the circumstances, and since the nondisabled policyholders are going to pay the administrative cost of the insurance issued to them, it is recommended if the bill is favorably considered that it be amended to provide that applicants for insurance thereunder (other than the service disabled) will be required to be examined at their own expense by a duly licensed physician.

The bill in its present form would be effective on the date of its enactment. If favorably considered it should be amended to become effective no earlier than July 1, 1960. The Veterans' Administration would need about 1 year in which to prepare for the workload which the bill would create. This time would be needed to recruit and train additional personnel; prepare and print applications, forms, and policies; obtain additional mechanical equipment; reprogram our electronic computer; prepare and print procedures; and make a new study of the current administrative costs in order to establish premium rates on the nonparticipating policies issued to nondisabled veterans.

There are approximately 16 million veterans who would be eligible to apply for insurance under the bill. It is not possible to estimate with any accuracy the number of applications which would be received or the number of policies that would be issued thereunder. However, the administrative cost to the Veterans' Administration that is set forth in the basic report is predicated on an estimate that 1,330,000 applications for insurance will be received and that 1 million policies will ultimately be issued, together with the additional assumptions that (1) the bill will be amended to become effective about July 1, 1960; (2) applicants (other than the service disabled) will be examined at their own expense; and (3) one-half the applications will be processed the first year and one-half the second year. If the bill retains its present effective date our administrative costs will be increased.

Experience to date indicates that insurance issued to nondisabled veterans under section 621 of the NSLI Act is self-supporting but that insurance issued to service-disabled veterans under section 620 of that act is not. The loss on the latter insurance has averaged about $90 per policy per year. Hence, the Government will be required to bear the excess cost of claims above income from premiums on the service disabled veterans' insurance issued under S. 1113. Based on the assumption that 2,000 policies of that insurance will be issued and that the loss will average $90 each per year, it is estimated that the excess claim cost on that insurance would be about $90,000 for the first year following enactment and about $180,000 for each of the next 4 years.

On participating insurance issued under the bill the Government will also bear the excess mortality cost, the cost of waiver of premiums, and the cost of the total disability income benefits arising from death or total disability traceable to the extra hazard of military or naval service. Based on the assumptions that (1) of the assumed 1 million policies issued, 950,000 will be participating insurance; (2) the average face amount of such policies will be $6,500; and (3) 2 percent of future claims on such insurance will be traceable to the extra hazards of service, it is estimated that such extra hazard cost to the Government will be $125,000 for the first year following enactment and $250,000 for each of the next 4 years. Proportionate adjustments would have to be made to the extent that the actual insurance issued differs from the 950,000 figure.

S. 2675

A bill to amend title 38 of the United States Code in order to provide a one-year period during which certain veterans may be granted national service life insurance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter I of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 725. Limited period for acquiring insurance

"(a)(1) Any person heretofore eligible to apply for participating national service life insurance between October 8, 1940, and April 24, 1951, both dates inclusive, shall, upon application made in writing within one year after July 1, 1960, submission of evidence satisfactory to the Administrator showing such person to be in good health at the time of such application, and payment of the required premiums, be granted insurance under the same terms and conditions as are contained in standard participating policies of national service life insurance.

"(2) All premiums paid and other income received on account of National Service Life Insurance granted under the authority contained in this subsection and on any total disability income provision which may be attached thereto shall be segregated in the National Service Life Insurance Fund and, together with interest earned thereon, shall be available for the payment of liabilities under such life and disability insurance.

"(3) Notwithstanding the provisions of section 782 of this title the Administrator shall determine annually the administrative costs which in his judgment are properly allocable to such life and disability insurance and shall thereupon transfer the amount of such costs from any surplus otherwise available for dividends on such life and disability insurance from the National Service Life Insurance Fund to the general fund receipts in the Treasury.

"(b) Any person heretofore eligible to apply for insurance under section 620 of the National Service Life Insurance Act of 1940, as amended, or subsection (a) of section 722 of this title, shall, notwithstanding any time limitation for filing application for insurance contained in such sections, upon application made in writing within one year after July 1, 1960, be granted insurance under subsection (a) of section 722 of this title, subject to the other limitations and conditions applicable to such insurance.

"(c) Any person heretofore eligible to apply for insurance under section 621 of the National Service Life Insurance Act of 1940, as amended, shall, upon application in writing made within one year after July 1, 1960, and submission of evidence satisfactory to the Administrator showing such person to be in good health at the time of such application and payment of the required premiums, be granted insurance under subsection (b) of section 723 of this title subject to the limitations and conditions applicable to such insurance, except that (1) until July 1, 1961, limited convertible term insurance may be issued but not renewed after the applicant's fiftieth birthday, and (2) the premiums charged for such insurance and for any total disability income provision which may be attached thereto shall include an additional amount for administrative costs as determined and fixed by the Administrator at the time of issue. The Administrator is authorized to transfer annually an amount representing such administrative costs from the revolving fund to the general fund receipts in the Treasury.

"(d) Notwithstanding the provisions of section 782 of this title, a medical examination when required of an applicant for issuance of insurance under subsection (a) or (c) of this section shall be at his own expense by a duly licensed physician.

"(e) No insurance shall be granted under this section to any person referred to in section 107 of this title."

SEC. 2. The analysis of subchapter I of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following:

"725. Limited period for acquiring insurance."

DEFINITION OF "WIDOW" UNDER THE VETERANS' COMPENSATION AND PENSION LAWS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to amend the veterans' pension code with respect to the payment of compensation and pensions to widows of veterans.

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

The bill (S. 2682) to amend the Veterans' Benefits Code with respect to the payment of compensation and pension to widows of veterans, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Finance.

Mr. YARBOROUGH. Mr. President, this bill will amend the language of 38 U.S.C., section 101(3) defining the term widow for the purpose of the veterans' compensation and pension laws, to make uniform that definition as applied in the various States. As a result of the codification of these laws in the 85th Congress, a definition of the term "widow" was adopted which is unfortunately subject to varying interpretations in our several jurisdictions as to the effect on the widow's eligibility for a veteran's pension or compensation after a remarriage by a void or voidable marriage.

The definition sought to be amended now reads as follows:

The term "widow" means (except for purposes of ch. 19 of this title) a woman who was the wife of a veteran at the time of his death, and who lived with him continuously from the date of marriage to the date of his death (except where there was a separation which was due to the misconduct of, or procured by, the veteran without the fault of the wife) and who has not remarried (unless the purported remarriage is void).

Under the last clause, the Veterans' Administration must now look to the local law to determine whether an annulled remarriage is named as void, or only voidable. The distinction is minute, and different States will describe similar circumstances by different names. Thus, a widow who innocently enters into a bigamous marriage in Massachusetts or California may be restored to the rolls because the marriage is technically void, but in Arizona and West Virginia a widow who enters into a bigamous marriage may not be restored because the marriage is technically only voidable. In fact, no widow can be restored in West Virginia because all marriages are technically voidable until set aside by a decree of annulment. In Georgia, Indiana, Texas, and several other States, a marriage to an insane person is void and the remarried widow may be restored, but in California, South Carolina, Mississippi, and Florida, the marriage of an insane person is voidable and the remarried widow may not be restored. In Georgia a marriage entered into with a person who is so intoxicated as not to understand what they are doing is void and the remarried widow may be restored but in most States such marriages are voidable and the remarried widow may not be restored. In Massachusetts, Missouri, and California a marriage is void for fraud in concealment of impotency whereas in Ohio, Nevada, and Arizona it is technically voidable. Many more examples can be given which reveals that under the law as now written and construed a rule of technicality differing from State to State has been substituted for a rule of common sense applicable uniformly to all States in regard to the restoration of remarried widows to the VA rolls.

Of course, different States may have different grounds for such an annulment, but such grounds are generally similar across the country. This amendment does not seek to change the local law and public policy establishing grounds for annulling a void or voidable marriage, only to make the treatment of such a marriage under the veterans' compensation and pension laws uniform across the country.

Before the enactment of Public Law 85–56, the claim of a widow for the resumption of pension or compensation after annulment of her remarriage was governed by section 3 of Public Law 514, 75th Congress, as amended—formerly 38 U.S.C. 505(a), and paragraph IV(a), part I, Veterans Regulation No. 2(a)—formerly 38 U.S.C. 12A. The language of these laws was very different from that contained in present 38 U.S.C. 101(3).

Paragraph IV(a) of part I of Veterans Regulation No. 2(a) read:

Pension payable to a widow shall continue until death or remarriage, provided, however, that where pension is properly discontinued by reason of remarriage, it shall not thereafter be recommenced.

Section 3 of Public Law 514, as amended, read in part as follows:

Compensation or pension shall not be allowed a widow who has remarried either once or more than once, and where compensation or pension is properly discontinued by reason of remarriage it shall not thereafter be recommenced.

When a court of competent jurisdiction having jurisdiction of the subject matter and the parties enter a decree of annulment of a marriage, there is a formal judicial determination that the purported marriage was void. Therefore, insofar as the parties to the case are concerned, there never was a marriage. However, as the VA was not a party to any said case, it did not consider it to be bound. Consequently, the VA adopted a regulation known as Veterans' Administration Regulation 5402 (D) to provide the rule under which the VA would consider that there was no remarriage and would restore the widow to the rolls. This regulation was in force for many years, and read as follows:

An award of compensation or pension will not be deemed properly discontinued because of marriage or remarriage if (1) the purported marriage or remarriage was void, or (2) the purported marriage or remarriage was voidable * * * (a) at the option of the claimant, (b) on a ground relating to the essential of the marriage relationship not known or reasonably ascertainable by the claimant at the time of marriage or remarriage, if claimant (1) shall have disavowed such marriage by timely and proper action, and (2) submits to the Veterans' Administration a valid decree annulling the purported marriage.

Recognizing that the laws of the various States are different in respect to which marriages are void and voidable, the above regulation established a rule of common sense in all States in which the courts were authorized to enter decrees of annulment rather than a rules of senseless technicality. Thus, if the ground for the annulment was one which related to the essentials of the marriage relationship, restoration was authorized regardless of whether the marriage in the particular State under State laws was deemed void or voidable.

It is to be noted that the statutes involved did not use the words void and voidable. Consequently, there was no legal requirement that the word marriage be construed in a technical legal sense.

Under this regulation, after annulment, hundreds of widows over a period of years were restored to the pension rolls, despite State laws which would render the marriage voidable only, on such grounds as, first, one of the parties thereto was insane; second, the husband had a preexisting wife; third, the marriage was the result of duress; fourth, the husband was unable to consummate the marriage as a result of being impotent, a homosexual, or a drug addict; or fifth, one or both of the parties was so intoxicated as to have no understanding of what they were doing.

The foregoing was the situation at the time of the adoption of the Servicemens' and Veterans' Survivor Benefit Act—Public Law 881, 84th Congress—which contained a new provision in respect to widows; namely:

Payment of dependency and indemnity compensation shall not be made by reason of the death of her husband to any woman as his widow for any period after she has remarried, unless the purported remarriage is void.

The underscored language injected a new provision in veterans laws as a result of which a widow might not be restored after obtaining an annulment on ground going to the essentials of the marriage relationship if the remarriage, under any particular applicable State law, was merely voidable rather than void.

This definition was carried forward into section 101(a) of Public Law 85–56 and thus into section 101(3) of Public Law 85–857 which is section 101(3) of title 38, United States Code, effective January 1, 1959.

After the enactment of section 101(3) of title 38, United States Code, it was construed by the Veterans' Administration in Administrator's Decision No. 962 dated March 16, 1959, to preclude the restoration of benefits to a widow who remarries unless her remarriage is void, as distinguished from voidable, as controlled by the application of the local law of the State of residence of the widow. The Administrator's decision was followed by a change of VA Regulation 5402 on August 7, 1959, so that a widow no longer may be restored if under local law her remarriage was technically voidable, despite the fact that she has obtained an annulment on a ground going to the essentials of the marriage relationship.

The American Legion in its annual convention in Minneapolis, Minn., in August 1959 adopted a resolution, No. 275, calling for the repeal of this phrase.

CONSTITUTIONAL PROTECTION FOR UNIVERSAL SUFFRAGE

Mr. HUMPHREY. Mr. President, yesterday I presented to the Senate a proposed amendment to the Constitution, to carry out one of the recommendations or suggestions of the President's Commission on Civil Rights. One of the suggestions by the Commission in its report was to the effect that there should be constitutional protection for universal suffrage. I quote from the report:

In its investigations, hearings, and studies the Commission has seen that complex voter qualification laws, including tests of literacy, education and interpretation, have been used and may readily be used arbitrarily to deny the right to vote to citizens of the United States.

Most denials of the right to vote are in fact accomplished through the discriminatory application and administration of such State laws. The difficulty of proving discrimination in any particular case is considerable. It appears to be impossible to enforce an impartial administration of the

literacy tests now in force in some States, for where there is a will to discriminate, these tests provide the way.

Therefore, as the best ultimate solution of the problem of securing and protecting the right to vote, we propose a constitutional amendment to establish a free and universal franchise throughout the United States.

On page 18879 of the CONGRESSIONAL RECORD for yesterday, I submitted such an amendment. This particular amendment would read as follows:

ARTICLE—

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or by any person for any cause except inability to meet State age or length-of-residence requirements uniformly applied to all persons within the State, or legal confinement at the time of registration or election. This right to vote shall include the right to register or otherwise qualify to vote, and to have one's vote counted.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress.

A second recommendation of the Civil Rights Commission was recommendation No. 5, for temporary Federal registrars, to be designated by the President of the United States.

I asked the Legislative Counsel to aid me in preparing such a bill; and I introduce today a bill "to assure that citizens of the United States would not be denied the right to vote in Federal elections because of their race, religion, color, or national origin."

This particular bill would carry out the recommendations subscribed to by five of the six members of the President's Commission on Civil Rights, namely, the establishment of what we call Federal registrars, so that there may be no denial of the right to register, which is a prerequisite, in most areas, for the privilege and right to vote. I send the bill to the desk, and ask that it be appropriately referred.

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

The bill (S. 2684) to assure that citizens of the United States will not be denied the right to vote in Federal elections because of their race, religion, color, or national origin, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Rules and Administration.

AMENDMENT OF NATIONAL LABOR RELATIONS ACT, RELATING TO APPOINTMENT OF REGIONAL DIRECTORS OF NATIONAL LABOR RELATIONS BOARD

Mr. GOLDWATER. Mr. President, in the recently passed labor reform legislation, the Congress gave additional powers to the National Labor Relations Board. Heretofore, under the Taft-Hartley Act, the Regional Directors were appointed by the consent of the members of the National Labor Relations Board. However, it is my understanding that the Board has now transferred that responsibility to the General Counsel.

Mr. President, regardless of whether that responsibility has been transferred, inasmuch as they now have assumed more importance than they have had in the past, and will have a decided impact upon the revision of the law, as it pertains to labor-management relations, I believe the Regional Directors should be appointed by the President, by and with the advice and consent of the Senate.

Therefore, Mr. President, I introduce a bill to amend the National Labor Relations Act, as amended, so as to provide for the appointment of the Regional Directors of the National Labor Relations Board by the President, by and with the advice and consent of the Senate. I ask that the bill be appropriately referred.

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

The bill (S. 2686) to amend the National Labor Relations Act, as amended, to provide for the appointment of Regional Directors of the National Labor Relations Board by the President by and with the advice and consent of the Senate, introduced by Mr. GOLDWATER (for himself and Mr. DIRKSEN), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ACREAGE DIVERSION ACT OF 1959

Mr. MUNDT. Mr. President, I introduce, for reference to the appropriate committee, a bill designed to promote greater diversification in agricultural production by encouraging a shift in production from corn, barley, and other grains to soybeans, flaxseed, and other oilseeds.

I need not elaborate on the desirability of reducing production of corn, wheat, barley, and other grains, which are in such abundant surplus, for the salutary effects resulting from such reduced production are manifestly self-evident. However, it is important that this desired cutback in the carbohydrate feed grain crop be accomplished without wasting the agriculture resources of the United States and without creating unemployment among agricultural workers. We must also find means for reducing surplus production of certain crops without injuring or reducing the income of farmers who normally raise these crops.

The American farmer today is required to make heavy capital outlays for machinery and equipment which he uses in his planting, cultivating, and harvesting operations. To make such a capital investment economically feasible there must be a maximum utilization of this equipment. We in Congress are doing the American farmer no favor when we devise farm programs which take farm acres completely out of agricultural production, thus denying the farmer full utilization of his capital equipment and causing this equipment to deteriorate through idleness. Many small businessmen in the rural communities across America also suffer when our Federal farm programs take farm acres completely out of production. These are the businessmen who supply the farmer with his operating needs, such as farm machinery, insecticides, pesticides, soil nutrients, and seed.

My representation in Congress of the midwestern farmer has covered a period of two decades; my active interest in his problems extends over a period of three decades. I know from long experience that it is normally not possible to reduce production of a farm commodity which is in great surplus without totally deactivating the producing acres from harvestable production. However, occasions do arise when surplus crop reduction can be accomplished without a corresponding diminishment in farm operation, farm employment, and farm-supplier business activity. When circumstances are present which make available a partial solution to a farm surplus problem and at the same time allow normal utilization of our agricultural resources, Congress should, in my opinion, hasten to accept such a solution.

Such a partial solution to the massive surpluses of carbohydrate grains is, in my opinion, currently attainable if Congress will enact legislation that encourages increased diversion of acres to the production of crops, which have greater domestic and foreign marketability. Due to the fact that acres currently being utilized for wheat, corn, barley, and other feed grain production are equally adaptable to the production of soybeans and other oilseed crops, which are not in appreciable surplus, Congress can, through a program encouraging acreage diversion, reduce the supply of certain heavy-surplus grains and still not reduce the Nation's overall agricultural operations.

Our experience last year should demonstrate beyond doubt the futility of attempting to solve our surplus feed grain problems through the approach of acreage cutbacks. My colleagues will recall that last year American farmers planted the fewest acres in 40 years to feed grains—yet feed grain production set an alltime record. Modern technology, soil nutrients, and scientifically developed conservation techniques have provided the farmer with the tools to produce bigger and bigger yields per acre of cultivated land. When we force the farmer to cut back his acreage, we then force him to concentrate his efforts on bigger per-acre yields to obtain a fair return on his capital investment; and in the final analysis we have accomplished little or nothing toward reducing the surplus. We simply encourage producers to "mine the soil" in an effort to maintain their income.

We all know that there is no sure-fire solution to the surplus problem. We all know that agricultural production in the United States is going to continue for some time to exceed domestic demand. Let us, therefore, learn from experience. Let us establish enlightened farm programs and evolve new answers and solutions that encourage the production of commodities for which there is the most active market. This bill which I introduce today proposes such a program. It is designed to divert farm acres from

heavy-surplus crops, like corn, to soybeans and other oilseed crops, for which there are active foreign and domestic markets.

Mr. President, the expansion of the production of oilseeds, vegetable oils, and fats is one of the most dramatic chapters in the long and productive history of American agriculture.

In the years before World War II, the United States was a large net importer of vegetable oils and fats, dependent upon imported supplies for a large part of its needs for both nutritional and industrial uses. Production has since expanded so that the United States has been for some years the world's largest net exporter. Soybeans have attained the position of the fourth largest cash crop in income to American farmers. The total value of all oilseed, vegetable oil, and fat production is near the top in value of any farm commodity grouping, and it is all a commercial production which moves into and through the channels of trade.

Despite the tremendous expansion already accomplished, the oilseed meal production is still far short of meeting the needs of the expanding livestock and poultry industries. An adequate supply of protein meal is needed to forestall the substitution of synthetic nonfarm substitutes, which once established will constitute a continuing threat to farmers' protein meal markets. There is a continuing demand for vegetable oils abroad, and such exports implement the foreign policy of the United States, whereas export sales of grains often cause discord in our relations with other grain exporting countries.

Diversion of acres from feed grains to oilseeds is certain to bring about immediate economies in our farm program, at the same time buoying up farm income. For example, the shifting of 5 million acres of corn to soybeans would reduce the annual corn surplus by 250 million bushels or more with resultant savings of $300 million in loan and acquisition costs plus annual savings of nearly $50 million in storage and handling costs.

A domestic demand exists for the protein meal from an additional 5 million acres of soybeans. There is an active foreign market for the oil extracted from the bean. Should this oil be temporarily in surplus for any year, the cost of acquiring all the oil produced from 5 million acres would not exceed $120 million, and storage costs would be substantially less than for corn. It is obvious, therefore, that a program diverting acres from corn to soybeans would save the taxpayer in the neighborhood of $150 million annually; and also such a program should enhance the market value of the annual corn crop.

The program envisaged in the legislation, which I am offering today, is workable and realistic; and it can be implemented by the Department of Agriculture without dislocating existing price-support programs. The following brief description of this proposal demonstrates its feasibility and simplicity.

Section 1 is a purely clerical provision, entitling the bill as the "Acreage Diversion Act of 1959."

Section 2 directs the Secretary of Agriculture to provide price supports for oilseeds at a level, which he determines will result in diverting to oilseed production, acres which would otherwise be devoted to crops in great surplus. The Secretary is specifically directed to fix price supports for soybeans, corn, flaxseed, barley, and other grains, so as to divert corn acres to soybeans and barley and other grains to flaxseed.

Section 3 authorizes and directs the Secretary of Agriculture to purchase or agree to purchase soybean, linseed, cottonseed, tung, and other oilseed oils, so as to assure a maximum domestic supply of protein meals and full price support for farmers in the marketplace. The purchase price for these oils will be the equivalent of the respective price support, taking into account the prevailing or estimated price for protein meal, with sufficient allowance for normal processing margins.

Section 4 provides that vegetable oils purchased under this program shall not be sold domestically at prices lower than 120 percent of the initial cost plus carrying charges from the previous October 1. This provision assures that domestic consumers will buy their vegetable oil supplies in the open market and will not rely on the Government to maintain inventories. Additionally, this section provides that any oils determined to be surplus to domestic needs, dollar export demands or the export needs of Public Law 480 shall be used for the national school lunch program or for charitable relief feeding in foreign countries through approved private agencies.

Mr. President, I sincerely feel that this legislative proposal will increase the annual income of the American grain farmer and at the same time save the American taxpayer approximately $150 million. I sincerely hope that the Senate Committee on Agriculture and Forestry will give early consideration to the proposal, following the commencement of the 2d session of the 86th Congress. I ask unanimous consent that the text of my bill be prnited at this point in the RECORD.

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

The bill (S. 2690) to promote greater diversification of U.S. agricultural production; to shift U.S. farm production to those commodities in relatively greatest demand, taking into account both domestic and export markets; to provide larger supplies of protein meals for balanced rations for the dairy, livestock, and poultry industries; and for other purposes, introduced by Mr. MUNDT, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, 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 this Act may be cited as the "Acreage Diversion Act of 1959".

SEC. 2. In the administration of price support programs, the Secretary of Agriculture (hereinafter referred to as the "Secretary") is directed to provide price supports for oilseeds at a level which he determines will result in diverting to oilseed production acres which otherwise would be devoted to crops determined by him to be in great surplus. In making such determination, the Secretary shall, notwithstanding any other provision of law, fix price supports for soybeans, corn, flaxseed, and barley and other grains so that acreage will be shifted from corn to soybeans and from barley and other grains to flaxseed. The Secretary shall, to the extent practicable, set the level of price support pursuant to the provisions of this section so as to obtain annually a diversion of not less than 5 million acres from the production of surplus grain crops to the production of oilseed crops.

SEC. 3. To assure maximum supplies of protein meals for livestock and poultry, and to assure full price support for farmers in the marketplace, the Secretary is authorized and directed to purchase or to agree to purchase soybean, linseed, cottonseed, and tung oils and any other vegetable oils from other oilseeds to which price support may be extended. The purchase price for such vegetable oils shall be the equivalent of the respective price support, taking into account the prevailing, or estimated, price for the protein meal and with due allowance for normal processing margins.

SEC. 4. (a) Any vegetable oils acquired by the Secretary under section 3 of this Act may be sold for domestic use at not less than the cost thereof plus 20 percent plus carrying charges from the previous October 1. Any vegetable oil so acquired which the Secretary determines to be surplus to domestic needs, dollar export demand, and export needs supplied under Public Law 480 of the Eighty-third Congress shall be (1) used for the National School Lunch Program (carried out under the National School Lunch Act) and (2) donated, upon such terms and conditions as the Secretary deems appropriate, to nonprofit voluntary agencies registered with the Department of State, appropriate agencies of the Federal Government, or international organizations, for use in the assistance of needy persons outside of the United States.

(b) The Commodity Credit Corporation may incur such additional costs with respect to vegetable oils to be donated pursuant to clause (2) of subsection (a) as it is authorized to incur with respect to food commodities disposed of under section 416 of the Agricultural Act of 1949, and may pay ocean freight charges from United States ports to designated ports of entry abroad.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO ADJOURNMENT OF CONGRESS

Mr. ANDERSON. Mr. President, I introduce, for proper reference, and subsequent consideration, a joint resolution proposing an amendment to the Constitution of the United States, relating to the adjournment of Congress.

In the first place, I propose this as a constitutional amendment rather than as a law because experience teaches us that it is almost impossible to get the Congress to adjourn unless there is strong compulsion about adjournment. The Legislative Reorganization Act theoretically fixes the limit on each congressional session at July 31, except in time of war or during a national emergency proclaimed by the President. We

are not in a shooting war at the present time, but we have been in a national emergency since the passage of the National Reorganization Act in 1946 and, presumably, will continue in that state permanently. I think it would be well to consider that cold war is the normal—not the abnormal—condition of the country, and that we need not label it a national emergency.

My proposal is that the first Saturday after the first Tuesday in July shall be the required adjournment date, unless the Congress finishes sooner or a law for a later date is passed by an affirmative vote of three-quarters of the Members of each House present and voting.

That provision is designed to insure that the Congress will have its business in shape so that its sessions could terminate about June 30 and Members could go home for the usual Fourth of July celebrations. A skeleton crew might stay on hand to complete the signing of bills and resolutions, but the majority of the Members of Congress would be out and away by the first day in July and the balance by the first Saturday of that month.

The Members would return to Washington on the second Monday of November each year. This would permit Members to stay in their home districts until after the usual November elections, but return to the Capital for hearings on appropriation bills and other legislative matters. With that early start, adjournment by July would not be difficult.

There may be many reasons why the dates for the opening of congressional sessions have varied in the past. Once the date had a relationship to the harvesting of crops and the need for Members to return to agricultural duties. Few Members now do farm labor.

Today many persons advocate seriously that the Congress have year-round sessions. However, others feel that every Member of Congress should spend a substantial portion of the year in his home district to learn the feelings and desires of the people he represents. We lose something when the Member gets too far away from the people who sent him here.

The school problem is a most difficult one. Many Members desire to have their families go home for vacation in the summer and return at the beginning of the school term in Washington. We have had a sample of that this year. The wives of many Members took the children to their home districts late in June or early in July. They are now coming back to Washington about in time to cross paths with the Members who will be starting out to their States when this session of the Congress adjourns sine die. This is not good either for the Member or his family, and the Congress should revise its schedule to correct this.

I have hesitated to introduce this joint resolution for fear someone might consider it critical of the leadership in the Senate and House. Nothing could be farther from my wish. The leadership in both Senate and House, majority and minority, is forced to work with the tools it has, and those tools have tended to extend and not restrict the summer session of the Congress. The cutoff date of July 31 in the Reorganization Act is ineffective and needs to be bolstered by a constitutional amendment.

The use of a constitutional amendment gives the people of this Nation a chance to say what they think Congress should do about this problem of adjournment. If the people through their State legislatures instruct their congressional representatives to be in adjournment at least 4 months of the year and devote that time for visits at home or to hearings, or conferences in foreign lands, that mandate will be effective.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD at this point.

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

The joint resolution (S.J. Res. 142) proposing an amendment to the Constitution of the United States relating to the adjournment of Congress, introduced by Mr. ANDERSON, 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 hereby 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 when ratified by the legislatures of three-fourths of the several States:

"ARTICLE ——

"SECTION 1. In each year in which the two Houses of Congress have not adjourned sine die prior to the first Saturday after the first Tuesday in July, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on the second Monday in November in that year, unless they shall otherwise provide by law, passed by the affirmative vote of three-fourths of the Members of each House present and voting.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

Mr. MAGNUSON. Will the Senator yield?

Mr. ANDERSON. If I have the time available, I will be happy to yield to the able Senator from Washington, who is a pioneer on this subject.

Mr. MAGNUSON. Mr. President, I ask that I may be allowed 2 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. I do not know to which committee the measure which the distinguished Senator has introduced will be referred. As the Senator knows, there are three or four proposals on this same subject in the Senate. The measures I have been introducing at other sessions have been referred to different committees. The last one was referred to the Committee on the Judiciary. The other day I had a call from counsel for the Committee on Government Operations, suggesting that it should be referred to that committee.

Then, of course, the Committee on Rules and Administration would have jurisdiction. I am hopeful that by January all the bills will be before one committee, so that we may have some substantial hearings on the entire question.

Mr. ANDERSON. Mr. President, the able Senator from Washington has made what I think is an extremely interesting proposal. He would change the fiscal accounting system of the Government, and bring about financial auditing early in the year. I think the proposal is extremely important, in view of the current responsibilities of the Government.

My only effort was to present a different version, in the hope that some committee of the Senate would hold substantial hearings, to the end that we might be permitted to get away earlier.

This resolution is not designed to be critical of the leadership. The leadership must work with what it has. It is unfortunate that we have not had a stronger rule with respect to early adjournment.

Mr. MANSFIELD. Mr. President, I feel that great credit is due the Senator from Washington, who, while he was a Member of the House, as well as during the time he has served in the Senate, introduced proposed legislation with the idea of two sessions of the Congress each year, one to attend to purely legislative matters, to be followed by a hiatus between sessions, and then a second session to attend to purely appropriation matters. I think the Senator from Washington should be given credit for his original idea.

Mr. ANDERSON. I am very strong in my praise for the Senator from Washington. This joint resolution is an intermediate step. It might not change the entire budgeting program of the Government, but it is an important step. I sincerely thank the Senator from Washington for the leadership he has displayed in this field.

MUTUAL SECURITY APPROPRIATION BILL, 1960—AMENDMENT

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF S. 2518, TO INCORPORATE THE NATIONAL DISTRICT ATTORNEYS' ASSOCIATION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that——

The VICE PRESIDENT. The Chair is unable to hear the Senator. The Senate will be in order.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the senior Senator from California [Mr. KUCHEL] and the senior Senator from Minnesota [Mr. HUMPHREY] be added as additional cosponsors to the bill which I

introduced on August 11, S. 2518, to incorporate the National District Attorneys' Association, at the next printing of the bill.

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

Mr. MORSE. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. MORSE. I did not hear the unanimous consent request.

Mr. JOHNSON of Texas. The Senator from Louisiana asked that two additional cosponsors be added to a bill he introduced.

RELIEF OF AMERICAN MANUFACTURERS SERIOUSLY THREATENED BY FOREIGN COMPETITION—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of September 8, 1959, the name of Mr. BRIDGES was added as an additional cosponsor of the bill (S. 2663) to provide for equalizing the conditions of competition between domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States, introduced by Mr. KEATING (for himself and other Senators) on September 8, 1959.

AMENDMENT TO CONSTITUTION RELATING TO REPRESENTATION IN THE HOUSE OF REPRESENTATIVES AND ELECTORAL COLLEGE TO DISTRICT OF COLUMBIA—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. KEATING. Mr. President, I ask unanimous consent that the names of Senators BIBLE and RANDOLPH be added as additional cosponsors of the joint resolution (S.J. Res. 138) proposing an amendment to the Constitution of the United States granting representation in the House of Representatives and in the electoral college to the District of Columbia, introduced by me, for myself and other Senators, on September 3, 1959.

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

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO SUBMIT REPORTS SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Committee on Government Operations, on its own behalf or on behalf of its subcommittees and the Select Committee on Improper Activities in the Labor or Management Field, be authorized to file reports with the Secretary of the Senate during the adjournment sine die of the Senate, 86th Congress, 1st session, and that they be printed.

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

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

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

By Mr. SCOTT:

Statement by him, relating to the reduction of tensions between the United States and the Soviet Union.

By Mr. MANSFIELD:

Article entitled "Nuclear Disarmament and Testing—A Capital Interview with Senator CLINTON P. ANDERSON," written by Courtney Sheldon, and published in the Christian Science Monitor of September 9, 1959.

Article entitled "The Advice and Consent of J. WILLIAM FULBRIGHT," written by Sidney Hyman, and published in the Reporter for September 17, 1959.

MR. KHRUSHCHEV'S VISIT

Mr. WILEY. Mr. President, last night, as I was privileged to listen on the television to the address by the President of the United States, a number of questions came to my mind. As a result, I have prepared a brief statement which, during the morning hour, might be worth our consideration. I have prepared a statement under the headline "Khrushchev Could Visit the Senate Without a Special Invitation."

As we know, Mr. Khrushchev is scheduled to arrive in this city on Tuesday, to exchange talks with the President on matters of very great significance. This interchange is a new experiment in international diplomacy, by means of which the heads of opposing ideological systems—freedom versus communism—agree to exchange ideas. As someone has said, "Beware of a man with an idea; he may turn the flank of history."

Ordinarily, Mr. President, on September 15, when Mr. Khrushchev will arrive, Congress would not be in session. We have heard that it is likely that Congress will take a recess on Monday night. Of course, I do not know whether that will prove to be the case. But if we are not in recess at that time, suppose Mr. Khrushchev would like to come to the Senate, not to speak, but simply because any person who is a member of a national legislative body has a right to the floor of the Senate, as provided by rule XXXIII of the Senate rules. Without having a special invitation, could he not come to the floor of this body? Then the question would be, what would occur?

I think the President gave us the cue. Of course, when Mr. Khrushchev comes to our country, he will be a guest of our Nation. In his television address, the President called attention to the way the Russian people treated you, Mr. President, and he suggested that the people of the United States should recognize that when Mr. Khrushchev is in our country, he will be here as a guest—and I emphasize the word "guest"—of our country.

If the Soviet Premier did choose to visit the Senate, and if by a quirk of fate he were recognized while on the floor of the Senate—although I do not know whether he would be; I think that would be largely in your hands, Mr. President, and in the hands of the majority leader—there might arise the question of whether we might then experience a real filibuster. I have heard that term lately applied to myself in the Chicago water diversion.

Once recognized, the likelihood would be that he would not yield to anyone, especially since, according to his words, we are "misled freedom lovers" who have the audacity to believe in, and act as the representatives of, a democratic process in which we speak for the citizens of the country.

By contrast, rarely in history has a political philosophy paid so much lipservice to the masses, but so little heed to their real needs.

Of course, I hope that if the Senate were then in session, a major portion of the bills now pending would by then have been considered. However, in the event the calendar had not been cleared by that time, let us anticipate for a moment the comments which Mr. Khrushchev might make in regard to such bills as, for example, the civil rights bill, the mutual security bill, or the public works bill.

Mr. President, I wish to say that all the things I am saying at this time are the products of a sort of perambulation of the mind, after listening to the President of the United States speak on the television last evening.

For instance, let us consider the situation as regards civil rights proposed legislation. According to the reports of the procedures in the Communist-dominated countries, I am confident that Mr. Khrushchev would find our debates on civil-rights matters or individual rights matters somewhat superficial, if not entirely useless and completely out of keeping with the way such matters are handled in the Soviet Union, particularly as compared to the extent to which the Government of the Soviet Union finds any opportunities at all to consider the rights, interests, and views of the individuals, particularly when they may be contradictory to the dictatorial rule of the Soviet Union.

Is the Government of Soviet Russia civil? Is it always right? These are questions about which we may wish to think. In Russia the state is all, the people are but tools of the state or serfs of the state. We hope Khrushchev's visit will result in more freedom for the masses.

Now, what of mutual security? With the symbolic "dove of peace" unfurled above his head, the Soviet Premier might examine the legislation and then loudly proclaim to the world that the United States of America was attempting to increase—not ease—tensions in the cold war by not looking out for the security of Comrade Russia, in effect, leaving her out in the cold, without including some aid for the U.S.S.R. Let us hope he will thank us for the help we gave Russia during the last war.

Now, are there public works projects in Russia? Certainly.

But do they have big discussions at their Supreme Soviet on what projects get approved? And how much money will be spent? Definitely not. If they need public works, such as is now being considered before the Congress, Comrade Ivan, and possibly his family help with the job. When? In all probability on Sunday, since they do not have a thing to occupy their time, minds, and energies on this day—with religion, in Communist's eyes, an opiate of the masses. So, they joyfully turn out, in whatever spare time they may have between working—incidentally, much longer weeks than exist under the capitalistic system—and attending Communist indoctrination sessions; and in other ways working for programs in a classless society, dominated over, and dictated to, by the Communist ruling class of only 4 to 6 percent of the population. Is it classless, Mr. President? Then we have "rulers and ruled."

For this work, do they ask wages? Or compensation? Or recognition? Definitely not. In the Soviet Union, these services are done voluntarily—or else.

Now, Mr. President, I am aware that there are feelings—pro and con—on whether or not, if Congress is still in session when Mr. Khrushchev arrives, he should be invited to address a session.

Considering what he—as an avowed and dedicated Communist—thinks of the workings of our Republic, his appearance would appear questionable.

In these remarks, I merely wanted to point out that, under Senate rule XXXIII, Mr. Khrushchev—as a member of a foreign legislature—could well consider that he has an "open invitation" to attend sessions. My crystal ball, however, is somewhat hazy about whether or not this would occur.

So, Mr. President, in the closing days of the session, some of us have an opportunity and an inclination to look around the corner of tomorrow. We who do not take ourselves too seriously, but try to take our responsibilities as Senators seriously, have an inclination to wonder what is coming up in the next few days when Khrushchev arrives. We have no fear, we have hope, yes faith that good will come out of this interchange.

RULE XXXIII

Mr. MORSE. Mr. President, I have listened with a great deal of interest to my good friend from Wisconsin [Mr. WILEY] in regard to his interpretation of rule XXXIII. I would not want the RECORD to close today without a comment on rule XXXIII, because I do not hold to the interpretation of the Senator from Wisconsin on rule XXXIII at all.

Mr. President, rule XXXIII states that—

> No person shall be admitted to the floor of the Senate while in session, except as follows—

In the course of the listing of those who are eligible for admission to the Senate floor, we find this language—

> Members of national legislatures of foreign countries.

Mr. President, I think it would be a very strained and stretched interpretation of rule XXXIII to take the position that a member of the legislature of any foreign country could just walk onto the floor of the United States Senate, of his own will, without any admission through an appropriate committee of the Senate, or through an appropriate official of the Senate, such as the Presiding Officer, the Vice President of the United States, or the President pro tempore.

Furthermore, I think such an interpretation is just such an extreme interpretation of the language of the rule that it falls of its own dead weight.

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

Mr. MORSE. I yield.

Mr. WILEY. Is Khrushchev a member of a legislature?

Mr. MORSE. Let us assume he is. Let us assume they have a legislature in Russia, which is, of course, a debatable matter. But I give the Senator the benefit of every assumption, that Khrushchev is a member of a legislature. Let us assume he is a member of a legislature that would have a speaker. This rule does not mean such visitors could come to the corridor outside the Senate Chamber and automatically walk onto the floor of the Senate.

Mr. WILEY. Will the Senator read the first sentence of rule XXXIII?

Mr. MORSE [reading]:

> No person shall be admitted——

Mr. WILEY. Go ahead.

Mr. MORSE [reading]:

> No person shall be admitted to the floor of the Senate while in session, except as follows—

The sequence of the language clearly implies that they are not eligible to come on to the floor of the Senate unless they meet one of the qualifications herein stated.

I just think it stands to reason that if any representative of the national legislature of any foreign country came to Washington, D.C., he would understand that this language means he would have to seek admission to the floor of the Senate of the United States; that he would be eligible for admission to the floor of the Senate of the United States if he met the qualifications set forth, and then he would be eligible for admission through the regular procedure of coming on to the floor by way of consent of an official of the Senate or of an appropriate committee. That is the way we do it. That is the long-standing custom. Such visitors get on the floor of the Senate either as guests of the Vice President, of the President pro tempore, of one of the leaders of the Senate, or of one of the committees of the Senate. And we bring on to the floor of the Senate, through the Foreign Relations Committee, representatives of foreign legislatures time and time again.

I do not mean to let the language of the Senator's remarks stand in the RECORD unchallenged. This is not any time to get into any contest about it, but I want to register a contrary view. I would not care to have this language stand even for 1 hour as a possible basis for such a precedent.

I take the position that no member of any foreign legislature can automatically walk through the doors of the Senate without a clearance of the Senate, whether he might be Khrushchev or X, Y, or Z.

Any reasonable interpretation of this language would have to lead to the conclusion, in my judgment, that all the rule does is set up what qualifications a person should have before he could be admitted to the floor of the Senate, and that the rule clearly implies he could be admitted only by appropriate action of the Senate of the United States, through a committee or through an official of the Senate; that he cannot come to the United States and say, "Well, I am going to go to the floor of the U.S. Senate of my own volition, because I find in the Senate rule book that I have those qualifications which entitle me to admission."

I think the rule clearly implies that he has to be invited for admission.

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

Mr. MORSE. I yield the floor. The Senator can have the floor in his own right.

Mr. WILEY. I am happy to have the Senator's interpretation. I am sure we are not very far apart in our interpretation of the rule. The rule book states the proper way to admit such a visitor. If there is written into the rule the language "on invitation of a Member of the Senate," that is one thing. If that is implied, that is another thing. But in thinking and dreaming about this matter, after hearing the President talk, I put down on paper the ideas I have expressed. I am sure the Parliamentarian might very well interpret the matter, if at this time it would be proper to ask for a ruling as to what the rule means.

Mr. MORSE. I am perfectly willing to have the Senator ask for it by way of a parliamentary inquiry.

Mr. WILEY. Mr. President, I request a ruling on what the rule means.

The VICE PRESIDENT. The procedure which the Senate has followed pursuant to this rule is that members of foreign legislatures are brought on the floor by Members of the Senate. There has been no instance in which a member of a foreign legislature has, on his own initiative, come on the floor. The opinion of the Chair would be that the procedure which has been followed through the years would indicate the sense of the Senate interpreting this rule to mean that when a member of a foreign legislature desired to visit the Senate, he would be required to come on the floor as the guest of a Member of the Senate; the chairman of the Committee on Foreign Relations, the President pro tempore, or some other Senator in a capacity to issue such an invitation.

Mr. WILEY. Mr. President, I think that the interpretation of the President of the Senate is correct. I think, however, that the rule itself states a right. The interpretation of the rule implies, and courtesy implies, that one who is a

member of some other legislative body who desires to come on the floor would necessarily approach some Senator who is on the floor, or some officer of the Senate. So I think possibly we might say we are both correct in our interpretation. There is a right fixed by the rule. There is a procedure which has been applied through the years showing how the right is made available.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MORSE. Mr. President, may I proceed on another matter?

The VICE PRESIDENT. Does the Senator desire to be recognized on another matter?

Mr. MORSE. Yes.

The VICE PRESIDENT. The Senator from Oregon is recognized.

VISIT BY KHRUSHCHEV

Mr. MORSE. Mr. President, I ask unanimous consent that the editorial published in the Washington Post and Times Herald this morning regarding the President's address of last night and the forthcoming Khrushchev visit be printed in the RECORD at this point.

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

PRESIDENTIAL REASSURANCE

Mr. Eisenhower's address last night contained very little that alert newspaper and broadcast audiences did not already know. Nevertheless, it was no doubt useful to have the President's confirmation of the essential agreement, unity of purpose and even liking for Americans that he found in Bonn, London, and Paris. Mr. Eisenhower went out of his way to praise the De Gaulle government for its successful relationship with the independent countries that make up the French Community, although he carefully avoided mention of Algeria. He was earnest in his discussion of NATO and of cooperative efforts to assist the underdeveloped countries. This combination of maintenance of defensive strength and attention to economic needs remains one of the free world's most challenging tasks—and one which Congress, now that it has vented its ire over vetoes, could help better to meet by restoring military and economic aid funds cut from the mutual security appropriation.

Beyond this review, Mr. Eisenhower's talk was basically an appeal to Mr. Khrushchev to come to the United States prepared to talk seriously. The appeal was most notable for its conciliatory tone. Interestingly enough, the President reported conviction among all the Allied leaders that the effort to talk to the Soviet Prime Minister had to be made. Mr. Eisenhower properly restated the purpose of the visit—to enable Mr. Khrushchev to see the United States as it is, and to impress upon him basic American views about Berlin and other matters. The President held out the prospect of actual negotiation on arms control and the German problem in a subsequent summit meeting provided that the Soviet Union removes the Berlin threat and shows evidence of real desire to reduce the cause of tension.

If most of this has been said before, a reaffirmation on the eve of the Khrushchev visit helps to set an atmosphere of courteous realism and prudent hope. Certainly it was good to reiterate the invitation for Mr. Khrushchev to offer constructive ideas and suggestions. We trust that the United States, through President Eisenhower, also will have some constructive ideas and suggestions to present.

Mr. MORSE. Mr. President, under the 3 minutes permitted to me for that insertion in the RECORD, I wish to say I think the Vice President's ruling is completely correct. The rule states, "No person shall be admitted." The word "admitted" clearly implies an affirmative act on the part of the Senate, or of an official of the Senate, or of a Member of the Senate, in having a member of any foreign legislature come on the floor of the Senate. That statement is supported by our historic practice. I think the word "admitted" in the rule must be interpreted in the light of the practice of the Senate over many years. The practice invariably has been that no one from a foreign legislature has ever come on the floor of the Senate, so far as I know, except with a Member of the Senate, an officer of the Senate, or a committee of the Senate. I think the word "admitted" in the rule clearly implies it would require affirmative action on the part of someone connected with the Senate in an official capacity to bring any person onto the floor of the Senate. The rule implies that no Member of the Senate can bring anybody onto the floor of the Senate unless such person has the qualifications set out in the rule.

Mr. HOLLAND. Mr. President, I think the position taken by the distinguished Presiding Officer of the Senate, the Vice President, and by the Senator from Oregon is completely correct. My own experience has been devoted very largely to the admission of Governors of States, who are in the same grouping mentioned by the Senator from Wisconsin and are covered by the same rule. I know that no Governor of a State of the Union, other than a former Senator, would think of walking into the Chamber of the Senate of the United States except in company with a Senator, and preferably a Senator from his own State. His host would have to be some Senator who could identify the Governor to those who are charged with the duty of excluding from the Senate those who are not entitled to admission. My own experience has been that the Governors of our States never come upon the floor of the Senate unless invited by and accompanied by a Senator from their own States.

It seems to me, having been through the experience from both points of view, of welcoming Governors and of being welcomed by a Senator, we would certainly not interpret the rule as having a broader application for someone whose identification would be even more difficult than that of Governors of our States than we would interpret the rule for the Governors of our States.

I thoroughly approve of the ruling of the distinguished Vice President and of the remarks advanced by the Senator from Oregon. I am not out of accord entirely with the remarks of the Senator from Wisconsin, except that I see no point in raising this issue at this particular time. I think the ruling of the Vice President is completely appropriate under the conditions.

EISENHOWER SPEECH ON EUROPEAN TRIP

Mr. DIRKSEN. Mr. President, I thought the President of the United States made a very impressive and convincing report to the people of the country last night. I ask unanimous consent that the text of the speech be printed in the RECORD.

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

TEXT OF EISENHOWER SPEECH ON HIS EUROPEAN TRIP

My friends, in these next few minutes, I should like mainly to talk to you about my recent European trip.

To give you first my most memorable impression—it is that the people of Europe deeply like the people of America. In the villages, towns, and in the big cities, I could feel this message rushing across the Atlantic in a great roar. Along the lanes and country roads the message was always the same. Even during a long automobile trip to make a courtesy visit to the Queen and her family, there was scarcely a hundred-yard stretch that did not have its little knot of people to send back this same greeting and sentiment to America.

During the past 2 weeks I have conferred, as you know, with Chancellor Adenauer, of Germany; Prime Minister Macmillan, of Britain; and President de Gaulle, of France, all old friends of mine. I talked with Prime Minister Segni and Foreign Minister Pella, of Italy, also with Mr. Luns, of Holland, and Mr. Spaak, of Belgium, who are, respectively, the President and the Secretary General of the NATO Council.

These men are statesmen. Like us, they are dedicated to preserving the security of free nations and to upholding the values we place above all others—freedom, equality of opportunity, human dignity, and peace with justice.

UNITY AND AIMS REAFFIRMED

With them we reaffirmed our unity on fundamental issues and in support of the North Atlantic Treaty Organization.

We are resolved that there will be no retreat from the fundamental objectives to which we are collectively pledged. We agreed that the defensive strength required for our common security must continue to be maintained.

For the face-to-face reaffirmation of this faith and purpose, I am grateful and deeply gratified. I had the same feeling during my entire journey, in talking to President Heuss, of Germany, and a great number of other men and women in and out of government.

To our friends in Bonn, London, and Paris, I expressed American concern over the aggressive action of the Communists in Asia. Each believed that the United Nations should take official notice of the Laos situation and that we should support that body in seeking a satisfactory solution. Mr. Macmillan was especially emphatic on this point. I am happy that the United Nations has already designated a fact-finding commission of neutral observers. I hope that this prompt United Nations action will serve to halt the aggression that has threatened the freedom of Laos.

Quite naturally, much of our discussion centered about our defensive alliance, NATO. All expressed approval of its growing capability to secure cooperation among member nations in political, economic, and scientific areas, as a supplement to its work in the security field. The Common Market and similar developments tending to knit more closely together the nations of Europe also engaged our attention.

NEED FOR AID DISCUSSED

One subject involved in our discussions was that of the growing problems faced by the underdeveloped or newly formed nations of the world. More than one billion needy people require real advances in education, health facilities and living standards. There is an understandable ferment among them—an intense dissatisfaction with their present lot and an increasing determination to improve that lot. They must have greater technical asistance in all fields, large amounts of investment capital, and wider opportunity for trade.

Since all of us outside the Iron Curtain want such progress to be achieved in freedom, the highly industrialized free nations must, cooperatively, find effective means to provide the needed help. Each of us has undertaken to study this vast problem which could eventually become a menace to our own freedom. Since no one nation alone should or can bear the burdens involved, we see again the need for greater cooperation and unity among ourselves so that, through equitable sharing, success can perhaps gradually but surely be achieved.

AFRICAN LEADERS PRAISED

In connection with this worldwide issue, I had in Paris a unique and most interesting opportunity to learn many things about political developments in all parts of French Africa. To that city had been invited the Prime Ministers of the countries making up the French community. Eleven came.

Incidentally, they are so anxious to express in some way their respect and admiration for the American people that they are now shipping to this country a baby elephant. I hope to arrange for its home in one of our zoos.

The people of these regions, who are, in local affairs, largely self-governing, are being helped by France in their economic, cultural, and political progress. They have been assured of the right to make their own final decisions as to their own political destiny.

The morale of all these men is high. They repudiate the false teachings of communism. They have a vision of progress and future greatness in freedom. They emphatically expressed to me their gratitude to France and General de Gaulle for the opportunities opening up before them.

It was in this kind of atmosphere and with knowledge of friendly cooperation that I talked with our Western allies about the impending visit of Chairman Khrushchev to the United States.

INVITATION EXPLAINED

I outlined to them the reasons for my invitation to him, which are simply:

First, to give him the opportunity to see what America and Americans are like; to let him see and feel a great thriving nation living in real freedom.

Second, to give him, face to face, the basic convictions of our people in the major issues of the day, including West Berlin, and to hear from him directly his own views of those issues.

We have recently had visits from two high officials of the Soviet Government—Mr. Mikoyan and Mr. Koslov. It is appropriate that the head of the Soviet state and the dominant figure in the Soviet Government now be given the same opportunity to form his own impressions of America, at first hand.

I assured our allies in private conversations, as I have on other occasions publicly, that my invitation to Mr. Khrushchev does not contemplate merely a ceremonial visit—just as it does not suggest any purpose of definitive negotiation. But it does imply the hope that serious exploratory efforts may reveal new opportunities for practical progress toward removal of some of the causes of world tensions.

Conversations with Chairman Khrushchev will not include any negotiation concerning subjects that directly relate to the interests of our allies or to any other part of the free world.

UNPRINCIPALED DEALS BARRED

In this connection, I know that neither America nor her allies will mistake good manners and candor for weakness; no principle or fundamental interest will be placed upon an auction block.

This is well understood here and abroad.

Allied leaders expressed their understanding of the reasons that prompted the invitation to Mr. Khrushchev to visit America. While their hopes for progress revealed varying degrees of optimism, each was convinced that the effort was clearly one that had to be made.

Incidentally, I have every confidence that our people will greet Mr. Khrushchev and his wife and family with traditional American courtesy and dignity. We cannot fail to accord him the same consideration which the Soviet public gave to Vice President and Mrs. Nixon.

Having just returned from France, it might be appropriate to recall a comment made about our Nation over a century ago by the remarkable observer, Tocqueville. "The great sustaining force of America," he said, "is not simply to be found in its laws or institutions—but in the manners of her people, her habits of heart."

Each of the leaders with whom I talked is fully aware of America's conviction that any agreement to hold a summit meeting must be based upon the certainly that our status and rights in Berlin be respected. In addition, we believe there must be some clear Soviet indication, no matter how given, that serious negotiation will bring about real promise of reducing the causes of world tensions.

READY TO NEGOTIATE

Should a summit meeting on such a basis ensue:

We are prepared to make a real beginning toward solving the problems of a divided Germany.

We are hopeful of arranging for wider contacts in ideas, publications, persons, and information.

We are, in short, ready to negotiate on any subject within the limits dictated by the dedication of our Government and our people to the cause of a just peace, and our loyalty to the United Nations and its basic concept. That concept is that international disputes should be settled by peaceful means, in conformity with the principles of justice and international law.

We shall not retreat from these ideals or principles or weaken in our resolution to remain strong in their defense. This means that we must be as concerned about the freedom of 2 million West Berliners as we are about the freedom of any part of our coalition.

We must be concerned about the threats to freedom, no matter where they may occur.

Though specific problems may at times present such difficulties as to prevent immediate, practicable solution, yet we must all understand that wherever freedom is denied or lost—whether in Asia, Africa, the Americas, or in Eastern Europe—by that much is our own Nation's freedom endangered. Firmness in support of fundamentals, with flexibility in tactics and method, is the key to any hope of progress in negotiation.

CHANCE OF SUCCESS WEIGHED

The choice before world leaders is momentous.

In the past, conferences have too often been characterized by suspicion, threat, or stubborn prejudice, and results have been barren and bleak.

But, could we create an improved atmosphere of mutual understanding and serious purpose, it would be possible to attack, with renewed hope, the problems that divide us. If the Chairman of the Council of Ministers of the U.S.S.R. has constructive ideas and suggestions that could provide the basis for responsible negotiations on the issue that divide us, we would welcome the opportunity to study them with our allies.

It is my profound hope that some real progress will be forthcoming, even though no one would be so bold as to predict such an outcome.

Fellow Americans, we venerate more widely than any other document, except only the Bible, the American Declaration of Independence.

That declaration was more than a call to national action.

It is a voice of conscience establishing clear, enduring values applicable to the lives of all men.

It stands enshrined today as a charter of human liberty and dignity. Until these belong to every living person their pursuit is an unfinished business to occupy our children and generations to follow them.

In this spirit we stand firmly in defense of freedom.

In this spirit we cooperate with our friends, and negotiate with those who oppose us.

If the forthcoming visit of Mr. Khrushchev to this Nation should bring to him some real appreciation of this spirit and this conscience, then indeed the venture would be a thousandfold worthwhile.

I know that all America prays to the Almighty that this might come to pass.

Thank you, and good night.

RECOMMITTAL OF NOMINATION OF JOSEPH J. FOURNACE, JR., TO BE A POSTMASTER AT BELLAIRE, TEX., TO THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that Executive Calendar No. 1202, the nomination of Joseph J. Fournace, Jr., of Bellaire, Tex., to be postmaster for the city of Bellaire, Tex., be returned to the Committee on Post Office and Civil Service for further study, because of a clerical error which caused it to be prematurely reported.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

GOVERNMENT AND LOBBYING BY FEAR AND PANIC

Mr. YARBOROUGH. Mr. President, the ultimate success or failure of our democratic form of government depends upon having an informed public. With this in mind, recent events in Washington cause one to wonder whether new media for communication of ideas have brought us to a dangerous period of history for government by consent of the governed.

The danger to democracy is the growing trend to employ public relations scare techniques to pass the laws of our land. It is my very firm belief that nothing can be more dangerous to freedom than the efforts to pass laws by shock programs of mass fear aroused by a series of television, radio and news commercializations. Such programs can result in a substantial portion of the American people being brainwashed through a distortion of issues.

The usual means of passing such bills is for public relations experts to sell the claimed need for such a law to the public the same way they wage a national soap sales campaign. The usual first step is to create a public whipping boy so that the campaign will have plenty of emotional appeal. In this way, public demand based principally on misinformation and half-truths can unquestionably lead to great pressures for the passage of slanted legislation which will benefit some selfish interest or pressure group. Obviously, the special interest with the most money to huckster its own legislation will be able over a period of years to become increasingly powerful, generally at public expense.

In the same manner and with the same danger, Mr. President, paid hate peddlers are being used more and more to defeat honest and qualified candidates for public office.

It is becoming more and more apparent that when we in the Congress are considering a legislative proposal, and when the American people are considering the merits or demerits of a candidate, we must all decide whether communications received on the issue involved reflects the heartbeat of the mass of the American people or is merely the clacking of some paid public relations agent's typewriter.

An article ably written by Mr. Bernard D. Nossiter touching on this general subject was recently published in the Washington Post and Times Herald.

The technique Mr. Nossiter describes as having been used recently on a national scale is no new thing. Such fear and smear techniques have been used for years in Texas by the special and powerful interests, and against the people.

Mr. H. M. Baggarly, the nationally known, award-winning editor of the Tulia Herald, recently described such a campaign in Texas in 1954, warning the people in Texas that plans were being made to do even worse in future campaigns.

Mr. President, I ask unanimous consent to have printed in the RECORD the column "Labor Bill Lobby," by Bernard D. Nossiter from the September 10, Washington Post; and, the column, "The Country Editor," by H. M. Baggarly from the September 3, 1959, Tulia, Tex., Herald.

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

[From the Washington Post, Sept. 10, 1959]

LABOR BILL LOBBY

(By Bernard D. Nossiter)

MOOD MANIPULATION IS GIVEN CREDIT

Sophisticated business lobbying, combined with conscious manipulation of a public mood, is being credited with a major role in the passage of the strong labor bill.

Details of the skilled operation began coming out this week.

The core of the technique, as spelled out by its practitioners, was to focus on uncommitted House members, particularly those in marginal districts. There a deliberate effort was made to translate public anger at the disclosures of union corruption by the McClellan committee into a barrage of letters urging the Congressmen to vote for a tough bill.

The major organizations involved were the National Association of Manufacturers and the U.S. Chamber of Commerce, aided by many of their State groups; the American Farm Bureau Federation; the American Retail Federation; and the little-known National Small Business Men's Association.

These groups did not march in perfect lockstep any more than their opposite numbers in labor. But one participant has said that the degree of coordination exceeded that ever undertaken by business in the past.

The small-business group supplied many of the ideas and much of the intelligence; all of them generally avoided the hamhanded union tactics of descending on Congressmen in platoons and warning directly of retaliation at the polls.

The business group's first task was listing House Members in marginal districts—those won by 55 percent or less of the popular vote—who had never voted on a labor bill. About 120 were in this group.

The next step was to refine this list to those who favored a bill, but were not clearly committed to either a strict or a softer measure.

Left to their own devices, the Democrats in this group would have likely followed their leadership and backed a moderate bill; the Republicans, generally from industrial districts, also would have been in this camp. A few more Congressmen with similar viewpoints but from safe districts were added. A final list of 54 was selected for the major effort, which began in June.

The problem then became one of arousing constituents in these districts to flood their Congressmen with mail. One important tool was a television drama, "Sound of Violence."

This hour-long show portraying union hoodlums in the jukebox field had run in April on Armstrong Cork Co.'s "Circle Theater" to an audience estimated at 25 million. It ends with an appeal from Senator JOHN L. MCCLELLAN, Democrat, of Arkansas, urging the American people to do something about the evils shown.

When Armstrong decided to run the drama on July 8 as a summer repeat, the business lobbyists latched on. Local NAM affiliates and other trade associations told their members when and where the show could be seen; they advised employer members to urge their workers to watch it; above all, they encouraged their members to get viewers to write their Congressmen on the labor bill.

The Texas Manufacturers Association, for example, advertised the viewing time and stations for Amarillo, Austin, Dallas, Houston, Galveston, Lubbock, Odessa, and El Paso. The Lumbermen's Industrial Relations Committee did the same for Spokane and Seattle, Wash., and Portland, Medford, and Klamath Falls, Oreg.

The strategists discovered that stations in 27 key congressional districts would not carry the show. Arrangements were made to get eight of these stations to run it as a public service or under local sponsorship. Newspaper ads were taken in 20 of the important districts, urging people to watch and write.

An estimated 4.5 to 5 million mailings plugging both the show and letters to Congress were sent out. Between 15 and 20 million persons were said to have seen the rerun.

After the Griffin-Landrum bill, strongest of the measures proposed, was introduced in late July, the strategists continued to pour on the heat.

Brief tape recordings were made for radio and television, featuring Representatives PHIL M. LANDRUM, Democrat, of Georgia, and ROBERT P. GRIFFIN, Republican, of Michigan. Beginning in August, these were run frequently, again as public-service features or under local sponsorship in 35 of the crucial districts.

In one swing area, an experiment was tried. A good-sized corporation sent its foremen out to ring neighbors' doorbells. This tactic, it is claimed, produced 3,000 letters in 1 week, urging a stiff bill.

The crucial House vote came on August 13, when the Griffin-Landrum bill was approved 229 to 201. Of the 54 target Congressmen, 23 voted for the bill, or more than the 14 whose votes decided the issue.

Since the entire group of 54 had originally been selected on the premise that they leaned toward a softer bill, the lobbyists claim their missionary work helped produce the margin of victory.

Business lobbyists, pleased with their efforts, expect to use these techniques with more success in the future.

THE COUNTRY EDITOR

(By H. M. Baggarly)

When almost daily we read of terrible crimes committed against human beings by other human beings, we are made to wonder what motivates these monsters. It usually develops that they are abnormal personalities suffering from one of many mental disorders. Often they show little if any remorse. They are almost like creatures from another world.

But despite their heinous crimes, these persons perhaps are less to be censured than perfectly sane individuals whose crimes against humanity are no less cruel and damaging.

It has been 5 years since men, trained in the art of influencing public opinion, perpetrated one of the most diabolical hoaxes on the people of Texas the State had ever seen—up to that time.

We refer to the Port Arthur story which has been covered by this and other newspapers on numerous occasions.

This hoax was motivated by the conservative political leadership of Texas who believed, along with Hitler and Stalin, that the end justifies the means. They believed in 1954 that it was so vital that RALPH YARBOROUGH be defeated for Governor that even smear, slander and the worst kind of dishonesty were not only justifiable but righteous. Even the hierarchy of some of the major religious denominations became a party to this unholy fraud.

The Port Arthur story will long be one of the blackest pages in the history of Texas politics.

But today, there are subtle and silent forces at work in Texas politics which make the Port Arthur story look like a leaflet from some of our Sunday school literature.

The perpetrators of the Port Arthur story hoped, successfully, to smother Texans with their fantastic lie just 2 days before the Democratic primary. They knew their story was false, that intelligent people would not believe it after they recovered from the initial shock, but they gambled (and won) on the proposition that the initial scare would sway enough voters before the masses would have time to awaken to what had happened.

The success of the Port Arthur story, which one of its authors later admitted "was created for morons," is a matter of history—but it was one of those things which is effective only once.

We talked recently to a person from downstate whose business is to keep up to date on the backstage maneuvering in Texas politics. He told of some of the techniques being planned, and in some cases already being executed, to defeat every candidate for public office who is not of the political school of Allan Shivers, the FIA, and allied ultraconservatives.

This political school well knows that its former techniques are obsolete. It well knows that it can no longer defeat a patriotic and loyal Democrat by yelling "labor support" and "leftist." It well knows that another Port Arthur story would fall flat on its face.

Any fifth grader knows that in any game designed to deceive, no trick is good for more than once.

But the highly paid public relations men whose assignment is the winning of elections are not deterred by the inadequacy of a former ace card played by their predecessors. They never expected to pull another Port Arthur story. They knew they would have to come up with something new and fresh, something which an unsuspecting public and the moron vote would never recognize as the same old bill of goods in a brand new wrapping.

Some of the professional election winners have come up with some schemes which dwarf all previous smear, slander and slay techniques ever dreamed up in the plush offices of experts.

The effects of the Port Arthur story were heartbreaking—but they did no permanent damage. The perpetrators knew better than to attack the character of their marked victim. RALPH YARBOROUGH wasn't even hurt politically except for the immediate election. After the people found out the truth, he gained support.

But a man might live a lifetime and never fully recover from the effects of a slandered character.

PROPOSAL TO CHANGE THE NAME OF THE DALLES DAM ON THE COLUMBIA RIVER

Mr. NEUBERGER. Mr. President, I desire to include in the pages of the CONGRESSIONAL RECORD certain correspondence which relates to a proposal sent to me by the Multnomah County Central Labor Council of Portland, Oreg. This correspondence bears on a resolution by the Multnomah County Central Labor Council that the name of the Dalles Dam, on the Columbia River, be changed to the Franklin D. Roosevelt Dam.

I shall await with interest any replies which are forthcoming from the telegrams which I have sent to various civic and governmental leaders in The Dalles and Wasco County.

Mr. President, I ask unanimous consent that this material from the Multnomah County Central Labor Council be printed in the RECORD at this point following my remarks.

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

MULTNOMAH COUNTY LABOR COUNCIL, AFL–CIO,
Portland, Oreg., September 8, 1959.

Hon. RICHARD L. NEUBERGER,
U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR NEUBERGER: I must apologize for the delay in forwarding this letter to you requesting your aid in renaming the Dalles Dam, the Franklin D. Roosevelt Dam.

A motion was made and passed unanimously at our regular council meeting held August 31, 1959, that because of foresight and leadership demonstrated by the then President, Franklin D. Roosevelt, the development of the Columbia River became a reality.

It is our feeling that would be a fitting tribute to that great President.

Sincerely,

EDWARD J. WHELAN,
Secretary.

U.S. SENATE,
Washington, D.C., September 10, 1959.

Hon. EDWARD J. WHELAN,
Secretary-Treasurer, Multnomah County Labor Council, AFL–CIO, Portland, Oreg.

DEAR ED: Thank you for your letter of September 8, which suggests that I sponsor legislation to rename the Dalles Dam in honor of President Franklin Delano Roosevelt.

I believe that I should obtain the views of local citizens and public officials of The Dalles before undertaking any action on this, because the Dalles Dam is not only named in honor of their city, and this dam would have to be renamed, but the dam is located directly east of the city of The Dalles.

Therefore, I have sent telegrams to such persons at The Dalles as the Wasco County judge, the chamber of commerce, the local Central Labor Council, the mayor of The Dalles, The Dalles Industrial Club, the Wasco County Democratic and Republican chairmen, and so forth. These collective views will have a direct bearing on any action which I take.

This is somewhat different from the Green Peter situation, where one did not have to remove a name of the leading local community in that area. The mayor of Sweet Home, the adjacent community, has favored the change in the name from Green Peter.

Further, Ed, I do believe that you and your associates at Multomah County Labor Council could have chosen a more appropriate dam to name in honor of Franklin D. Roosevelt than the Dalles Dam. The Dalles Dam was authorized and built during the Presidential tenure of Harry S. Truman. I wonder how the Truman family would feel about this? If a Columbia River dam is to be renamed in honor of Franklin D. Roosevelt, it would more appropriately be Bonneville Dam or Grand Coulee Dam, both of which were constructed during his service in the White House. Do you not believe that this is correct?

As you know, I am one of the four Senate Members of the Franklin Delano Roosevelt Memorial Commission. I recently sponsored in the Senate—and successfully defended against Republican attack—a resolution authorizing land and funds for a great memorial edifice in Washington, D.C., commemorating Franklin D. Roosevelt. I wonder if a project to rename a dam in honor of Franklin Roosevelt at the same time as the whole nation is joining together to construct a marble memorial to him in the Nation's Capital may not be regarded as detracting from the national endeavor?

I think it is only proper that I should raise some of these issues before the Multnomah County Labor Council goes too far on this undertaking. I think you know my great admiration for Franklin Roosevelt and my close and intimate friendship with the Roosevelt family. I am one of only three Members of the U.S. Senate whom Mrs. Roosevelt has ever invited to deliver the annual Memorial Day address in honor of Franklin D. Roosevelt. For this reason, I desire to be extremely appropriate and careful in anything which I undertake that is associated with the illustrious memory of Franklin Roosevelt.

In addition, we must bear in mind the fact that there already is a Franklin D. Roosevelt Lake back of Grand Coulee Dam, which is one of the largest man-made lakes in the world. Will Congress name two entities on the same Columbia River system in tribute to the same man? I doubt if this ever has been done before.

I greatly appreciate your advising me of the action of the Multnomah Labor Council and I look forward to receiving your comments, as well as those of others whom I have contacted in connection with this suggestion.

With every good wish, I am,

Sincerely,

RICHARD L. NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Hon. JAMES H. HUNT,
Wasco County Judge,
Wasco County Courthouse,
The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates in Wasco County commission on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Hon. JOHN J. HOWE,
Mayor,
The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates in The Dalles city council on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Mr. JOHN W. SISCHO,
Secretary, Mid-Columbia Labor Council, AFL–CIO, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates on the labor council on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

HON. VERNON BURDA,
Wasco County Democratic Central Committee, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates on Democratic Central Committee on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Hon. JOSEPH D. KELLEY,
Chairman, Wasco County Republican Committee, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates

on Wasco County Republican Committee on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Mr. ALF WERNMARK,
President, The Dalles Industrial Club, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates in the Dalles Industrial Club on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

SEPTEMBER 10, 1959.

Mr. W. S. NELSON,
Manager, Chamber of Commerce, The Dalles, Oreg.:

Multnomah County Central Labor Council has requested me to introduce legislation renaming the Dalles Dam "The Franklin D. Roosevelt Dam." Because this project located so closely to city of The Dalles, I desire collect representative local views before taking any action. Can you please advise me attitude of yourself and associates in the Dalles Chamber of Commerce on this proposal. Thanks and kind regards.

DICK NEUBERGER,
U.S. Senator.

STRONG FOREIGN SERVICE

Mr. SCOTT. Mr. President, the maintenance of a strong Foreign Service is essential to our national welfare. It is particularly important that we have a strong staff in charge of our consular activities. The officers at our consulates bear a heavy responsibility in the performance of their complex tasks. They are the only American officials ever seen by billions of people abroad. It is vital in these times that the officers of our Foreign Service, who are selected for assignment in consular offices, be highly competent men and women in whom our country can take pride. It is especially heartening to note in this connection the assignment of an experienced Foreign Service officer in the Department, Mrs. Alice Curran, to the important post of principal officer at the consulate at Manchester, England.

PROBLEMS OF SMALL FARM-OWNERS

Mr. LANGER. Mr. President, in January, February, and March of every year on Wednesday mornings, the North Dakota congressional delegation individually are visited by members of the Farmers Union who annually come to Washington.

During the course of those conferences these fine people from North Dakota present many views on the issues that affect them, the State, and the country. One among the great problems that affect them is the trend in this country to fewer and fewer family-size farms and greater concentration in large farms. Their questions relate to how can this problem be solved.

Yesterday from the Evening Star there is an article entitled "Small Canadian Farmer Is Big Business Victim," which I ask to have printed at this point in the RECORD. It points out the many difficulties the small farmer is having.

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

SMALL CANADIAN FARMER IS BIG BUSINESS VICTIM

SASKATOON, SASKATCHEWAN, September 9.—Stretching ripe and reassuring over the edge of the prairie horizons the vast Canadian wheatfields, dotted by tall grain elevators, are now at harvest eve a perfect picture of serene stability. But behind this idyllic landscape today is a major revolution in Canada's agriculture.

The small family farm, traditionally a symbol of sturdy independence and pioneering, is being rapidly eliminated as a mainstay of this country's rural economy.

It was the family farmer, the homesteader, the penniless immigrant with land hunger, fanning out from the railroad, who conquered the Canadian west, tamed the harsh prairies, and did as much as anyone to set Canada upon the road to nationhood. Now the somber realities of costs, prices, marketing, technical efficiency, and competition are killing off the one-family farm at a fast clip.

ENTER BIG BUSINESS

Big business is entering the barn, the poultry yard, and the vegetable garden. An unbucolic, functional-sounding term is stalking the farmlands—"vertical integration." It embraces various patterns of contract farming in which the farmer is essentially an employee of large commercial interests.

This change is taking place within a wider mutation, the comparatively rapid decline of agriculture's place in the Canadian economy as the country develops its mineral resources and industries. Today there are about 530,000 Canadian farms, compared with 625,000 7 years ago. The average farm size in Canada has increased 25 percent in the last 20 years.

About 40 percent of the nation's farmers produce over 80 percent of the agricultural output. The other 60 percent—including most of the one-family farmers—operate subsistence or marginal farms whose contribution to the economy is, in the opinion of many experts, dubious.

FLEXIBILITY NEEDED

The tremendous international glut of wheat and other grains, the crops that were the traditional backbone of Canadian agriculture, shows every sign of remaining a long time. This is compelling farmers to show more flexibility and efficiency. To survive, more small farmers must turn from wheat and grains to livestock and fruit production.

Costs are being pushed up by increasing mechanization. According to farmers, the rising production costs are offsetting the inflationary prices the consumer must pay for farm products, especially meat. Capital needed in an economically successful farm grows year by year. However, far more money is earmarked for farm loans and credits in Canada than is being used by farmers, so capital itself does not seem to be the answer. Management and production techniques are apparently among root causes of the small farm's death.

That growing symbol of North American material prosperity, the supermarket, has a direct impact on farming. Behind the supermarket is a highly organized food industry with specialized competitive needs. Individual small farmers are often reluctant to comply with the food industry's requirements and timing. So the food industry, especially meat, poultry, and vegetable interests, are going directly into agriculture and creating large farm units, or cooperative groups, heavy on both capital and organization.

VERTICAL INTEGRATION

Increasingly farmers are being absorbed into such organizations, often corporations with nonagricultural backing. They handle the financing and management. The farmer becomes someone akin to the corner gas-station operator—an interesting individual, perhaps, but not an independent economic unit. He contracts to deliver certain quantities of specified products. This is vertical integration.

As such contract farm units—frequently supervised in the background by city businessmen who hardly know one end of a cow from the other—multiply across the country it becomes progressively harder for the small family farmer, even if efficient, to meet competition. The inefficient small farmer gets squeezed out.

The Canadian Federation of Agriculture admits the small farmer, or undercapitalized farm, needs special aid to survive. The federation suggests that at the taxpayers' expense there should be not only a generous credit program, but an organization to give advice and help.

This, it is admitted, would entail some supervisory features. Presumably this means that Government officials instead of private interests would tell the small farmer what to produce.

A contract farm executive says: "Canadian farm management is going through a phase of modernization to bring it into line with agriculture's technical development. Horse-and-buggy-mentality management cannot survive. And far too many of the small subsistence farms are horse-and-buggy in their management methods."

Mr. LANGER. Mr. President, what is so distressing about this problem is the fact that some of the experts on American economy take such a dim view on the future existence of the small farmer with the prediction that in 10 years only 4 percent of the Nation's population will derive their income from farming whereas just before the turn of the century approximately half of the people earned their income from farming. It would be well at this point to refer to some of the testimony of Dr. Fritz Machlup, professor of political economy, Johns Hopkins University, who appeared as a witness before the U.S. Senate Antitrust and Monopoly Subcommittee on the subject of concentration industry and administered prices. Portions of Dr. Machlup's testimony and colloquies dealing with the farm problems are as follows:

Mr. MACHLUP. The American standard of living has increased so tremendously as it has by the huge increase in industrialization and the enormous increase in efficiency in farming. The increased efficiency in farming makes it possible that now 8 percent of the labor force, or perhaps 9, I don't know now—a very small percentage of the labor force—is sufficient to feed the rest of us. There was a time when 70 percent of the labor force was needed in agriculture to feed the people of the United States. This was in 1830. In 1880 the percentage was down to 50. In 1930, 20 percent was enough. This is real progress.

The increase in efficiency has permitted us to reduce the portion of our population working on the farms, and now it is estimated by good experts—I think it is Pro-

fessor Black of Harvard who made the estimate—that within 10 years only 4 percent of the population will derive their income from farming; only 4 percent.

Now, imagine the American people had held the view now so widely advocated, that we should preserve all the people in their present occupations, imagine they had insisted on that notion 50 years ago, where would we be? We wouldn't have the present living standard—we would have the standard of living we had 50 years ago.

Mr. CHUMBRIS. Doctor, Senator LANGER has received many letters and he also has heard from farmers' unions that come here periodically to visit. They are concerned with the fact that today a one-section farm or a two-section farm is beginning to become a thing of the past in some of the farmland of the country. You refer, for instance, to the stagecoach; if we tried to protect the stagecoach, we wouldn't have automobiles and so forth. But the people who built stagecoaches are now building automobiles and the people who drove stagecoaches are driving automobiles, so they were taken up into the improvement of our way of life.

The man who had a small corner grocery sold it to a chain and he became manager of the chain, or a butcher in the chain. He was taken in on this.

Mr. MACHLUP. Right.

Mr. CHUMBRIS. But you take the farmer. If we are going to have in 10 years, you say, only 4 percent of the people earning income from agriculture, that means that the small family farmer today with one section or 160 acres, or whatever the case may be, depending on what he produces, will have to go completely out. You will have these big giant farms which will in effect become a monopoly and you will have a concentration of farms just as you say you have concentration of industry.

Now, you say, that is progress, but if that is progress, what is going to happen to the farm family? We have had complaints during the automobile hearings that too many farmers are going into the cities, into Detroit and Pontiac, and forcing themselves on the unemployment market that, at that time was close to 7 million, when the testimony was taken.

How, from your expert point of view are these small farmers going to be taken into our American way of life and be able to take care of their families and earn a suitable income?

Mr. MACHLUP. I do not pretend to be a student of agriculture or an expert in agricultural economics, but I do not believe that many economists even in agriculture consider this a very serious problem. I think the absorption of the people who leave the farms, their absorption into industry is by and large not a difficult problem. It is a problem of which you will hear relatively little except in the worst months of a recession. Normally the transfer goes on without much commotion, the older son or the next son wanting to go into the city and as they go, there will remain fewer and fewer of these small farmers.

I think it is a development that cannot be held back at all and sentimentalism wouldn't help us in the least. We shall have to face the fact that certain methods of doing things are outmoded. This doesn't mean that all small farming will die out. Indeed, there might be a great deal of pleasure farming going on.

But, again, I am not an expert and would not care to expand on these problems.

Mr. CHUMBRIS. Yes, but you have placed something into the record here this morning and one of the things was dealing with the farm problem. I don't know who has been making these statements that these farmers are being absorbed. I know that the people who are forced to sell their farms are highly aggravated. If you would contact any of the congressional or senatorial offices from the farm States, they would disagree emphatically with whoever is passing out these releases that these people are being absorbed into the American way of life and besides, that these people don't want to leave the farm.

Mr. MACHLUP. Sir, this is very true. I am sure the stagecoach driver didn't want to leave this stagecoach either.

Mr. CHUMBRIS. Yes, but you had maybe a handful of stagecoaches but today you have 11 million or 12 million people.

Mr. MACHLUP. Whole industries have disappeared, and what you are now decrying has been going on for many years. We have already seen the decline of the farm population from, let us say, 70 percent to 8 percent. We have seen it and it has taken place, and no amount of crying would have helped, or would have retarded it.

Mr. President, now that this session is coming to an end, I hope that the Agriculture Department and the Agriculture Committees of the Senate and the House will do some very serious thinking as to the solving of the problem of preventing the family farm from disappearing from the American scene and be able to report to the next session of Congress some constructive measures.

PROGRAMING BY RADIO AND TELEVISION STATIONS—GOLDEN MIKE AWARDS OF AMERICAN LEGION AUXILIARY

Mr. LANGER. Mr. President, the Golden Mike awards of the American Legion Auxiliary were presented to six network television programs—two each on ABC–TV, NBC–TV, and CBS–TV. These presentations were made during the 39th Annual Convention of the American Legion Auxiliary in Minneapolis. The selection was conducted by a poll of 1 million auxiliary members.

The reason that I am bringing this matter to the attention of the Senate is the fact that as a member of the Senate Juvenile Delinquency Subcommittee, we have conducted many hearings to determine the impact of vulgarity and viciousness on TV programs on the youth of our Nation. Recently the National Congress of Parent-Teacher Associations pointed out the fact that vulgarity and viciousness on TV had a harmful effect on children and youth. Our subcommittee was advised by the National Association of Radio-Television Broadcasters that they would do everything that they could to make the individual radio and TV stations live up to their code of practices. It is incumbent upon the radio and TV industry to continuously watch the type of programing that goes over the air, especially during the hours of 4 to 8, which are the most popular hours of viewing television by children and youth.

It is, therefore, significant that an outstanding organization, such as the American Legion Auxiliary, would give awards to outstanding programs that show good taste, and I refer specifically to my fellow North Dakotan "Lawrence Welk's Dodge Dancing Party"—best musical show—and "Father Knows Best," a program that vividly portrays good family life and pointing out to the children good manners and behavior. Another program is the "Junior Olympics" program, conducted by WJW–TV Cleveland, described as "the Nation's finest program in the interest of youth."

With the headlines of our Nation's newspapers and commentary on radio and TV of gang wars in our major cities and juvenile delinquency rate increasing at a greater rate than the increase of our population, it is nice to note that television, which is and can be a great force for the good of our children, is bringing forth programs that can have an excellent impact on the youth of our Nation in contrast to the programs of vulgarity and viciousness which can do so much harm.

TENTH ANNIVERSARY OF THE ELECTION OF CHANCELLOR ADENAUER—VISIT OF PREMIER KHRUSHCHEV TO THE UNITED STATES

Mr. BRIDGES. Mr. President, the 15th of September will be a significant date for all the world to remember. That day marks the 10th anniversary of the election of Chancellor Konrad Adenauer to the leadership of the free republic of West Germany. It also happens to mark the arrival in our National Capitol of Nikita Khrushchev, the boss of Soviet communism and the generally recognized boss of world communism.

To my mind, it is especially significant to turn our thoughts to the great courage and wisdom of Chancellor Adenauer in his fight against what initially appeared to be the overwhelming odds in favor of communism in Germany. His magnificent victory has won the confidence of all the people who cherish freedom. This is particularly so because his Government was born out of a nation that had lived for years under the totalitarian philosophy of Hitler and today it stands as one of the foremost nations living under the free principles of democracy.

On that day, when our people celebrate Chancellor Adenauer's ascendancy to office, and on which we extend our courtesy to the Soviet Premier, we should certainly reflect on the pact between Hitler and Stalin and the notorious Ribbentrop-Molotov treaty. The intervening years have proved much. They have proved, in the case of Germany, that a free people can regain their freedom, that the wheel of history may turn slowly, but it turns. I can only hope that the wheel of freedom can start turning on September 15 for the freedom of the Russian people.

In closing, Mr. President, we should not forget also to give credit to President Eisenhower and our late Secretary of State, John Foster Dulles, for their part in helping Germany return to the ranks of free nations. They cooperated, assisted and helped Chancellor Adenauer over the past decade and over a sometimes rocky and possibly perilous road. During those 10 years, there were scores of meetings between the respective officials of our country and West Germany.

Never once did the German Chancellor look through rose-colored glasses at the threat of international communism. He stood firm with us; in turn, we gave our assistance and in this cooperative venture, Mr. Eisenhower was highly successful. Among men of honor, success and freedom are always sure to come. It is likely that Mr. Adenauer recalled to mind from time to time, words of one of our forefathers, Thomas Jefferson: "Opposition to tyrants is obedience to God."

MESSAGE SENT BY SENATOR NEUBERGER TO GOVERNOR HATFIELD, OF OREGON, REGARDING FOREIGN AID APPROPRIATIONS BILL

Mr. NEUBERGER. Mr. President, on September 10, 1959, I sent a telegram to the Honorable Mark O. Hatfield, Governor of Oregon. This telegram has a direct relationship to the way in which I expect to vote on the foreign aid appropriations bill when it comes before the Senate during the next day or so. Even though I would attain a certain political reputation as an exponent of governmental economy by voting against the requests of the President of the United States in this field of foreign aid, I expect to place my country first and political considerations second. I believe that the text of my telegram to Governor Hatfield, of Oregon, may interest my colleagues of the Senate and therefore I ask unanimous consent, Mr. President, that the telegram may appear in the CONGRESSIONAL RECORD.

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

WASHINGTON, *September 10, 1959.*

HON. MARK O. HATFIELD,
Governor of Oregon,
Salem, Oregon:

Reports in press have quoted Republican State Chairman Peter Gunnar as labeling me as "the king of congressional spendthrifts." Press also has described Mr. Gunnar as your personal choice for chairman of your party. By far the largest spending items I have voted for during 5 years in Senate have been requests of President Eisenhower in field of military appropriations and foreign aid. Congressional Quarterly survey shows me as among leading supporters of Eisenhower foreign policy because of these positions I have taken as a responsible Member of the Senate. Extremely disturbing now to be labeled as "king of congressional spendthrifts" by your Republican Party chairman in view of fact that biggest spending items I have voted for have been your own President's military and foreign aid requests. Only today, in connection with foreign aid matters, I told the Senate I thought the President was sincerely interested in world peace. Senate is soon to debate foreign aid budget for fiscal 1960. Appropriations Committee has recommended $3.3 billion. President objects to any further reduction, is urging appropriation of larger sum. I intend to support President's position. Will your handpicked State chairman denounce me as a spendthrift for such action? Would appreciate your comments.

DICK NEUBERGER,
U.S. Senator.

EMPLOYMENT OPPORTUNITIES FOR NEGRO ALCOHOLIC BEVERAGE SALESMEN IN NEW YORK CITY

Mr. KEATING. Mr. President, on July 29 the senior Senator from South Carolina [Mr. JOHNSTON] inserted in the CONGRESSIONAL RECORD an editorial published in the Columbia, S.C. State with respect to efforts of the New York branch of the NAACP to enlarge employment opportunities for Negro alcoholic beverage salesmen in New York City. I have since been requested by the president of the New York branch of the NAACP to have printed in the RECORD a statement which sets forth the position of the NAACP on this subject. Since I believe that it is only fair that the RECORD contain both sides of this controversy, I ask unanimous consent that this statement be printed in the RECORD at this point.

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

JOINT STATEMENT BY ROY WILKINS, EXECUTIVE SECRETARY, NAACP AND L. JOSEPH OVERTON, PRESIDENT, NEW YORK NAACP BRANCH

The national office of the National Association for the Advancement of Colored People and the New York City branch of the organization, in line with established association policy, are united in efforts to expand employment opportunities for Negroes in all fields. Accordingly, the national office supports the project of the New York branch for elimination of the color bar which now deprives Negro alcoholic beverage salesmen of the opportunity to sell their products outside of the predominantly Negro areas while permitting white salesmen free access to Harlem and other Negro markets. The New York branch merely seeks to get rid of this inequity.

This effort has been distorted and made to appear as a campaign to rope off Harlem as an exclusive sales territory, solely on the basis of race. This is not true. The Negro alcoholic beverage salesmen have been the victims of a racial policy which has limited their income and, in addition, has humiliated them in the home community of their own people. There are instances in Harlem where Negro salesmen may sell to one store in a block (usually Negro owned) but are barred from selling to a nearby store which is held exclusively for white salesmen. If the racial issue is present, it has been placed there by the selling policies of the industry, from distillers on down to retailers. To picture this effort to break out of a racial straitjacket as a "black" campaign is to ignore the "white" policy heretofore in effect.

The objective of the present effort is to abolish racial sales territories and to give all salesmen an opportunity to sell in all markets.

Negro salesmen are not only confined to Negro areas but do not get a fair share of the business, whereas white sales personnel enjoys a virtual monopoly in predominantly white areas. For years, these salesmen have vainly sought to break through the color barrier. They have tried to enlist the support of their union. They have appealed to the wholesalers seeking to negotiate a new pattern of assignment. They have presented their case to the State commission against discrimination and to the State liquor authority. In 1956, they enlisted the support of the New York NAACP branch, which thereafter, on their behalf, sought to get distillers, wholesalers and retailers to take steps to end the discriminatory assignment pattern. It was not until after these efforts proved unproductive that the present project was launched by the branch in an effort to enlist the support of the consumers in the restricted areas.

The national office and the New York branch seek to reopen negotiations with the liquor industry for a prompt development and early implementation of an equitable system which totally disregards race in the assignment of sales personnel. We feel sure that all fairminded New Yorkers will want to support this effort to establish fair employment practices in the liquor industry.

DISARMAMENT STUDIES

Mr. HUMPHREY. Mr. President, in this morning's Washington Post and Times Herald there appears an editorial entitled "Disarmament Studies." This particular editorial refers to an amendment which the Senator from Minnesota submitted for himself and several other Senators—in fact, 12 Senators—to provide $400,000 in the Foreign Aid Appropriation Act for technical studies in the field of disarmament.

This amendment is the result of the recommendations in the Berkner report, encouraging a greater knowledge of some of the problems relating to detection and inspection, particularly in the field of nuclear weapons control, as well as the general disarmament field. I am hopeful that there will be enough support in the Senate to have this amendment adopted.

I say this now particularly because the United States and the Soviet Union have agreed to reopen disarmament discussions; and when those discussions become serious, as they undoubtedly will, with the 10-nation commission undertaking the responsibility for disarmament negotiations, we should be prepared in terms of the technical aspects of the control and inspection features of disarmament.

Other factors are involved—for example, the implications of a reduction in arms on the American economy, a subject matter which needs the most careful study. I have no doubt that such a reduction would result in a greatly expanded economy. But we should have a clear idea of what the future may hold.

ABANDONMENT OF AMERICAN PAVILION IN STOCKHOLM TRADE SHOW

Mr. HUMPHREY. Mr. President, I have before me a clipping from the New York Times of Sunday, August 30, 1959, headed "United States Shuns a Fair; Sweden Puzzled."

The article relates to the inability or apparent unwillingness of the United States to participate in the St. Erik's International Trade Fair in Stockholm, Sweden. I mention this because the government has already expended a substantial sum of money in Stockholm for the purpose of the fair. Having built the pavilion about a year or two ago, it has now decided that it does not need to use it, and therefore it does not wish to participate in the fair.

I feel that the Department of Commerce should be asked as to why this is the situation, and why this particular trade fair did not merit participation by the Government of the United States.

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

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

UNITED STATES SHUNS A FAIR; SWEDEN PUZZLED—WASHINGTON AGAIN DECLINES USE OF AMERICAN PAVILION IN STOCKHOLM TRADE SHOW

(By Werner Wiskaril)

STOCKHOLM, SWEDEN, August 29.—The U.S. pavilion at the St. Erik's International Trade Fair here will be used throughout the exhibition beginning Tuesday by a group of Swedish furniture concerns.

For the second year the U.S. Government has declined to make use of the building constructed for it in 1956 after it had exhibited here in a tent in 1955. Washington holds title to the pavilion until October 1, when the fair takes possession under a contract signed 4 years ago.

"We simply cannot understand the American position," Folke Claeson, director of the fair, said.

"Nearly everything would have been free here—the building, the electricity, the water, even the tidying-up—in accordance with the terms of the contract.

"The only cost would have been for the exhibit and $60,000 to $100,000 would have put one up," Mr. Claeson went on.

"The fact that the United States, the only country to own a pavilion here, will not occupy it for the second year in a row does not look very good to Swedish public opinion."

According to American officials here, Washington decided against using the pavilion as a matter of economy in view of the reduced budget for trade fairs that the Commerce Department has had in the last 2 years.

The major effort for 1959, it was noted, was the American National Exhibition, now nearing its close in Moscow.

As for 1960, Mr. Claeson said he had already received unofficial word that the United States would not exercise its option to rent the pavilion. However, one of the six countries belonging to the European Common Market has already spoken up for it.

Even without a U.S. exhibition—which in 1955, 1956, and 1957 proved to be the fair's top attraction—1960 apparently will be a big year for St. Erik's. The reason, Mr. Claeson said, is the quickening competition between the Common Market countries and the seven nations outside it that are about to form a free trade area.

TWO TRADE GROUPS IN RIVALRY

The Common Market countries are France, West Germany, Italy, Belgium, the Netherlands and Luxembourg. The so-called outer seven are Britain, Austria, Switzerland, Portugal, Sweden, Denmark, and Norway.

Britain, which had a small exhibition here last year, is expected to return to the fair in 1960 with at least one pavilion. West Germany, the Netherlands and Austria are said to be planning to enlarge their 1959 exhibits greatly.

Besides these three countries, Canada, Israel, Indonesia, Yugoslavia, and East Germany will have pavilions at the fair next week. The exhibition, which will run from Tuesday to September 13, is expected to attract 300,000 visitors.

Although the U.S. Government will not officially be represented, many American concerns will be among the 1,500 showing products here.

PROCLAMATION DAY FOR HAWAIIAN STATEHOOD

Mr. FONG. Mr. President, August 21, 1959, was a historic day in the history of Hawaii. On that day Hawaii was proclaimed the 50th State in the Union. In his radio program Mr. Bob Roberts, director of the radio station KGMB of the Hawaiian Broadcasting Co., described the scene in Hawaii on that day.

I ask unanimous consent to have printed in the body of the RECORD the remarks of Mr. Roberts.

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

TODAY, AUGUST 21, 1959, HAWAII IS A STATE

(By Bob Roberts)

This is proclamation day, the day the President of the United States signed the Executive order that closed the book forever on the oceanic Territory of Hawaii.

Today, Hawaii became officially, the 50th State of the United States of America, a commission guaranteeing the Hawaiian people full sovereign rights for the first time as equal participants in the Government of their country.

Immediately following the formal signing of admission, the President affixed his signature to another Executive order—this one transferring Sand Island in Honolulu Harbor to the new State. Both actions were momentous for Hawaii's people, and for her first elected administrative and legislative officials; Gov. William Francis Quinn; Lt. Gov. James K. Kealoha; U.S. Senator Hiram L. Fong; U.S. Senator Oren E. Long; and Congressman Daniel K. Inouye.

The message that President Eisenhower had signed the statehood proclamation came by telephone from Hawaii's last Territorial Secretary, Edward E. Johnston, and was received by Governor Quinn, surrounded by his family, the press, and upward of one hundred friends and well-wishers gathered in the executive offices at Iolani Palace.

At precisely 10:14, Hawaiian time, this morning, Friday, the 21st day of August, 1959, Iolani Palace trembled in the climax of her drama-packed 77-year history.

Other notable actors and other historic moments had shaped the destinies of Hawaii beneath those six venerable spires.

But this morning, in the brilliant sunlight of a perfect Hawaiian day, the last and greatest episode took place. Young William Francis Quinn, still the Governor of the Territory of Hawaii, tried unsuccessfully to be casual as he picked up the telephone, whose buzz was barely audible in the restless gubernatorial office, the Governor's office.

What history this very room had known. What great hopes and terrible frustrations still haunted it when all was quiet at the day's end, and the ghosts of the past materialized in the strangeness of it all.

This had been the bedchamber of the royal suite, occupied by the flamboyant David Kalakaua, last of Hawaii's kings, by whose order Iolani Palace began abuilding in 1879—and by his sister, Liliuokalani, Queen, the last reigning monarch, who spent a year under house arrest in this, her royal residence when the monarchy was toppled in 1893.

Iolani Palace, the sacred name given to the home of Hawaii's rulers since 1845. The first palace stood on this very site, and five kings reigned there. It was razed in 1878, the year before the cornerstone of the present structure was laid.

On that memorable occasion, the Honorable John M. Kapena, Minister of Foreign Relations of the Kingdom of Hawaii, spoke prophetically of the destiny of the palace, and of the Government of which she was to become the symbol. "It will," he said, "require all the skill, the watchful care, the patience, the caution, and the industry that can be bestowed in the future, in order to secure the well-being of the people and the prosperity of the Government."

The Government of which the Honorable Mr. Kapena spoke did not last, but neither did it die; for like Phoenix soaring out of the ashes of the holocaust, another and better Government rose to take its place; and the role of Iolani Palace as the sacred repository of that Government has been played without interruption ever since.

Its name—loosely translated—means "Bird of Heaven"; it was given to Kings Kamehameha the Second and Kamehameha the Fourth, but notably to the former by his father Kamehameha the Great, who dared to break the great tabu of bestowing the sacred word "Io" upon a mere mortal.

The palace was completed and occupied in 1882 by the merry monarch, King Kalakaua. Its architecture has been variously called American composite, American Florentine, and French rococo.

But to the Hawaiian and the Hawaiian at heart it is none of these. It is unique, like the beautiful people upon whose island it stands. It is Hawaiian, as it was meant to be, and regal as those stately inhabitants who once lived and governed behind its ornate cornices; it is the only true house of royalty under the star-gloried emblem that snaps from its highest peak.

Iolani Palace—scene of coronations, revolution, humiliation, abdication, annexation, and democratization. Iolani Palace—home of kings, queens, a president and a long succession of appointed governors, rounded out her manifest destiny when young Bill Quinn reached for his telephone.

They started to wander in at about 20 minutes to 10 this morning. Days earlier the newspapers had headlined the President's decision to sign the Executive order on August 21.

They walked up the heel-indented steps to the second floor; "they" were the press, the radio, and television people, retiring officers of the Territorial government and the eager officers-elect of the State about to be proclaimed; the families of Bill Quinn and Jimmie Kealoha, friends of each, the well-wishes of both, and just plain citizens who felt the electric excitement of the moment about to begin; and a bit of the wistfulness, too.

In the foyer of the Governor's office, Webley Edwards, long associated with radio broadcasting in Hawaii, was communicating directly with stations on the U.S. mainland. Station KGMB was preparing to broadcast the event throughout the island chain.

The Governor's secretary and administrative assistants were briefing the press, right down to the detail of the leis to be presented officially to the principals in the drama: Vanda orchids for Governor-elect Quinn and Lieutenant Governor-elect Kealoha; pikake for Mrs. Quinn, and the sweet pakalana for Mrs. Kealoha. At 10 minutes to 10 the gathering moved quietly into the Governor's office. The brandnew seal of the State of Hawaii gleamed from the wall between the national emblem standing to the left of the viewer and the ensign of the monarchy, now the State flag, to the right. Behind the Governor's desk, and beneath the great seal, a cabinet bedecked with maile exuded a gentle fragance.

Governor Quinn—radiating his boyish smile, and trying not to reveal his nervousness, and failing—greeted by name the hundred or so persons who were standing and seated around his semicircular mahogany desk which was neatly secured for the business about to begin.

"How do you dial the time on this thing?" he asked, indicating the telephone, which like a bomb about to explode, was the cynosure of all eyes.

"Dial 500." Senator Ward Russell, assistant to the President of the Hawaiian Telephone Co. and State Senator-elect, gave the answer.

"At the tone the time will be 9:56 and 20 seconds," said the efficient voice at the other end of the line.

"Four minutes," the Governor winked nervously at his wife.

The Quinn boys were in charge of the Quinn girls, and little Mary Kaiulani thought it a fine occasion to sing "Yankee Doodle Dandy," which she did.

As the time crept up to 10 o'clock—the hour designated for the call from Secretary Johnston in Washington—the room became tense.

Some good-natured wisecracking failed to break the tension.

"How is this call coming in," the Governor asked.

"We think it's coming through the switchboard," replied Robert Ellis, the Governor's administrative assistant.

"Is somebody out there?" the Governor wanted to know.

"'I hope so," said Ellis.

Someone else thought it would be a a real joke if the line were busy when the call from Washington came. Nervous laughter.

Ten o'clock. State Senator-elect Hebden Porteus told a very funny joke. Relieved laughter this time, then mounting tension again.

Two minutes past 10. And from the street a cacophony of automobile horns blared about the impudent sputtering of firecrackers set off in a string. The radio had apparently jumped the gun, prematurely exulting to its audience that the great moment had arrived—Hawaii had been officially proclaimed the 50th State of the Union.

More jokes, and someone suggested turning on the radio to find out what was going on.

Then, the noise stopped; there were no more jokes, and Mary Kaiulani and her "Yankee Doodle Dandy" ran out of wind.

The telephone at Governor Quinn's left hand hummed softly. Every eye was on it as the Governor picked it up. "Hello—well, that's wonderful news, Ed," he said softly, then cupped his hand over the mouthpiece and turned to those gathered in the room. "Ladies and gentlemen, Hawaii is now a State."

Immediately the tension of the past 20 minutes exploded in a tumult of applause. Governor Quinn continued his conversation with the voice in Washington which had identified itself as belonging to "former Secretary Johnston."

"Bless you, former Secretary," he said, "and please express my gratitude and appreciation and the thanks—and the thanks and appreciation of the people of Hawaii to the President for all he has done to bring this about."

Then Governor Quinn spoke briefly to Secretary of the Interior Fred A. Seaton, thanking him for his efforts in behalf of Hawaiian statehood. The long-awaited call was in and its message recorded. Governor Quinn hung up the phone, turned in his chair and said, "Mr. Justice Marumoto, I guess the time is here."

Supreme Court Justice Masaji Marumoto asked the Governor to raise his right hand and repeat after him.

Following, and in like manner, Lt. Gov. Jimmie Kealoha took the oath of office. Justice Marumoto picked up another instrument that had been lying on the Governor's desk, and for the first time notarized a document with the Seal of the State of Hawaii.

Governor Quinn announced that his first official act would be to sign the document certifying that HIRAM L. FONG, who was present, had been duly elected by the people of Hawaii to the U.S. Senate.

Senator FONG made gracious acknowledgment. He crossed the room and presented a pikake lei to Mrs. Quinn.

Mrs. Quinn in turn walked to the desk where her beaming husband was fighting back emotion and placed a garland of vanda orchids upon his shoulders. She walked hesitantly through a haze of tears as she returned to her seat. And she was not alone.

And so went the morning of destiny. For Iolani Palace, scene of other great events beginning with the glitter and pomp of monarchy; for William Francis Quinn, who more than anything else wanted to be Hawaii's first elected Governor, and saw his wish fulfilled in the culmination of a brilliantly energetic campaign; for James K. Kealoha, immensely popular, warmly human, and until this morning the talented and perennial executive officer of Hawaii Island; for HIRAM L. FONG, the son of immigrant Chinese, who rose Horatio-Alger-like to wealth and prominence in his community; to OREN E. LONG, transplanted Kansan, respected and revered in the Islands for nearly 40 years; for DANIEL K. INOUYE, holder of an astounding record in wartime, dedicated in peace to the further service of the country his ancestors adopted; and for the friends and loved ones of these men who worked, worried, and prayed for them in the struggle for today's achievement.

This was the background of the brief announcement that flashed through the trans-Pacific telephone cable at 14 minutes past 10 this morning.

The skill called for so long ago by John Kapena had been practiced; the watchful care exercised; the caution and industry applied; to the end that the future he spoke of, which is now and the days to come, has secured and will further insure the well-being of the people and the prosperity of the government.

MILK PRICE PROBLEMS IN WISCONSIN

Mr. PROXMIRE. Mr. President, last Tuesday evening farmers from the southern part of Wisconsin—in Evansville, Orfordville, Oregon, Paoli, Mount Horeb, and Brooklyn areas—met in the Evansville High School and voted to back a milk strike, if necessary, to enforce an adequate price for milk. These are responsible farmers who are suffering from severe economic injustice. The meeting was attended by 250 representatives of locals of the Pure Milk Association of district 19.

Mr. President, the position of these farmers has been supported by one of the thoughtful and conservative newspapers in Wisconsin, the Janesville Gazette. The Janesville Gazette has been a supporter of Secretary of Agriculture Benson. It opposes artificial restrictions on farm production, and the excessive cost of the price support program. But the Janesville paper understands the plight of these southern Wisconsin farmers and recognizes that this is a situation that simply must be corrected.

I would like to read a brief paragraph from the editorial from the Janesville Gazette.

Not since the dark days of the 1930's have feelings been running so high with milk producers. The men who feed and milk the cows feel that they are undergoing economic discrimination, and have come to the point where they are talking about a milk strike.

The bare figures show that there is a good deal of justification for their dissatisfaction. In 1952, farmers in the Chicago area were paid an average of $4.51 for 100 pounds. Last year the price was down to $3.40 for 100 pounds, and the best guess for 1959 will be 3 to 5 cents lower than last year. During this time, there has been a substantial advance in the retail price to consumers.

I am not talking about the farmers whose dairy prices are the lowest in Wisconsin. Those farmers are up in the central and northern part of the State. I am speaking of the southern Wisconsin farmers whose prices and incomes have been the best over the years in our State, and are still higher than they are in the rest of the State.

I know that all citizens of Wisconsin, particularly the farmers, urgently want to avoid a milk strike. That is a terrible price for farmers, as well as consumers, to pay. The situation is desperate. I call it to the attention of the Senate and the Department of Agriculture, because this is a situation which can be averted by the proper use of the legal opportunities which are available at the present time. As the Janesville paper properly points out that the Chicago marketing order can and should be adjusted in recognition of the economic facts of life.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the editorial to which I have referred, entitled "Discontent in Dairyland," published in the Janesville, Wis., Gazette of September 9, 1959, and an article entitled "Strike Threat Heard at Dairy Farmer Meeting," also published in the Janesville Gazette.

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

[From the Janesville (Wis.) Gazette, Sept. 9, 1959]

STRIKE THREAT HEARD AT DAIRY FARMER MEETING—BOOST OF $1.50 PER HUNDREDWEIGHT ON MILK ASKED AT EVANSVILLE RALLY

Dairy farmers representing the Evansville, Orfordville, Oregon, Paoli, Mt. Horeb, and Brooklyn areas, meeting in Evansville High School Tuesday evening, voted to back a milk strike if necessary to enforce a drive for higher milk prices.

The meeting, attended by about 250 representatives of locals of the Pure Milk Association of District 19 supported a resolution offered by Frank Bender, Route 2, Evansville, calling for higher milk prices. The vote requesting the PMA, Chicago marketing cooperative representing farmers to negotiate for a higher price was 123–18.

Dairymen at the meeting indicated that they would be satisfied with a raise of $1.50 per 100 pounds in the price of milk, which would give them $4.75 and thus enable them to meet high production costs.

Roy Strauss, Madison, who has a dairy farm at Utica, was the principal spokesman for those talking most strongly for a milk strike if the price demands are not realized.

Art Gafke, Fort Atkinson, spoke for the moderates and urged that before any strike action is taken that every producer and milk plant be organized to take part. He expressed the hope of agreement among all dairy organizations "so that we won't have a strike every year."

ORFORDVILLE ACTIVE

The district meeting in Evansville was held at the request of a meeting of the Orfordville local last Friday night when there was a discussion of prices and of strike action if necessary. Similar local meetings have been held in North Leeds, Elkhorn, and other areas in the State.

Another district meeting is scheduled Sept. 20, when the plea for higher prices will be given to PMA delegates who will meet October 13 in Chicago.

The movement for higher prices has not yet hit the Janesville area, but Arnie Agnew, Milton Junction, PMA director for this district, said that nobody is happy with the current prices. He said that there has been substantial reduction in prices of milk to farmers from 1952 until now, while retail prices have gone up. He estimated that the average paid to farmers when all the figures for 1959 are in will be 3 to 5 cents per 100 below the average for 1958.

Agnew said that the possibility of a milk strike cannot be discounted, but indicated that any such move should be a last resort and would require detailed planning to make it effective. Some of those urging fast action, he said, "have not been through a milk strike" and may not realize how serious such a move can be.

ASK CHANGED FORMULA

PMA directors have talked about strike possibilities if other avenues to improved milk prices fail, he confirmed. District 19, where the strike plans are chiefly talked, is represented on the board by Don Brace, Lone Rock.

Much of the dissatisfaction with present prices results from the pricing formula now used by the Department of Agriculture under the Chicago Federal milk order, it was explained. The price to farmers for fluid milk sold on the Chicago city market is based upon quotations for canned milk, butter, cheese, and dry milk as paid by milk processors, plus a fixed premium per 100 pounds.

The PMA, Agnew said, had petitioned the Department of Agriculture for a hearing on its plea for a different type of pricing formula which would take into consideration production and feed costs and the general level of consumer prices. Washington officials have refused to hold such a hearing, let alone put any revised pricing formula into effect, he said.

[From the Janesville (Wis.) Gazette, Sept. 9, 1959]

DISCONTENT IN DAIRYLAND

Southern Wisconsin's dairy cattle may be contented, but their owners are not. Not since the dark days of the 1930's have feelings been running so high with milk producers. The men who feed and milk the cows feel that they are undergoing economic discrimination, and have come to the point where they are talking about a milk strike.

The bare figures show that there is a good deal of justification for their dissatisfaction. In 1952 farmers in the Chicago area were paid an average of $4.51 per 100 pounds. Last year the price was down to $3.40 per 100, and the best guess for 1959 will be 3 to 5 cents lower than last year. During this time, there has been a substantial advance in the retail price to consumers.

In addition, the U.S. Department of Agriculture has in effect in many eastern areas of the Nation a pricing formula which takes into consideration the costs of feed and milk production, and the general level of consumer purchasing power. In the Chicago area, the Federal market order pricing is based upon prices of canned milk, dry milk, butter and cheese, plus a fixed premium for fluid milk of a quality suitable for city distribution. The Department of Agriculture has decided repeatedly that it will not provide an official hearing on pleas of dairymen of this area for a change in the pricing formula.

The Department, with some logic, has taken the view that as long as ample milk is being produced for the markets of the Chicago area, there is no need to change. This would be more convincing if the Government never had entered the dairy pricing field, and would permit free flow of milk across the Nation. A good deal of Midwest milk certainly would go to protected eastern markets where it would bring a better price. Dairymen there would lose some of the profits, and those in this area might gain. In any event, the blame for low prices could be placed entirely upon economic conditions, which is not the case now.

The situation in this area now appears to be approaching some sort of climax. Various things could happen. For one thing, the number of farmers in the dairy business has been declining year by year. When the point is reached where milk output is insufficient, is the Government then likely to change its pricing formula?

Of more immediate concern is the threat of a milk strike. Because of the perishable nature of the product, this is a last desperate gamble by producers who stand to lose heavily. It is a situation to be avoided by any means possible.

The importance of the dairy industry to southern Wisconsin makes the current difficulties a matter of concern to all business and industrial interests here as well as to the general public.

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent that the very brief statement I am about to make may be printed in the RECORD immediately following the comments of the Senator from Wisconsin in regard to the serious plight in which the dairy farmers of Wisconsin find themselves.

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

Mr. MORSE. Mr. President, the plight of the farmers referred to is not limited to Wisconsin. The dairy industry across this Nation is in a very serious economic condition as far as dairy farmers are concerned. In the State of Maryland, for example, there has not been a single week during the past 6 weeks in which there has not been an auction of at least one large dairy farm. This past week within a 50-mile radius of Washington, D.C., there were two such large auctions, and several more are scheduled.

Mr. President, there is no doubt about the fact that the so-called family dairy farmer is on his way out unless something can be done along the lines of the suggestions made by the Senator from Wisconsin to make the family farmer on a dairy farm have a profitable dairy business.

PERSONAL STATEMENT BY SENATOR FULBRIGHT

Mr. FULBRIGHT. Mr. President, I did not realize that Mr. George Dixon had said that every Member of the Senate who voted for the so-called McClellan bill of rights later received a $50 check from someone in Florida.

Ordinarily, I do not bother to deny the absurd allegations which appear in the daily press; but inasmuch as this article was replied to by many of my colleagues, I suppose it is appropriate that I should take note of it.

No such check was sent to me; or, to be more accurate, no check was received in my office or by me. Consequently, I did not have to return it; neither was I able to recommend that it be given to my favorite charity or even to the Democratic National Committee, as I understand some of my colleagues have done.

DIVIDED SYSTEM OF GOVERNMENT AND THE RULES OF SENATE

Mr. FULBRIGHT. Mr. President, a matter which has interested me for a long time and which is, I believe, of paramount importance to the continued strength and vitality of our self-governing society pertains to the effectiveness of our divided system of Government, upon which there is now imposed the further fragmentation of governmental power as a consequence of the Republican Party's controlling the executive branch of the Government and the Democratic Party's controlling the legislative.

This unfortunate circumstance will, in the long run, bring about a paralysis of government, or perhaps it is more accurate to say that it has resulted and will result in an unimaginative, uninspired, pedestrian government, catering primarily to the lowest common denominator of a large body of self-centered voters intent upon their special local interests.

There may not be a dramatic collapse of the structure of government, but rather a slow erosion of the spirit and devotion to the national welfare, upon which a self-governing system is dependent. A hopeless sense of frustration will inevitably destroy the spirit of the sensitive souls among us; an irresistible compulsion to take advantage of the opportunities for personal advancement will dominate those with more primitive instincts. In a word, from the confusion and irresponsibility which flow from the division of governmental power, orderly and effective government cannot be expected.

One rather interesting, albeit minor, facet of the current political drama is the situation we find in the Senate, where the Democratic Party has a large majority of 65 Senators out of 100. Nevertheless, the majority leader, although he is one of the most forceful and able men ever to occupy that position, finds it all but impossible to control and direct the affairs of the Senate. Our rules are liberal. They were developed in a more leisurely period of our history, when the volume of business in the Senate was small and the urgency of any action was much less.

These rules are based upon a minimum of give and take; upon the assumption that all Members are reasonable persons having due respect for the

opinions and the rights of their colleagues. The rules are not self-enforcing, and they may be abused. It is quite possible for a determined person to so use the rules as to effectively paralyze the work of the Senate or, in the alternative, to dominate its deliberations by a threat of paralysis.

Mr. President, this situation has reminded me of the condition which developed in Poland in the 17th century. When we consider the sad state of Poland today, and with profound sympathy and helplessness observe her complete subjection to an alien philosophy and system of society, we should recall that only three centuries ago Poland was a powerful, independent country, having a highly developed parliamentary system.

Poland was unable to develop her system of self-government in an orderly and effective manner, and before long lost her independence and, in truth, was divided up among her neighbors.

One of the causes of her failure was the "liberum veto," a principle not unlike the principle upon which the U.S. Senate operates.

I only hope, Mr. President, that we can find a way to avoid the fate of Poland. I hope the Senate does not finally degenerate into a pettifogging circus, preoccupied with rules, which, when enforced, finally result in complete frustration and futility.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a short statement entitled "The Liberum Veto in Poland's History," which was prepared for me by the Library of Congress.

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

THE LIBERUM VETO IN POLAND'S HISTORY

The term "liberum veto" means literally free voting, or balloting. Actually, however, from the middle of the 17th century for more than 100 years it was one of the most odious expressions in Poland's constitutional and legislative history. As a matter of fact Poland's legislative history is marred by the abuse of liberum veto.

For centuries the consent of provincial assemblies was necessary in the enactment of parliamentary resolutions. Since it was difficult to have the assent of all provincial assemblies on all desirable and necessary legislative proposals, often a minority made impossible the debating and passing of bills by parliament. In the year 1505 the king bound himself by a statute not to make any decision affecting the state without the consent of the Senate (composed of higher officials, magnates, and bishops of the churches), and of a Diet (composed of delegates from provincial assemblies). The calamitous feature of this statute was the principle of unanimity, which led straight in the following century to the liberum veto. Its first effective use is traced to the year 1652.

In the parliamentary debates of that year factional groups were intriguing, and bitter animosity prevailed among them. As the session was drawing to the end of its prescribed period of 6 weeks, with numerous important matters unsettled, the king demanded prolongation. Thereupon a certain Ladislas Sicinski declared his veto, and left the hall. In consequence the Parliament was declared "broken." "Such was the beginning of the notorious practice of liberum veto, a custom which allowed one member of Parliament to check the debates of the whole body."[1] In the words of one writer it meant "the tyranny of individual caprice over the will of the majority."[2] In later years the liberum veto became the chief instrument of foreign ambassadors for dissolving inconvenient diets in Poland, since a deputy could always be found to exercise it in return for a sum of money.

It is difficult to say what was the lot of those who either through ignorance, or malevolence, used the liberum veto. No doubt they were unpopular, and perhaps at times were regarded as traitors to the Polish cause. But there is no evidence indicating that they were legally or otherwise punished. In other words, there was no political ostracism, such as was practiced in Greece in the fifth century, B.C., where any person who threatened the harmony and tranquility of the body politic was considered dangerous and was ostracized for 10 years. It seems that in Athens ostracism was regarded as a constitutional safeguard, whereas in 17th-18th century Poland, the liberum veto acted as a dangerous check to the working of constitutional and democratic processes.

Mr. FULBRIGHT. Mr. President, I wish to emphasize one paragraph of the statement:

For centuries, the consent of provincial assemblies was necessary in the enactment of parliamentary resolutions. Since it was difficult to have the assent of all provincial assemblies on all desirable and necessary legislative proposals, often a minority made impossible the debating and passing of bills by Parliament. * * * The calamitous feature of this statute was the principle of unanimity, which led straight in the following century to the liberum veto. Its first effective use is traced to the year 1652.

[1] "Cambridge History of Poland," vol. I, p. 514.

[2] W. J. Rose, "Poland Old and New," p. 48.

FORTHCOMING VISIT OF PREMIER NIKITA S. KHRUSHCHEV; COMMENTS ON SENATOR JOHNSON'S ADDRESS TO AMERICAN LEGION CONVENTION

Mr. MORSE. Mr. President, on August 27, the Majority Leader delivered a very notable address to the American Legion Convention in Minneapolis, Minn. In the course of his speech, he made some very pertinent remarks about the impending Khrushchev visit to the United States. I completely agree with the views expressed by the Senator from Texas relative to the Khrushchev visit. In view of the plea last night by the President of the United States that the American people extend to the Russian Premier our traditional courtesy and politeness, the majority leader's views, expressed many days ago, should be particularly emphasized in the RECORD today. Therefore, I ask unanimous consent that excerpts from Senator JOHNSON's address to the American Legion be printed at this point in the RECORD.

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

THE BEST INTERESTS

There have been strong expressions of concern and doubt about the wisdom of this invitation. There are those who feel that Mr. Khrushchev's visit is simply an elaborate facade for a two-man summit conference—which has been his publicly expressed goal since he attained power. Mr. Khrushchev's planned itinerary certainly does nothing to dispel this feeling.

But at this point, the wisdom of the invitation is academic. Khrushchev will be here. The issue remaining is whether we conduct ourselves in such a way as to serve the best interests of America.

On this, we must—and shall—stand behind our President.

Personally, I have no fears that Mr. Khrushchev can contaminate the American people. We can take in stride the best brainwashing he can offer, Marxist propaganda, threats of economic competition, limited war in the Far East, subversion in Latin America, submarines in Hudson Bay—or any other fine points of Soviet diplomacy.

In our lifetime, we have been through three wars, depression and the ravages of cold war. Americans have been hardened to the realities of this world.

Our problem is how to see to it that Khrushchev will have a true picture of our country, a true picture of our people—and a true picture of our purpose.

PRISONERS OF HOPE

I hope that can happen. Because if it does happen that way, Nikita Khrushchev will return to the Soviet Union with his eyes wide open—and we will gain. We will gain because this Nation has no fear of the truth.

There are, of course, dangers in this visit to which we must be alert. But I believe our country can withstand exposure to those dangers. Americans are kindhearted; but they are not softheaded.

THE MARKED DECK

It would be tragic if we fell into the illusion that Mr. Khrushchev is coming here with a "deal" that would mean "peace with honor" or "peace in our time." Because another man—a kindly, good man—once suffered that illusion, you and I had to spend many years in uniform defending our country and millions of people died.

Of course, Khrushchev would like to make a deal. Every dictator would like to make a deal—with a marked deck.

He would probably like to divide the world into two spheres of influence—with a nice, big slice marked out for the Soviet Union.

But the American people are not going to make such a deal. We do not believe in a world divided into spheres of influence. We believe in a world in which the people have freedom of choice.

And so long as there is a Soviet sphere of influence which includes Hungary, Poland, East Germany and other satellites, no one can say that this is a world of free choice.

It would be tragic if we suffered from the delusion that Mr. Khrushchev can be charmed into changing his course. I do not know whether he would be amused or insulted by such a suggestion.

I do know that any Soviet official who has survived the Communist blood purges of the past 25 years is not to be beguiled like a school child.

THE GREATEST TRAGEDY

But the greatest tragedy would follow if we came to the conclusion that this visit meant a thaw in the cold war. This is the delusion that could lead us into letting down our guard.

I believe in visits between the American and the Soviet peoples. I am a firm advocate of talking instead of fighting—where possible.

But I think the advice given to our ancestors to "keep your powder dry" was good advice—and applies with especial force today.

We should meet Khrushchev or any other Soviet official in good faith. We should listen to any proposals that are made. We should not permit Communist bad faith or

Communist bad temper to tempt us into bad faith or bad temper.

But we should, we must, remember that a few kind words will not release Berlin. A few kind words will not free Hungary. A few kind words will not unite Germany. And smiles and quips—however pleasant—will not bring us the peace we desire nor change Khrushchev's determination to bury us.

The day of true peace can and must arrive. We have devised weapons of such fantastic destructive power that we must either live together or perish together.

That realization will come eventually to the Communists—as it has come to our people already.

Mr. MORSE. Mr. President, the Senator from Texas, in the course of his remarks, said:

There have been strong expressions of concern about the wisdom of this invitation. * * * But at this point, the wisdom of the invitation is academic. Khrushchev will be here. The issue remaining is whether we conduct ourselves in such a way as to serve the best interests of America.

The majority leader was so right when, on August 27, he made that plea in his speech to the American Legion. He said:

On this, we must—and shall—stand behind our President.

My statements in the Senate, in past speeches, have pointed out that I completely share that point of view.

Mr. President, I turn now to a letter which the majority leader mailed to his constituents under date of September 6, 1959. What he pointed out with respect to the attitude on the part of some people in Texas is typical of the attitude which exists across the Nation:

Back in Texas, a lot of folks were asking if I thought Congress will go home before Soviet Premier Khrushchev arrives. I told them that in my opinion, whether Congress goes or stays has nothing to do with when Mr. Khrushchev arrives or departs.

If Mr. Khrushchev's visit is safe for the United States, it certainly should not harm Congress. And I don't think we have to run out of town just because the President has invited a guest from another country—Russia or anywhere else. My own view is that the American people pay the Congress to work—and I believe in continuing working until the job gets finished.

Mr. President, I know that has been the attitude of the majority leader from the beginning of our discussions in regard to the Khrushchev visit; and I want the RECORD to show that I highly commend the majority leader for the statements he made in his newsletter to his constituents.

AUTHORIZATION FOR LONGER TERM LEASES OF INDIAN LANDS ON THE AGUA CALIENTE (PALM SPRINGS) RESERVATION

Mr. ANDERSON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives in regard to the amendment of the Senate to House bill 6672.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6672) to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ANDERSON. I move that the Senate insist upon its amendment, agree to the request of the House for a conference and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. NEUBERGER, Mr. ANDERSON, Mr. GRUENING, Mr. GOLDWATER, and Mr. ALLOTT conferees on the part of the Senate.

Mr. DIRKSEN. Mr. President, I understand that this matter has been cleared with the minority Members.

Mr. ANDERSON. That is correct; it has been cleared with both the minority and the majority.

Mr. DIRKSEN. And it has their concurrence, does it?

Mr. ANDERSON. That is correct.

CALL OF THE ROLL

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allott	Hayden	Neuberger
Anderson	Holland	Proxmire
Bible	Humphrey	Saltonstall
Butler	Johnson, Tex.	Thurmond
Byrd, W. Va.	Johnston, S.C.	Wiley
Chavez	Keating	Williams, Del.
Dirksen	Magnuson	Yarborough
Fulbright	Mansfield	
Green	Morse	

Mr. MANSFIELD. I announce that the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from West Virginia [Mr. RANDOLPH] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of the absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. BARTLETT, Mr. BEALL, Mr. BENNETT, Mr. BRIDGES, Mr. BUSH, Mr. BYRD of Virginia, Mr. CANNON, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DODD, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. ENGLE, Mr. ERVIN, Mr. FONG, Mr. FREAR, Mr. GOLDWATER, Mr. HART, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HRUSKA, Mr. JACKSON, Mr. JAVITS, Mr. JORDAN, Mr. KERR, Mr. KUCHEL, Mr. LANGER, Mr. LAUSCHE, Mr. LONG of Hawaii, Mr. LONG of Louisiana, Mr. MARTIN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORTON, Mr. MOSS, Mr. MUNDT, Mr. MURRAY, Mr. MUSKIE, Mr. PASTORE, Mr. PROUTY, Mr. ROBERTSON, Mr. RUSSELL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. TALMADGE, Mr. WILLIAMS of New Jersey, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. CANNON in the chair). A quorum is present.

Mr. JOHNSON of Texas. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Morning business has not been concluded.

NEGRO PROINTEGRATIONIST SORRY

Mr. JOHNSTON of South Carolina. Mr. President, the Wednesday, September 9 issue of the Daily Mail, of Anderson, S.C., carried a newspaper article relating how former Prof. Clennon King, a Negro, said Tuesday in Greenville, Miss., he regretted that he had attempted to integrate the University of Mississippi. In a letter to Hodding Carter, publisher of the Greenville Delta Democrat-Times, Professor King said he had moved to California in hopes of "finding a new and better place in which to live." Professor King further said "but what I found makes me sorry, in a way, that I deliberately antagonized Mississippians as I did, for Negro Mississippians' racial concerns are much more basic than school integration."

Mr. President, the regret expressed by this Negro professor is, I am sure, a regret felt by many Negroes who left the South for the promised land of the integrated North. I doubt if they have found a better place in which to live and, to the contrary, I believe they have found unhappiness, poverty, slums, deteriorating morals, and the other problems that accompany forced integration. The revelation to Mississippians by Professor King that a great integrated State is worse by far than segregated Mississippi probably comes as news to outsiders, but is no news to those who live in the segregated, peaceful South.

Mr. President, I hope this, and other warnings which have been making the news recently on the question of race relations, will be heeded with extreme care by those who seek to pass civil rights legislation designed to force integration upon unwilling people.

Mr. President, I ask that the article from the Daily Mail, to which I have referred, be printed in the RECORD following my remarks.

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

NEGRO PROINTEGRATIONIST SORRY RILED MISSISSIPPIANS

GREENVILLE, Miss.—Former Prof. Clennon King, a Negro, said Tuesday racial conditions in California made him regret that "I deliberately antagonized Mississippians" by trying to integrate the University of Mississippi.

In a letter to Publisher Hodding Carter, of the Greenville Delta Democrat-Times, King said he had moved to California with his family in hopes of finding a new and better place to live.

"But what I found makes me sorry, in a way, that I deliberately antagonized Mississippians as I did, for Negro Mississippians racial concerns are much more basic than school integration."

King, who once taught at Alcorn A. & M. College in Mississippi, moved to Los Angeles from Gulfport, Miss., last year.

King said Los Angeles has the highest per capita major crime rate in the country. He added most of it is committed by Negroes.

But "unfavorable racial matters and disliked racial thinking are made hush-hush" in California, King wrote, while "soiled reports from the South get predominant top billing."

NEED FOR AN AREA REDEVELOPMENT BILL

Mr. DOUGLAS. Mr. President, I rise to again call the attention of the Congress to the ever-present, pressing need for an Area Redevelopment Act to establish an adequate domestic point 4 program for our country.

In view of the fact that tomorrow we will be called upon to enact a point 4 program for foreign countries, I think it is appropriate to emphasize the need for a point 4 program for the United States.

The Senate passed this bill (S. 722) on March 23, 1959, and the House Committee on Banking and Currency has favorably reported a similar bill which now languishes in the House Rules Committee. House action, however, is hoped for early in the second session. Mr. President, I ask unanimous consent that a statement about the need for the Area Redevelopment Act be printed in the CONGRESSIONAL RECORD at this point.

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

THE EVER-PRESENT PRESSING NEED FOR AN AREA REDEVELOPMENT BILL

Despite the economic boom now being enjoyed by our country, the problem of chronic economic blight with high unemployment and the attendant social distress continues to plague many of our communities. The continuing plight of the depressed areas, both industrial and rural, is shown dramatically by the statistics on unemployment as developed by the U.S. Department of Labor. The number of surplus labor market areas in the United States is increasing, not decreasing. In May 1959 (the latest month for which figures are available), there were 50 percent more distressed labor market areas, i.e., areas having 6 percent or more of the labor force unemployed, than in January 1959 and almost three times as many as in August 1957. High unemployment continues to be concentrated in these areas in a very serious manner. In May 1959, the 179 distressed labor markets had almost one-third of the Nation's unemployed although they contained only 14.5 percent of the Nation's working population.

Our bill is also designed to help farm areas with especially low incomes and with high unemployment. There are approximately 1 million farm families with an annual income of less than $1,000. The small farmer is, perhaps, being squeezed worse than ever before. The parity ratio went down from 85 in 1958 to 81 in June of 1959, the lowest level since World War II. From 1952 to 1958, the farm population fell by 3½ million and this decline continues.

To develop the best economic thought possible on the problems of these areas and how it should be met, a number of eminent economists of the leading universities and colleges of our country were supplied with a statement dealing with the problem by the area employment expansion committee and were asked their position concerning the need for area redevelopment legislation. Eighty professors of economics from 41 universities endorsed the statement, some with comments such as, "We cannot afford not to have a point 4 program for our own people."

The statement follows:

"STATEMENT BY PROFESSORS OF ECONOMICS IN SUPPORT OF AREA REDEVELOPMENT LEGISLATION

"At least 267 labor markets in the United States have substantial labor surpluses at the present time. In 121 major and smaller labor markets, unemployment has been continuous for such long periods of time as to make them chronically distressed communities. The prolongation of substantial unemployment has had unfortunate effects upon the people, the communities and the wealth of these areas and the Nation. The human suffering and the waste of private and public resources demand prompt attention; they must be stopped.

"Unfortunately, the economies of many of these distressed areas have been built on industries which are now declining. Newer growth activities have not been developed in sufficient volume to offset the effect of contraction in older industries. Even if the current expansion in business substantially reduces the national level of unemployment, large-scale unemployment will continue to plague the chronically distressed areas. Economic expansion will bypass them now just as it failed to benefit many distressed labor markets in previous boom periods such as 1956–57.

"The economic reverses suffered by these communities are largely the byproduct of our national economic growth. Older industries have been adversely affected and the areas dependent upon them have suffered as a consequence. The introduction of new industries and activities using new materials and processes and producing new products, or satisfying new governmental, industrial and consumer desires have stimulated many new employments, leaving the older ones by the wayside. Many operations have shifted from one location to another seeking better sites or closer proximity to markets. In some cases, governmental decisions such as the substitution of missiles for airplanes and the consequent elimination of many existing governmental facilities have left communities stranded.

"Whatever the specific cause may have been, these labor markets have seen their economic base removed and the billions of dollars of personal investment in the form of housing, small businesses and a variety of economic activities has been impaired. Alternative employments have been lacking in many areas since they had been largely dependent on a single industry or plant. Out-migration has been continuous from most of these areas. Despite the great mobility of the American people, it has not been sufficient to solve the problems of labor surpluses in these communities. Moreover, in times of economic recessions, as the recent one, many persons laid off from their new jobs in other communities and returned to their older homes, adding to the distress of these areas.

"In a period when there are such great calls upon America's resources, it would be unfortunate indeed to waste these human resources and to neglect the social and private capital in these areas where they can be effectively employed. Many of these communities have substantial, sound economic sectors and can be redeveloped into prosperous areas. Both political parties and their leaders have endorsed the principle that waste of these people and the local facilities and resources is inexcusable. The President of the United States has repeatedly endorsed the principle of assistance to chronically distressed areas. Both Houses of Congress have passed legislation to promote the redevelopment of these communities.

"We who have studied the problems of many chronically distressed communities heartily endorse legislation designed to aid these communities and people through a system based upon sound research and analysis, technical assistance, grants, and loans for the construction of public facilities, loans for the construction of commercial and industrial structures, and grants for the retraining of workers. We believe that under careful direction, many of these communities can be rebuilt into thriving economic centers. Some of them have already made valiant efforts toward this end but have found that their own resources were too limited and those of their States too circumscribed. Unfortunately, these distressed communities tend to cluster in particular areas which depresses and exhausts the financial and other resources of entire regions.

"We believe that the Federal Government has as much a responsibility for providing guidance and financial assistance for the redevelopment of these areas as it has to extend similar aid to the underdeveloped areas in foreign countries. A point 4 program is as constructive for American distressed and underdeveloped areas as for foreign ones.

"This is one piece of legislation designed to help relieve our unemployment situation on the need of which all groups are agreed. Legislative action is urgently needed.

"We therefore urge that the leaders of Congress and the executive branch of our Government undertake promptly to reconcile their differences as to the immediate terms of legislation to help redevelop distressed areas. We hope that this program can be adopted and approved by the President at this session of Congress."

A list of the universities and the professors endorsing the statement follows:

Arkansas: University of Arkansas, Fayetteville, Ark., Lee R. Martin.

California: University of California, Berkeley, Calif., Carl Landauer, Gordon Tyndall; University of California, College of Agriculture, Davis, Calif., Warren S. Gramm, Adam A. Pepelasis; University of California, Los Angeles, Calif., G. H. Hildebrand; Stanford University, Stanford, Calif., Irma Adelman, John P. Troxell, Robert K. Arnold, C. G. Norman, Bruce F. Johnston.

Colorado: University of Colorado, Boulder, Colo., M. E. Garnsey.

Connecticut: Trinity College, Hartford, Conn., Richard Scheuch; Yale University, New Haven, Conn., Mark W. Leiserson.

Illinois: University of Chicago, T. W. Schultz, Albert Rees, Jerome Rothenberg, A. C. Harberger; University of Illinois, Urbana, Ill., W. Ellison Chalmers; Northwestern University, Evanston, Ill., Karl de Schweinitz, Jr.; Roosevelt University, Chicago, Ill., Adolf Sturmthal.

Indiana: Perdue University, West Lafayette, Ind., Vernon Wesly Ruttan.

Iowa: Iowa State College, Iowa City, Iowa, Goeffrey S. Shepherd.

Maine: Bowdoin College, Brunswick, Maine, Albert Abrahamson.

Massachusetts: Amherst College, Amherst, Mass., Willard L. Thorp; Harvard University, Cambridge, Mass., Seymour E. Harris, Samuel H. Beer, Wassily Leontief, Alvin H. Hansen; Mount Holyoke College, South Hadley, Mass., Virginia L. Galbraith; Northeastern University, Boston, Mass., William H. Miernyk, Sidney Hennan, S. M. Rosen, M. Spencer, Benjamin M. Peale, Miss Ivory Lyons; Williams College, Williamstown, Mass., James M. Burns.

Michigan: Michigan State University, East Lansing, Mich., James D. Shaffer, Charles C. Killingsworth.

Minnesota: University of Minnesota, St. Paul, Minn., P. M. Raup, Harlan M. Smith, Darrell F. Sienup; University of Minnesota, Minneapolis, Minn., Walter W. Heller, George O. Selzer, Francis M. Boddy, Peter Gregory.

Missouri: University of Missouri, Columbia, Mo., James V. Rhodes.

Nebraska: University of Nebraska, Lincoln, Nebr., C. J. Miller, Bert M. Evans, E. Feder, Alfred Eckert, Don Kanel, Howard W. Ottoson.

New Hampshire: Dartmouth College, Hanover, N.H., Clyde E. Dankert, Lawrence G. Hines, Martin Siegal, William L. Baldwin, Joseph F. Marsh, Thomas J. Finn, Jr., John A. Menge; University of New Hampshire, Durham, N.H., John A. Hogan.

New Jersey: Princeton University, Princeton, N.J., Frederick H. Harbison, Richard A. Lester.

New York: Columbia University, New York, N.Y., Emile Benoit; Cornell University, Ithaca, N.Y., Donald E. Cullen, Robert L. Aronson; New York University, New York, N.Y., Alexander Melamid; Vassar College, Poughkeepsie, N.Y., Mabel Newcomer.

North Carolina: Duke University, Durham, N.C., Frank T. de Vyver; North Carolina State, Raleigh, N.C., Quentin W. Lindsey.

Ohio: Ohio State University, Columbus, Ohio, Glen H. Mitchell.

Pennsylvania: University of Pennsylvania, Philadelphia, Pa., Jacob J. Kaufman.

Rhode Island: University of Rhode Island, Kingston, R.I., A. Domike, E. B. Hogan.

South Dakota: South Dakota State, Brookings, S. Dak., Travis Manning, Gerald Marousch, Ralph Nelson, R. L. Kristjanson.

Wisconsin: University of Wisconsin, Madison, Wis., Peter O. Steiner.

My colleagues are all agreed that without passage of an adequate area redevelopment bill, high unemployment will continue to fester in these areas, for they will not share in the economic upturn, as their industries have closed or have lost out competitively. Too, it should be considered that there are many communities presently prosperous which, because of shifting markets, automation, changes in ordnance and aircraft designs, may join the growing groups of depressed areas.

The problem of our distressed areas is of long duration. It is an economic problem which can only be met effectively through Federal participation on a self-help basis. Our human resources are our most valuable resources. Congress and the President should recognize and enact a domestic point 4 program—the pending area redevelopment bill.

HOW THE BILL WOULD WORK

The bill would help create new jobs in (1) industrial areas which continue for an extended time to have excessively high rates of employment, (2) rural areas where farm resources are most inadequate to enable families to make a decent living from farming.

The bill would operate by giving assistance to local efforts to establish in such areas new business enterprises which would provide employment. Where the local people in an area eligible for assistance under the bill undertook a program for establishing new industries, the Federal agency could assist by providing (1) information, such as market research and other information or advice available from various Government agencies, (2) technical assistance, such as evaluating and helping to develop potentialities for economic growth, (3) financial assistance in the form of (a) loans for the development of land and facilities for use by new businesses and for rural areas, and (b) loans or grants for public facilities needed to serve new businesses, (4) vocational training to enable unemployed individuals to qualify for new employment in the redevelopment area and subsistence payments for persons receiving such training.

Mr. DOUGLAS. Mr. President, I further ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement entitled "The Area Redevelopment Bill: The Case for a Federal Program," which has been prepared by Prof. Seymour E. Harris, chairman of the Department of Economics of Harvard University.

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

THE AREA REDEVELOPMENT BILL: THE CASE FOR A FEDERAL PROGRAM

(Condensation of a paper for the New England Council, Hartford, Conn., March 19, 1959, by Seymour E. Harris, chairman, department of economics, Harvard University)

AREA REDEVELOPMENT AND MONETARY POLICY

For several years now we have had proposals for an area redevelopment program; that is, a program to deal with areas of substantial amounts of unemployment. Unfortunately, no legislation has been forthcoming because of differences of views between the President and the Congress on this matter. In fact, in 1958 an area redevelopment bill was repealed by the President.

But in 1959 the case for an area redevelopment program is greater than ever. It is now clear that, though the economy seems reasonably healthy in that we are climbing, there are important areas of large and sustained unemployment.

Fearful of inflation, the Federal Reserve has cut the total supply of money and, therefore, contributed to the rise of unemployment. But even if the Federal Reserve pursued a more realistic policy and expanded the supply of money substantially this would not solve the problem of islands of unemployment in a sea of prosperity. It would require a really inflationary and monetary policy to have a very large effect on this situation.

I do not mean to imply that prosperity does not in general improve the situation even in these depressed areas. But all general policies operate too slowly and not sufficiently to correct this situation. In my testimony before the Senate Committee on Banking and Currency on Area Redevelopment in 1957, I pointed out that in the recession year of 1954 average unemployment in five textile towns in New England was 8, 24, 10, 11, and 12 percent. But in 1955, a prosperous year, unemployment had fallen to 6, 18, 9, 9, and 9 percent, respectively. But there is no doubt about it that the acceleration of the rate of technological advances and rising productivity tends to bring about a severe amount of unemployment in certain places. We need to accelerate the adjustment to these technological advances, which on the whole bring great gains to the Nation though they may cause severe difficulties to special groups.

A SOUND AREA REDEVELOPMENT PROGRAM

What are the features of a sound area redevelopment program?

(1) It should provide sufficient resources to alleviate unemployment in the distressed areas.

(2) It should provide resources to enable the displaced workers to obtain training for new positions.

(3) It should provide the facilities and capital that will make possible the entry of new industries and employments in the distressed areas.

(4) It should require a contribution by the local and State authorities to the total funds made available. But this contribution should not be so large as to make the cooperation of State and local governments most unlikely. We should recall that in the last 10 years the expenditures and the debt of State and local governments have risen by 300 percent, a rise that is substantially greater than the Federal record and a record that suggests that the financial problems of State and local governments are much more serious than those of the Federal Government. It is, therefore, important that such a program should take into account the weakened financial condition of State and local governments.

(5) Such legislation should also stress aid that will provide more than temporary improvement in the situation.

(6) An adequate bill should also provide for effective administration. On this score, it is most desirable that the administration of the area redevelopment program should be in the hands of an independent agency with the help and advice of members of Cabinet rank. There should also be cooperation with private and local interests. The program should be integrated with other Federal programs that provide aid for local government. For example, adjustments in the urban renewal program are required so that urban renewal may be available to these areas even though the renewal program does not provide residential gains.

On all these grounds, the Douglas bill (S. 722), which has bipartisan support of 39 Senators and was strongly supported by Senators Payne and Purtell in 1958 (in a slightly modified form), is much to be preferred to the administration bill, S. 1064.

EXTENT OF UNEMPLOYMENT

We now have approximately 5 million unemployed, or roughly 6 to 7 percent of our total population, and this in the midst of a year of prosperity in which the administration expects an improvement of gross national product of about $40 billion.

In such States as Pennsylvania, West Virginia, Michigan, and even in some of the New England States, the situation is serious. In some of these States, unemployment is up to 10 to 15 percent, a situation remindful of the great depression. A hard core of unemployment seems increasingly to affect a number of areas.

NEW ENGLAND'S SPECIAL INTERESTS

What is New England's special interest in this particular program? We should recall that New England suffers especially from having old industries that are either losing business or are not moving up with the economy. For this reason alone, New England should be greatly interested in this program.

We have a special interest in programs of this type. On the whole, New England, and this is true of the large industrial areas in the Northeast and Middle West generally, tends to put into the Federal coffers much more than is taken out. This is to be expected, for the richer areas are and should, to some extent, help the poorer areas. But there are some questions whether, on particular programs, the industrial areas do not

need help. Fortunately the area redevelopment program does not concentrate only on urban underemployment and unemployment but also on rural areas, where incomes are very low. This is as it should be.

In this connection, I would present some figures which I worked out for the Senate Banking and Currency Committee in 1956 in their hearings on flood insurance. At that time, I pointed out that an examination of the Federal taxes borne, that is, not merely paid but borne, by New England were roughly 7.8 percent of the Nation's as compared to receipts from the Federal Government of 4.8 percent over a recent period of 5 years. In 1957, with 6.6 percent of the income of the Nation and a much larger percentage of Federal taxes borne, New England received back 4.2 percent of the expenditures on highways, less than 1 percent of the payments on soil banks.

Where the large cities especially need help from the Federal Government is with such urban problems as housing, redevelopment, airports, and unemployment; and these needs continue to mount at a terrific rate. Therefore, there should be a great interest on the part of a region that has a large urban population in area redevelopment.

For this reason, this region ought to get behind the Douglas-Cooper-Clark-Beall bill. In contrast to the administration (Dirksen) bill, which proposes $50 million for loans in all to deal with a heavy concentration of unemployment in the distressed areas, the Douglas bill provides $300 million for loans and $75 million for grants. Besides the Douglas bill offers adequate administration and also provides a retraining program.

In January 1959, there were 76 major areas and 183 smaller areas with a substantial labor surplus, that is, with 6 percent or more unemployment. And areas eligible for assistance, that is, areas eligible for assistance under the proposed bill are those which have 6 percent or more unemployment in 18 out of 24 months. They number 23 major areas and 59 smaller areas.

In January 1959, in Connecticut, Bridgeport, Ansonia, and Danbury were areas with substantial labor surplus. In Maine, Biddeford, Sanford, and Portland were areas with surplus labor; and Biddeford and Sanford were eligible to receive aid under the Douglas bill at that time as distressed areas.

In Massachusetts, eligible for aid in January 1959 were Lawrence, Fall River, Lowell, and North Adams. In addition, cities with surplus labor, as defined previously, were Newburyport, Haverhill, Brockton, Milford, Taunton, Pittsfield, Greenfield, Springfield, Holyoke, New Bedford, Ware, Worcester, Fitchburg, Marlboro, Southbridge, and Webster. In Rhode Island, Providence and Newport early in 1959 were both distressed areas eligible for aid. In Vermont, areas with surplus labor were Springfield and Burlington.

Should substantial labor surpluses continue, then under S. 722 the following cities in Connecticut would be eligible for aid under the Douglas bill at the following times: in February 1959, Norwich; in March 1959, Ansonia, Torrington, and Meriden; in April 1959, New Britain, Waterbury, Thompsonville; in May 1959, Willimantic and Middletown; in June 1959, Danbury; in July 1959, New Haven.

Curtailments in the machinery, aircraft, and electrical equipment industries affected Bridgeport; the decline of silverware and flatware industry, New Britain; the textile decline, Norwich, Thompsonville, and Willimantic; the hat industry, Danbury.

In Bristol, for example, average unemployment in 1957 was 7½ percent; in 1958, 19 percent; and in the first month of 1959, 17 percent. In Danielson, the respective figures were 8.4, 13, and 12.3 percent; in Norwich, 6, 11.1, and 11.9 percent.

In Rhode Island, to take another example, a similar situation exists. Unemployment in 1955, 1956, 1957, and 1958 was 8.5, 8, 10, and 13 percent.

Under S. 722 at present, that is, early in 1959, Lawrence, Lowell, New Bedford, Providence, and Fall River would be eligible for help immediately.

SUMMARY REMARKS

In summary, New England should strongly support the area redevelopment program. Indeed, $375 million may provide jobs for no more than 200,000 workers, and this allows for the secondary effects. But this is only an estimate of the effects of the provision of capital. In addition, the planning, the integration with other programs, the retraining of workers, the emphasis on getting industry into the area rather than sending the worker out—all these should further improve the situation. A reduction of unemployment in areas where unemployment is large is likely to have a greater effect than a similar improvement elsewhere. For in many of these places there may be two workers in each family out of jobs.

Surely, with a $450 billion income and with an average annual rise of $15 or $20 billion, this Nation can afford to invest $375 million in taking care of the distressed areas, especially since they are the victims of policies that raise the general average so much. The cost should be more than made up in the increased income and tax capacity that results from this program. And surely a $50 million program is going to have virtually no effect at all.

In addition to all that has already been said, it is important to emphasize the point that other measures can also be taken. So far the Government has been most remiss in not diverting contracts to the distressed areas. Here opposition from other groups has had a considerable effect. Also, the program for accelerated amortization has not profited these regions to any substantial degree. A special tax amortization program, I noted some time ago, encouraged an investment of $217 million in new plants in labor-surplus areas in 2½ years; but the effect was only 11,000 new permanent jobs.

One might also investigate the extent to which accelerated tax amortization made possible the expansion of industries in some regions, with losses of plants induced elsewhere. From this viewpoint, it may be well to study the distribution of these tax favors; for example, how much did New England, Pennsylvania, West Virginia, and Illinois receive, States especially vulnerable to the growth of new industries elsewhere? New England received only 19 percent as much of Federal loans in a recent year of the $6.2 billion as might have been expected from her relative income.

Once a job is lost, it is not easy to find another one. This is partly the result of the fact that industries and employment to some extent are largely tied to the particular place where they are. After all, manufacturing accounts for only about 30 percent of all income, and the major adjustments in the competitive position of a region have to be concentrated to a considerable extent on the part of this economy. But, here again, a large part of the manufacturing industries is determined by locational factors. In the important service employments, which account for 60 percent of income, I have estimated only about 10 percent of employments included here are largely subject to interregional competition. All the more reason for aggressive measures to improve the situation in labor-surplus areas.

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

ORDER FOR CALLING THE CALENDAR LATER IN THE DAY

Mr. JOHNSON of Texas. Mr. President. I ask unanimous consent that it be in order later in the day to call the calendar from the beginning.

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

AMENDMENT OF ATOMIC ENERGY ACT OF 1954 WITH RESPECT TO COOPERATION WITH STATES

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, S. 2568.

The Senate resumed the consideration of the bill (S. 2568) to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

Mr. ANDERSON. Mr. President, S. 2568, as amended, is recommended unanimously by the Joint Committee on Atomic Energy, and is a bill to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States.

This bill was originally requested by the AEC, and the Joint Committee then held extensive public hearings from May 19 through 22, 1959, and received testimony from representatives of Federal agencies, State agencies, scientific and health experts, and other interested groups. This bill is supported by all of the major State organizations, including the Council of State Governments, the Governors' Conference, the National Association of Attorneys General, and the Southern Regional Advisory Council on Nuclear Energy, and representatives of various individual States. After the hearings, the Joint Committee made certain proposed revisions to the bill and then received comments from the AEC on this bill, S. 2568, on August 15, 1959. The hearings have now been published and are available to Members of Congress and the public under the title of "Federal-State Relationships in the Atomic Energy Field," consisting of 504 pages.

I believe it is important that Congress enact this amendment to the Atomic Energy Act this year in order to clarify the respective responsibilities of the Federal Government, on one hand, and the State and local governments, on the other, with respect to regulation of the radioactive materials defined in the Atomic Energy Act. At the present time, the Federal Government has exclusive responsibility for the licensing and basic regulation of these materials, although States may require registration and inspection. The Atomic Energy Act of 1954 is silent as to the regulatory role of the States; and if this silence is allowed to continue, I believe that there will be confusion and possible conflict between Federal and State regulations and uncertainty on the part of industry and possible jeopardy to the public health and safety. In order to clarify this situation and indicate clearly which materials and activities should be the responsibility of the Federal Government and which materials—less dan-

gerous and hazardous—might be gradually turned over to the States, this bill would be helpful this year. In addition, since it will take the AEC a matter of 6 months or more to promulgate regulations under this legislation and to enter into discussions with certain States, it would be advisable to pass this bill now rather than postpone it until the next session of Congress.

The bill authorizes the Commission to enter into agreements with State Governors providing for discontinuance of certain of the Commission's regulatory authority, after proper certification by the Governor and findings by the Commission that the State program is adequate. The withdrawal by the Commission and the corresponding assumption of responsibility by States, will be on a State-by-State basis, beginning with those States most advanced in the atomic energy field and eager to assume their responsibilities.

The Joint Committee believed that this State-by-State approach was wise and appropriate, and it stated as follows on page 8 of the committee report:

> A few States have indicated they will be ready in the near future to begin discussions leading to an agreement to assume regulatory responsibility for such materials. Others will not be ready without more effort, more assistance, and more experience for several, or perhaps many, years. The bill does not authorize a wholesale relinquishment or abdication by the Commission of its regulatory responsibilities but only a gradual, carefully considered turnover, on a State-by-State basis, as individual States may become qualified.

This bill draws a line between the types of materials where continued exclusive Federal regulation and licensing is deemed necessary—such as in licensing of reactors, and disposal of radioactive wastes into the ocean—and those other materials and activities which are considered less hazardous and capable of State regulation, such as radioisotopes. Here again the committee report states at page 8, as follows:

> Thus a line is drawn between types of activities deemed appropriate for regulation by individual States at this time, and other activities where continued AEC regulation is necessary.

This bill provides and is intended to encourage additional programs of assistance and encouragement to State and local governments in order that they may assume and carry out these responsibilities. Such assistance should be available not only to State officials, but also to local and municipal officials. The public health will thus be better protected because, in the words of the Joint Committee report, "most citizens look to their local health officers for advice and protection against hazardous materials used in the community."

The Joint Committee amended this bill in certain respects to emphasize the importance of uniformity of standards at all levels of government and to establish by statute a Federal Radiation Council. The Director of the Bureau of the Budget and the Secretary of the Department of Health, Education, and Welfare originally objected to the provisions concerning this Council. However, after further revisions, the Joint Committee was informed that the present provisions in the bill meet with no objections from the Director of the Bureau of the Budget or the Secretary of the Department of Health, Education, and Welfare.

The bill as amended has several advantages over the present Executive order with respect to the Council. First it adds the Secretary of Labor to the Council, because of the active interest of that Department in employee radiation problems. Second, it authorizes the members of the Council to designate officials to act in their stead, thereby permitting busy Cabinet members to make qualified technical officials responsible members of the Council. Third, it authorizes the President to appoint additional members of the Council and the committee report points out that such members could represent the public and State and local agencies. I believe it is of great importance that some qualified representatives of the lay public actively participate on this Council.

There are three minor matters in connection with the printing of this bill and report which I would like to draw to the attention of the Senate. First, on page 3, line 25, the last sentence beginning with the word "Notwithstanding" should be printed flush with the margin rather than as a part of clause (4). Without objection, it is requested that if this bill be passed, this printing correction be made at the time of the printing of the public law. Second, there are two errors in the committee report which I would like to mention to all Senators. On page 4, in the fifth full paragraph, second sentence, the word "not" should be inserted so that the sentence reads as follows:

> It does not modify the basic functions of the Council, but increases its membership from four to five members, including the Secretary of Labor, and provides that the Council shall consult qualified scientists and experts in radiation matters.

Also, on page 11 in the last paragraph on the page, the first two sentences should be modified and consolidated into one sentence to read as follows:

> Subsection (h) establishes a Federal Radiation Council consisting of five members, and such other members as shall be appointed by the President.

These errors in the committee report are being corrected by an errata sheet, and have been corrected in the corresponding House report, but I wanted to mention them to all Senators at this time.

Mr. President, in summary, this bill has been requested by the AEC, is supported by the administration, has been recommended unanimously by the Joint Committee after full and complete public hearings, and will serve a useful purpose in clarifying the act and encouraging assumption of responsibility by States in this field. I hope the Senate will pass this bill, in the form recommended by the Joint Committee on Atomic Energy.

Mr. President, I ask unanimous consent that the amendments, six in number, may be approved en bloc.

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

The amendments agreed to en bloc are as follows:

On page 3, line 6, after the word "regulate", to strike out "and license"; in line 17, after the word "production", to strike out "of" and insert "or"; on page 5, line 1, after the word "for", to strike out "three" and insert "four"; after line 5, to strike out:

"(2) Before the Commission enters into any proposed agreement or amendment thereto under subsection b., the proposed agreement or amendment shall be submitted to the Joint Committee, and a period of forty-five days shall elapse while Congress is in session (in computing such forty-five days, there shall be excluded the days on which either House is not in session because of adjournment for more than three days): *Provided, however,* That the Joint Committee after having received the proposed agreement or amendment may by resolution in writing waive the conditions of or all or any portion of such forty-five days period."

At the beginning of line 18, to strike out "(3)" and insert "(2)"; on page 6, line 10, after "'h.", to strike out "There is hereby established a Federal Radiation Council, consisting of the Surgeon General, the Chairman of the Atomic Energy Commission, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, the Chairman of the National Academy of Sciences, the Chairman of the National Committee on Radiation Protection, or their designees, and two members appointed by the President. One such appointed member shall be a qualified expert in the field of biology and medicine and one in the field of health physics, and either may be an employee of a private, State, or local agency concerned with radiation hazards and standards." and, in lieu thereof, to insert "There is hereby established a Federal Radiation Council, consisting of the Secretary of Health, Education, and Welfare, the Chairman of the Atomic Energy Commission, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, or their designees, and such other members as shall be appointed by the President. The Council shall consult qualified scientists and experts in radiation matters, including the President of the National Academy of Sciences, the Chairman of the National Committee on Radiation Protection and Measurement, and qualified experts in the field of biology and medicine and in the field of health physics", and on page 8, line 17, after "'k.", to strike out "It is the intention of this Act that State laws and regulations concerning the control of radiation hazards from byproduct, source, and special nuclear materials shall not be applicable except pursuant to an agreement entered into with the Commission pursuant to subsection b.: *Provided, however,* That States may adopt registration requirements for such materials and may inspect the use of such materials within the State to assure compliance with the Commission's regulations,"; 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 the following section be added to the Atomic Energy Act of 1954, as amended:

"'SEC. 274. COOPERATION WITH STATES.—

"'a. It is the purpose of this section—

"'(1) to recognize the interests of the States in the peaceful uses of atomic energy, and to clarify the respective responsibilities under this Act of the States and the Commission with respect to the regulation of byproduct, source, and special nuclear materials;

"'(2) to recognize the need, and establish programs for, cooperation between the States and the Commission with respect to

control of radiation hazards associated with use of such materials;

"'(3) to promote an orderly regulatory pattern between the Commission and State governments with respect to nuclear development and use and regulation of byproduct, source, and special nuclear materials;

"'(4) to establish procedures and criteria for discontinuance of certain of the Commission's regulatory responsibilities with respect to byproduct, source, and special nuclear materials, and the assumption thereof by the States;

"'(5) to provide for coordination of the development of radiation standards for the guidance of Federal agencies and cooperation with the States; and

"'(6) to recognize that, as the States improve their capabilities to regulate effectively such materials, additional legislation may be desirable.

"'b. Except as provided in subsection c., the Commission is authorized to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission under chapters 6, 7, and 8, and section 161 of this Act, with respect to any one or more of the following materials within the State—

"'(1) byproduct materials;

"'(2) source materials;

"'(3) special nuclear materials in quantities not sufficient to form a critical mass. During the duration of such an agreement it is recognized that the State shall have authority to regulate the materials covered by the agreement for the protection of the public health and safety from radiation hazards.

"'c. No agreement entered into pursuant to subsection b. shall provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of—

"'(1) the construction and operation of any production or utilization facility;

"'(2) the export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

"'(3) the disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

"'(4) the disposal of such other byproduct, source, or special nuclear material as the Commission determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission. Notwithstanding any agreement between the Commission and any State pursuant to subsection b., the Commission is authorized by rule, regulation, or order to require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license issued by the Commission.

"'d. The Commission shall enter into an agreement under subsection b. of this section with any State if—

"'(1) The Governor of that State certifies that the State has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by the proposed agreement, and that the State desires to assume regulatory responsibility for such materials; and

"'(2) the Commission finds that the State program is compatible with the Commission's program for the regulation of such materials, and that the State program is adequate to protect the public health and safety with respect to the materials covered by the proposed agreement.

"'e. (1) Before any agreement under subsection b, is signed by the Commission, the terms of the proposed agreement and of proposed exemptions pursuant to subsection f. shall be published once each week for four consecutive weeks in the Federal Register; and such opportunity for comment by interested persons on the proposed agreement and exemptions shall be allowed as the Commission determines by regulation or order to be appropriate.

"'(2) Each proposed agreement shall include the proposed effective date of such proposed agreement or exemptions. The agreement and exemptions shall be published in the Federal Register within thirty days after signature by the Commission and the Governor.

"'f. The Commission is authorized and directed, by regulation or order, to grant such exemptions from the licensing requirements contained in chapters 6, 7, and 8, and from its regulations applicable to licensees as the Commission finds necessary or appropriate to carry out any agreement entered into pursuant to subsection b. of this section.

"'g. The Commission is authorized and directed to cooperate with the States in the formulation of standards for protection against hazards of radiation to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible.

"'h. There is hereby established a Federal Radiation Council, consisting of the Secretary of Health, Education, and Welfare, the Chairman of the Atomic Energy Commission, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, or their designees, and such other members as shall be appointed by the President. The Council shall consult qualified scientists and experts in radiation matters, including the President of the National Academy of Sciences, the Chairman of the National Committee on Radiation Protection and Measurement, and qualified experts in the field of biology and medicine and in the field of health physics. The Special Assistant to the President for Science and Technology, or his designee, is authorized to attend meetings, participate in the deliberations of, and to advise the Council. The Chairman of the Council shall be designated by the President, from time to time, from among the members of the Council. The Council shall advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all Federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States. The Council shall also perform such other functions as the President may assign to it by Executive order.

"'i. The Commission in carrying out its licensing and regulatory responsibilities under this Act is authorized to enter into agreements with any State, or group of States, to perform inspections or other functions on a cooperative basis as the Commission deems appropriate. The Commission is also authorized to provide training, with or without charge, to employees of, and such other assistance to, any State or political subdivision thereof or group of States as the Commission deems appropriate. Any such provision or assistance by the Commission shall take into account the additional expenses that may be incurred by a State as a consequence of the State's entering into an agreement with the Commission pursuant to subsection b.

"'j. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State with which an agreement under subsection b, has become effective, or upon request of the Governor of such State, may terminate or suspend its agreement with the State and reassert the licensing and regulatory authority vested in it under this Act, if the Commission finds that such termination or suspension is required to protect the public health and safety.

"'k. Nothing in this section shall be construed to affect the authority of any State or local agency to regulate activities for purposes other than protection against radiation hazards.

"'l. With respect to each application for Commission license authorizing an activity as to which the Commission's authority is continued pursuant to subsection c., the Commission shall give prompt notice to the State or States in which the activity will be conducted of the filing of the license application; and shall afford reasonable opportunity for State representatives to offer evidence, interrogate witnesses, and advise the Commission as to the application without requiring such representatives to take a position for or against the granting of the application.

"'m. No agreement entered into under subsection b., and no exemption granted pursuant to subsection f., shall affect the authority of the Commission under subsection 161 b. or i. to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material. For purposes of subsection 161i., activities covered by exemptions granted pursuant to subsection f. shall be deemed to constitute activities authorized pursuant to this Act; and special nuclear material acquired by any person pursuant to such an exemption shall be deemed to have been acquired pursuant to section 53.

"'n. As used in this section, the term "State" means any State, Territory, or possession of the United States, the Canal Zone, Puerto Rico, and the District of Columbia.'

"SEC. 2. Section 108 of the Atomic Energy Act of 1954, is amended by deleting the phrase 'distributed under the provisions of subsection 53a.,' from the second sentence."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I have discussed certain aspects of this very important proposed legislation with the distinguished Senator from New Mexico, the chairman of the Joint Committee on Atomic Energy. There are some questions which I have prepared, questions, by the way, which I have discussed in part with the chairman of the committee, and I should like to ask for his indulgence and cooperation while I propound these questions and seek his answers.

As I understand, first, there is apparently nothing in the bill which vests authority in any specific agency for the establishment of radiation standards. There is likewise nothing in the President's Executive order which determines who is the responsible agent or which is the responsible agency in the matter of the establishment of radiation standards. At the present time the standards are recommended by a private nongovernmental group known as the National Committee on Radiation Protection and Measurement.

The pending bill, or the bill introduced by the Senator from Alabama [Mr. HILL], or some bill should vest responsibility in some agency for the establishment of standards.

During the past week at the first meeting of the Federal Radiation Council, it decided to continue to rely for standards on the private nongovernmental group known as the National Committee on Radiation Protection and Measurement.

My questions of the chairman of the Joint Committee are as follows:

Under the Executive order and the bill, in what ways are the responsibilities of the Atomic Energy Commission changed and in what ways are the responsibilities of the Department of Health, Education and Welfare changed?

Mr. ANDERSON. The responsibilities of the AEC are not changed under this bill until such time as the Commission may enter into an agreement with the Governor of a State, and at that time certain responsibilities now exercised by the Commission would be turned over from the Commission to qualified State governments, on a State by State basis.

Responsibilities of the Department of Health, Education, and Welfare are not changed by this bill except that the Secretary of that Department is designated as a member of the Federal Radiation Council. The Council shall advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance by the President for all Federal agencies in the formulation of radiation standards and the establishment and execution of programs for cooperation with States. Therefore, the Department of Health, Education, and Welfare will have an active role in the formulation of standards and policies by the Council and in coordinating responsibilities at the Federal level and at the State level.

Mr. HUMPHREY. While the Council, then, will not establish Federal radiation standards immediately, the Council will advise the President on these matters and will, through the cooperation of the Atomic Energy Commission and the Department of Health, Education, and Welfare, lay the groundwork for the establishment of such standards. Is that correct?

Mr. ANDERSON. The Senator is correct. The President will establish policies, but the situation laid down by the Senator is correct.

Mr. HUMPHREY. Does the Executive order or the bill deal with the question as to what agency, group, or person is responsible for setting radiation standards?

Mr. ANDERSON. The bill provides that the Council shall advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance by the President for all Federal agencies in the formulation of radiation standards. Under the bill, as well as under the Executive order, the President shall have the final responsibility for establishing policies with respect to radiation standards. The President will receive his recommendations from the Council, which in turn, will receive advice from qualified technical experts.

Mr. HUMPHREY. May I preface my third question by a comment which should have been made prior to question No. 1. It is a fact, is it not, that the bill as now reported and as amended in no way appears to conflict with the Executive order of the President, which also establishes a Radiation Council?

Mr. ANDERSON. Yes. It is in somewhat different language. It permits the addition of people from the outside, but it does not conflict with the original establishment of the Council by the President, and has been carefully cleared with the Bureau of the Budget and with the various agencies involved.

Mr. HUMPHREY. I thought it was important to get that clarified since there has been a recent Executive order on the matter.

Question No. 3: Under the bill or the Executive order is there any way in which the public will be guaranteed continuous and objective information on levels of fallout and other potential radiation hazards?

Mr. ANDERSON. I say to the able Senator that this is an extremely important question because it is essential that the public get the information. As chairman of the Joint Committee on Atomic Energy, I received a letter dated August 21, 1959, from Maurice H. Stans, Director of the Bureau of the Budget, concerning the functions of the Council. This letter states that the President has approved certain recommendations, including No. 3, as follows:

> The Department of Health, Education, and Welfare shall intensify its radiological health efforts and have primary responsibility within the executive branch for the collation, analysis, and interpretation of data on environmental radiation levels such as * * * fallout, so that the Secretary of Health, Education, and Welfare may advise the President and the general public.

Thus it would appear that under the Executive order the Department of Health, Education, and Welfare—which is separate, of course, from AEC—will have primary responsibility for advising the general public as to the radiation levels of the fallout.

I might add, in line with the question of the able Senator from Minnesota, that the Joint Committee has just published a summary analysis of its hearings on "Fallout From Nuclear Weapons Tests," in which it pledges also that the Joint Committee will follow this matter as vigorously as it can in order to see that this material gets into the hands of the general public.

The hearings, which lasted several days, coupled with the exhibits and the comments which were supplied, and other hearings by the Joint Committee on radiation matters, involved thousands of pages of text. Along with reports such as this, these hearings are all being released in an effort to keep the general public informed to the greatest extent possible.

Mr. HUMPHREY. I am sure the Senator will agree with me that it is important there be a continuous and objective flow of information on this important subject of the effects of radiation and the degree of fallout. I know that the Joint Committee has emphasized these effects at its recent hearings; and, as I understand, not only will the Joint Committee continue its activities, and not only will the AEC continue to study the problem, but the responsibility concerning the technical and scientific aspects of health, education, and welfare will be that of the Department of Health, Education, and Welfare, which will also have the responsibility of advising the President and the general public on the radiation levels of fallout.

Mr. ANDERSON. The Senator is completely correct. That feature is what I think is the best part about it. Someone may say the AEC would not do the work completely, and that the Joint Committee will not fully inform the Congress as it is supposed to do, but here is a third agency which is supposed to report to the public, and I can assure the Senator through the work of these three agencies I am confident the public will receive all proper information on it.

Mr. HUMPHREY. I imagine when we say, "H.E.W.," the Department of Health, Education, and Welfare, we are referring in fact to the U.S. Public Health Service office of the Department, which would have primary responsibility in this field.

Mr. ANDERSON. Yes; but I would not want to limit it, because there has been a great deal of work by the Food and Drug Administration, which has a responsibility with reference to foods, particularly. There is also statistical work which must constantly be done. It may be done outside the Public Health Service. The overall responsibility of the Department is well established, and I think it will render a very complete service.

Mr. HUMPHREY. The Senator knows that the whole problem of radiation hazards affects the food supply, and therefore is of interest to agriculture as a whole. As I understand, there is nothing exclusive, under the Executive order, which, for example, would prevent information on the radiation problem from reaching the agricultural areas through the established services of the land-grant colleges and the agricultural schools.

Mr. ANDERSON. That is correct. In addition, it should be pointed out that the bill permits the President to add to the Council he now has such persons as he may deem important. He could, if he wished, appoint the Secretary of Agriculture as a member for the particular purpose of having him survey the situation with respect to food. We have had some problems in connection with milk. We have had some problems in connection with radioactive grain. Any time the President wishes to dip into another department and select a particular person, or his nominee from that department, the bill permits him to do so.

Mr. HUMPHREY. The Senator speaks of a representative of the department "or his nominee." I am sure the Senator contemplates someone of professional stature who could make a genuine contribution in this very important technical field.

Mr. ANDERSON. Yes. For example, the Secretary of Agriculture might not have special knowledge of the workings of the various departments under him in a particular field. He might have a specialist in that particular field. At one time I had a problem in connection with sugar, and I found in the Department of Agriculture a specialist who had devoted his entire lifetime to a study of

certain plant diseases with reference to sugar. He would have been a more valuable member of the council than the then Secretary, and he would have been the nominee for that purpose.

If, on the other hand, the problem related to a particular type of grain, he might wish to reach over to the Grain Branch for an expert in that area, or he might wish to turn to the Plant Pathology Section and find an expert, who would be his nominee for a specific time, to consider a specific question.

Mr. HUMPHREY. My fourth question is: Who is responsible for doing research and determining standards on the total ingestion of radioactive material into the human body?

Mr. ANDERSON. Both the AEC and the Public Health Service will continue their research efforts into the nature of fallout and other radiation hazards and its effect on man. To date, the AEC has been doing most of this research work, and last year the Division of Biology and Medicine of the AEC spent $18,500,000 supporting research work in this field. The Public Health Service is building up its capacity and the recent Executive order provides that the Public Health Service should "intensify its efforts."

As for the determination of standards, the President will have final responsibility for providing guidance to the agencies for the formulation of standards. The agencies would then establish operating standards under their respective statutory authorities following the guidance given by the President.

Mr. HUMPHREY. By the way, I hope the emphasis in the Executive order on the intensification of efforts by the Public Health Service will be followed. I hope this is not mere oratory, but is an actual directive and a policy statement, which will be followed by requests in the budget, as well as emphasis on the research establishments of the Public Health Service.

Mr. ANDERSON. I reassure the Senator from Minnesota by pointing out that additional money has already been appropriated for this very special work, and that there is every evidence on the part of the Public Health Service that it intends to go ahead; and I am very confident that it will go ahead.

Mr. HUMPHREY. I thank the Senator. This information should be reassuring to the American people. There is great concern on the part of the public as to what is done. We are bringing out today the things that have been done, and the things that are contemplated.

My next question is: Since the Executive order designates the Secretary of the Department of Health, Education, and Welfare as Chairman of the Radiation Council to advise the President, does this mean that the President will designate the standards?

Mr. ANDERSON. As I stated earlier, the President could designate the standards, or more probably the policies for the formulation of standards. Presumably, the Council will, with the best possible technical advice, adopt basic standards, and the various agencies will then adopt operating standards consistent with the basic standards.

Mr. HUMPHREY. My next question is: Does the bill in any way lessen the need for legislation along the lines stated in the bill introduced by the Senator from Alabama [Mr. HILL], S. 1228?

Mr. ANDERSON. I am very happy to say to the Senator from Minnesota that it does not. This bill has been redrafted, as stated in the committee report, to make certain that it applies only to materials now regulated by the AEC. It is not intended to prejudice in any way the bill introduced by the Senator from Alabama [Mr. HILL], S. 1228; and if at a later date Congress should decide to enact the policies or provisions of Senator HILL's bill, that would be within the power of Congress at that time.

Mr. HUMPHREY. In other words, the bill introduced by the Senator from Alabama [Mr. HILL], if acted upon, would be a corollary or a supplementary bill; it would not in any way be contradictory?

Mr. ANDERSON. It would be a corollary, but it would also more clearly define where authority is and probably might set aside portions of existing law as those functions are taken over.

Mr. HUMPHREY. I thank the Chairman for his cooperation, and my final question is: What is the role of the Department of Health, Education, and Welfare and the Atomic Energy Commission in terms of controlling radiation hazards in the States?

Mr. ANDERSON. It is intended that the Department of Health, Education, and Welfare, including the Public Health Service, intensify its radiological health efforts, including the training of State health officers. The Commission now regulates certain radiation hazards in the States, but as the States become qualified, it is intended that the control of hazards from certain materials will be turned over to State officers. The White House press release accompanying the Executive order stated that upon the enactment of this legislation, the Atomic Energy Commission would have the principal Federal responsibility for preparing the States for the proposed transfer of certain regulatory responsibilities from the Commission to the States. Therefore, the Public Health Service should continue to train State and local health officers, and the Atomic Energy Commission will be gradually turning over certain responsibilities to those State health and other officers as they become qualified.

Mr. HUMPHREY. I thank the Senator from New Mexico. I hope the colloquy has been helpful in terms of developing a more comprehensive and detailed legislative history of the bill. I believe it has. I feel that the new legislation in itself is a very constructive, forward step. I congratulate the Senator from New Mexico.

Mr. ANDERSON. The members of the Joint Committee on Atomic Energy who attended the hearings made substantial contributions, too. The work of trying to draft a bill inside the committee was particularly difficult, because this is a whole new field. We very much appreciate the support we had from the ranking minority members of the committee and the House members.

Representative DURHAM and Representative VAN ZANDT were especially helpful. I desire to compliment, particularly, the able senior Senator from Iowa [Mr. HICKENLOOPER] for his contributions in drafting this bill to take the needed first step in this direction.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. HICKENLOOPER. Mr. President, I think the bill has resolved itself into a very excellent bill on the very difficult question of Federal-State relationship in connection with nuclear activities. A very delicate ground exists between the jurisdiction of the Federal Government and the sovereign jurisdiction of the States in many fields. This one is no exception.

This matter was considered and discussed by the Joint Committee on Atomic Energy at considerable length, and I believe the problem has been resolved in the most satisfactory way which is open to us at present. I think the bill clarifies the responsibilities. I think it is an essential bill.

Certainly the Senator from New Mexico [Mr. ANDERSON], while he was very complimentary to me just a moment ago about my contribution, has himself been the very active and moving force in the development and prosecution of the legislation to this point. He has devoted a great deal of time and thought toward bringing this situation to the point of cooperation in a statute which I think is a substantial step forward in the development and handling of atomic energy in the United States.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2568) was passed.

EXTENSION OF AUTHORITY OF SURGEON GENERAL WITH RESPECT TO AIR POLLUTION CONTROL

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 7476) to extend for 2 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHAVEZ. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. KERR, Mr. MCNAMARA, Mr. MARTIN, and Mr. COOPER conferees on the part of the Senate.

EXTENSION OF INTERNATIONAL WHEAT AGREEMENT ACT OF 1949

Mr. JOHNSON of Texas. Mr. President, on September 10 the Senate passed S. 2449, a bill to extend the International Wheat Agreement Act of 1949.

House bill 8409, which is identical to Senate bill 2449, as passed by the Senate, is pending before the Committee on Agriculture and Forestry.

I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of H.R. 8409, and the bill passed without amendment sent to the President.

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

MRS. ANNA LOFTIS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 962, H.R. 3781. The bill was objected to yesterday on the call of the calendar. There is no objection to it now.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3781) for the relief of Mrs. Anna Loftis.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to afford relief to Mrs. Anna Loftis, whose husband, Ben A. Loftis, lost his life by drowning owing to an accident on the Cumberland River on August 7, 1954, due to the negligent operation of a river inspection boat of the U.S. Corps of Engineers. The bill provide for the payment of a sum of $10,000 to the widow.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3781) was ordered to a third reading, read the third time, and passed.

ESTATE OF WILLARD PHILLIPS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 963, H.R. 3782.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3782) for the relief of the estate of Willard Phillips.

Mr. MORSE. Mr. President, was this bill objected to on the call of the calendar on yesterday?

Mr. JOHNSON of Texas. Yes. The objection has now been withdrawn. The Republican calendar committee stated this morning that they wished to withdraw the objection.

Mr. MORSE. Mr. President, I think it would be helpful to have a brief statement about the bill.

Mr. JOHNSON of Texas. The purpose of the bill is to afford relief to the estate of Willard Phillips, who on August 7, 1954, lost his life by drowning owing to an accident on the Cumberland River, due to the negligent operation of a river inspection boat of the U.S. Corps of Engineers.

Mr. CARLSON. Mr. President, there was objection to the bill yesterday, but the objection has been withdrawn.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3782) was ordered to a third reading, read the third time, and passed.

CONCEALMENT OF ASSETS IN CONTEMPLATION OF BANKRUPTCY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1002, H.R. 5747.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5747) to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy.

The PRESIDING OFFICER. The Senate will resume the consideration of the bill.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The clerk will read the engrossed bill.

The LEGISLATIVE CLERK. That paragraph 6 of section 152, title 18, United States Code, is amended to read as follows:

Whoever, either individually or as an agent or officer of any person or corporation, in contemplation of a bankruptcy proceeding by or against him or any other person or corporation, or with intent to defeat the bankruptcy law, knowingly and fraudulently transfers or conceals any of his property or the property of such other person or corporation; or".

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (H.R. 5747) was passed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the vote by which the bill was passed be reconsidered. I have an amendment I wish to offer.

The PRESIDING OFFICER. Without objection, the vote by which the bill was passed will be reconsidered.

Mr. JOHNSON of Texas. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

SEC. 2. (a) The first paragraph of section 3654 of title 18, United States Code, is amended by adding at the end thereof the following new sentence: "The Judicial Conference of the United States shall promulgate minimum standards of qualifications for probation officers and no salaried probation officer shall be appointed who does not fulfill such standards."

(b) The amendment made by this section shall not be applicable to probation officers appointed before the date of enactment of this Act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a letter sent to me by the Director of the Administrative Office of the U.S. Courts.

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

SEPTEMBER 2, 1959.

Hon. LYNDON B. JOHNSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR JOHNSON: This is in further reference to our request, on behalf of the Judicial Conference of the United States, that you propose an amendment to the bill, H.R. 163, which would authorize the Judicial Conference to promulgate mimimum standards of qualifications for U.S. probation officers appointed under section 3654 of title 18, United States Code. As it now stands, H.R. 163 relates only to the retirement provisions accorded U.S. commissioners.

The proposed amendment is identical in substance to the language which was inserted in H.R. 7343 by the Committee on Appropriations, and was approved by the Senate, but was subsequently deleted in the House-Senate conference as involving substantive legislation. The Judicial Conference favors the enactment of this legislation and, you will recall, all of the circuit and district judges appearing before the Senate Appropriations Committee testified as to the desirability of establishing minimum qualifications for probation officers.

The Senate Committee on the Judiciary proposed, as far back as March 14, 1955, the adoption of similar legislation (Rept. No. 61, 84th Cong., filed March 15, 1955) in these terms:

"Overworked, and in some cases unqualified, probation officers cannot be expected to perform their essential and multiple tasks. Essential qualifications in terms of training and experience for Federal probation officers have been formulated by the Judicial Conference of the United States. The standards are well observed in the appointments made in the majority of judicial districts. However, these standards are not binding upon the respective appointing judges and they are ignored upon occasion for various reasons. Some exceptions in the application of these standards were doubtless justified when the system first came into being because of several factors including the more limited supply of trained personnel. Such justifications, however, are no longer valid. The subcommittee, therefore, recommends that appropriate action be taken to make it mandatory that these standards be observed relative to all future appointments of Federal probation officers."

It is important to recognize that the standards which would be promulgated by this legislation would apply to probation officers appointed in the future, and they would not apply to or affect probation officers now on duty.

Your cooperation and assistance in this matter would be very greatly appreciated.

Sincerely yours,

WARREN OLNEY III,
Director.

Mr. MORSE. Mr. President, I shall support the amendment; but so that no one in the future will raise any question as to the position of the Senator from Oregon in regard to legislation by riders, I think we all understand that

this particular amendment is not germane to this particular bill. It does not need to be germane, of course, under the rules. However, the Senate passed a bill the other day in regard to other Federal officials. The probation officers should have been included in that bill, so far as relevancy is concerned. It was subsequent to the passage of the bill that the Administrative Office of the U.S. Courts called our attention to the fact that the probation officers had been excluded.

Certainly the only fair and decent thing—which is what the majority leader is trying to do—is, in behalf of these probation officers, to pass this bill.

Inasmuch as the other bill has been passed, and is on its way to the White House, if we are to take care of these probation officers, the matter must be handled in this way. So I am agreeable to proceeding in this way, although it involves making an exception to the position I normally take, which is that we should not legislate by means of such a practice, namely, by way of a rider. However, in this instance I am willing to have this method followed, in order to do justice to these probation officers before the Congress adjourns.

I know something of the work of these probation officers. Certainly they are very much needed, and they are a very fine group of public servants.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H.R. 5747) was passed.

The title was amended so as to read: "An act to amend section 152, title 18, United States Code, with respect to concealment of assets, and for other purposes."

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill passed be reconsidered.

Mr. CARLSON. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

STATUE OF GEORGE WASHINGTON FOR THE PEOPLE OF URUGUAY

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1016, House bill 8911.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 8911), to provide for the presentation by the United States of a statue of Gen. George Washington to the people of Uruguay, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement explaining the purpose of the bill be printed at this point in the RECORD.

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

PURPOSE OF THE BILL

The bill authorizes the Secretary of State to procure a bronze statue of Gen. George Washington and present it, on behalf of the people of the United States, to the people of Uruguay as an expression of appreciation for the gift by the people of Uruguay of a bronze statute of Gen. Jose Gervasio Artigas to the United States. The statue shall be prepared only after the designs and specifications have been approved by the National Commission of Fine Arts. Such sums as may be necessary are authorized to be appropriated for the cost of the statue, the design and construction of a pedestal, transportation (including insurance), and traveling expenses of persons delegated by the Secretary to make the presentation.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 8911) was ordered to a third reading, read the third time, and passed.

FIFTH INTERNATIONAL CONGRESS ON HIGH-SPEED PHOTOGRAPHY, 1960

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1017, Senate Concurrent Resolution 75.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution (S. Con. Res. 75) favoring active participation by Federal agencies in the Fifth International Congress on High-Speed Photography to be held in Washington, D.C., in 1960.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on agreeing to the concurrent resolution.

The concurrent resolution was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that all interested agencies of the Federal Government should participate actively to the greatest practicable extent in the Fifth International Congress on High-Speed Photography to be held in Washington, District of Columbia, in October 1960 under the sponsorship of the Society of Motion Picture and Television Engineers.

IMPROVEMENT OF OYSTER INDUSTRY ON THE EAST COAST

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to consideration of Calendar No. 1018, Senate bill 2632.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2632) to assist the States of New Jersey and Delaware in developing a strain of oysters resistant to causes which threaten the oyster industry on the east coast.

Mr. MORSE. Mr. President, as one who has always taken a great deal of interest in the development of and protection of the fishing industry of our Nation, I wish to state that I believe it would be well to have an explanation of the bill presented by the Senator from Delaware. I am in hearty accord with the purpose of the bill; but I think a legislative history of it should be made at this time on the floor of the Senate.

I wish to commend the two Senators from Delaware and the Senator from New Jersey [Mr. WILLIAMS] for introducing the bill and for their support of it.

Mr. MAGNUSON. Mr. President, the bill received the approval of the Committee on Interstate and Foreign Commerce.

The bill is of an emergency nature, because the Delaware Bay oyster industry has, for some reason, lost 90 percent of its oysters, due to an unknown killing agency. The situation has developed to such an extent that, so I understand from the Fish and Wildlife Service, the only way to save the remnant of the oyster industry in that area is to enact this bill, and thus enable the Secretary of the Interior to purchase not more than 50,000 bushels of oyster brood stock from beds in Delaware and not more than 100,000 bushels of oyster brood stock from beds in New Jersey, and then, in effect, to fumigate the beds, and thereafter begin the industry all over again. Otherwise, the oyster industry will be gone.

Mr. MORSE. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. MORSE. As the Senator from Washington knows, there are oysters on the west coast, too; and the research work which will be done in connection with this measure will be of benefit to the entire oyster industry, wherever oyster beds are located.

Although this bill would seem to be of benefit only to the States of Delaware and New Jersey, as a matter of fact, it will be of economic benefit wherever oyster beds are located.

Mr. MAGNUSON. Yes. Of course, this disease could spread very quickly to Chesapeake Bay, Long Island Sound, and the harbor waters of Washington and Oregon. That is why we wish to deal with this matter as quickly as possible.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2632) was ordered to be engrossed for a third reading, read the third time, and passed, 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 assist the States of New Jersey and Delaware in developing a strain of oysters resistant to causes which have inflicted excessive mortality upon the oyster beds of such States and which threaten the entire oyster industry of the east coast, the Secretary of the Interior is authorized, subject to the provisions of section 2 of this Act, to purchase not more than one hundred thousand bushels of oyster brood stock from beds in the State of New Jersey and not more than fifty thousand bushels of oyster brood stock from beds in the State of Delaware at a price not to exceed 75 per centum of market value as determined by the Secretary of the Interior. The Secretary shall arrange to have such oyster brook stock planted in spawning sanctuaries in the State in which it was acquired for supervision by such State and in order that such State may distribute the resulting oyster seedlings in accordance with its established procedures.

SEC. 2. The Secretary of the Interior's authority under this Act to purchase oyster brood stock in the State of New Jersey or the State of Delaware shall be conditional upon such State paying one-third of the cost of such stock purchased in such State.

SEC. 3. There is authorized to be appropriated such amount as may be necessary to carry out the provisions of this Act.

RESEARCH IN MIGRATORY MARINE SPECIES OF GAME FISH

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1020, House bill 5004.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 5004) authorizing and directing the Secretary of the Interior to undertake continuing research on the biology, fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that a staff analysis of the bill be printed at this point in the RECORD.

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

STAFF ANALYSIS OF H.R. 5004

H.R. 5004 authorizes and directs the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters.

The Assistant Secretary of the Interior made the following report on H.R. 5004:

"We are in general agreement with the objectives of this proposal because of the fact that salt-water fishing has had a phenomenal growth in recent years and because of the problems involved in the maintenance and management of this resource. However, because of the broad research powers that have been given to this Department pursuant to the Fish and Wildlife Act of 1956, there is little, if anything, to be gained from a further enactment of this kind providing additional research authority. Accordingly, we do not recommend enactment of this proposed legislation.

"The rapid growth in salt-water fishing from a relatively unimportant sport has imposed many problems in management and its relation to commercial fishing. These problems are being taken into account in the development of our plans for future research activities. The fund needs for such research activities, in the light of overall fiscal considerations, will be submitted to the Congress from tme to time in accordance with established budgetary procedures."

The House of Representatives passed, with no opposing votes, H.R. 5004 on September 2, 1959.

Hearings were held in the House and an amendment was added to the bill which would require that in studying environmental influences on the various species of fish, attention should be directed to artificial as well as natural environmental factors. It is becoming increasingly clear that too little attention has been given to the effect that dumping or the disposal of chemical and other artifically produced substances have on the habitat or on the life cycle of marine life. This has been highlighted by recent reports concerning the introduction of radioactive wastes into coastal waters. The problem is no less important where other toxic materials pollute the fishery environment. By the same token the influences of manmade structures should also receive proper attention.

The Fish and Wildlife Service have not allocated or earmarked any funds for a study as proposed by H.R. 5004.

The annual cost of the legislation will not be over $2,700,000 per year.

This bill would make no changes in existing law.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 5004) was ordered to a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, may we have an explanation from the Senator from Washington of House bill 5004?

Mr. MAGNUSON. Certainly.

The bill authorizes and directs the Secretary of the Interior to undertake continuing research on the biology, fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters.

We hope enactment of the bill not only will be of benefit to the commercial fisheries in salt waters, but also will enable more emphasis to be placed on research in regard to the effects on game fish in salt waters—for instance, on the stamina of fish in waters beyond the mouths of the rivers.

Most of the interested organizations—for instance, the Wildlife Institute and the various game fish organizations, and the directors of all the organizations of those types—have strongly endorsed the bill.

We had quite lengthy hearings on this matter.

The purpose I have stated is the sole purpose of the bill.

There is a ceiling on the amount of money which may be appropriated; but the funds required would come under the normal research appropriation for the Department of the Interior, in connection with research into all forms of marine life.

INCREASE IN RETIRED PAY OF CERTAIN MEMBERS OF THE FORMER LIGHTHOUSE SERVICE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1021, H.R. 5431.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5431) to provide a further increase in the retired pay of certain members of the former Lighthouse Service.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, may we have an explanation of the bill? I should like to have included in the explanation a discussion of the same point that was raised in connection with the increase in retirement benefits for policemen in the District of Columbia. We took the position that those increases should be in line with the civil service retirement system. I would be interested in knowing whether or not the proposed increase for these particular Federal employees would give them preferential treatment in relation to other civil service employees.

Mr. MAGNUSON. Mr. President, what the bill does, generally, is grant an increase of $150 every year, or 10 per cent, whichever is greater, in the retired pay of certain members of this Service. The reason for it is that we have raised the pay of lighthouse keepers to the level of the Coast Guard. Raising the pay puts us in a situation where we have to bring the retirement pay up to date.

Whether it complies with what the Senator from Oregon suggests should be a uniform rate, I cannot tell, but it does comply with the uniform rate set up under the Lighthouse Service Retirement Act. This bill involves only 84 persons. The annual cost would be less than $160,000. There are some specific cases which might not come quite under a uniform rate. For instance, some of the retired personnel receive less than $1,500, some receive $950, and one person receives $600; 126 already are taken care of with $1,500 to $2,000; 445 have the regular retired pay.

I stated previously that the bill involves only 84 persons. That was in error. I used the number 84 as referring to those primarily involved.

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

Mr. MAGNUSON. I yield to the Senator from Maine.

Mr. MUSKIE. As of June 1 there were 690 on the roll. Since that time there have been 35 deaths. The overall number has been reduced to 655. This number will continue to decrease, because this is a disappearing classification.

Mr. MORSE. Mr. President, will the Senator from Washington yield for a request?

Mr. MAGNUSON. Yes.

Mr. MORSE. I think it is important to make a legislative history, because the Senator knows what happens if we start following a line of legislation that discriminates against one group and is favorable to another group.

Will the Senator consider merely these two hypothetical cases? We have A, a lighthouse employee now in service. He has the benefit of a retirement program that has higher benefits when he retires than are presently available to B, a lighthouse employee who has already retired and who receives only the retirement benefits that were provided on the books at the time he retired.

Is it my understanding that what this bill proposes to do is to give the some 600, more or less, retired lighthouse employees the same benefits that they would receive on retirement if they were presently active employees of the Lighthouse Service?

Mr. MAGNUSON. That is correct.

Mr. MORSE. I think that is fair and equitable, and I am pleased to support the bill.

Mr. MAGNUSON. Both Senators from Maine have been very interested in this

bill, and have done a great deal of work on it, because so many of these people were employed on the New England coast, the rocky coast, guarding the lives of sailors on ships.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 5431) was ordered to a third reading, read the third time, and passed.

ADMISSION OF VESSEL "JOHN F. DREWS" TO AMERICAN REGISTRY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1019, H.R. 3792.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3792) to admit the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp., of New York.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of this bill is to authorize the readmission of the vessel *John F. Drews* to American registry and to permit its use in the coastwise trade while it is owned by Merritt-Chapman & Scott Corp. of New York.

The Department of Commerce advised there was no objection to the bill, if there is no objection on the part of the Treasury Departent.

The Treasury Department advised that the enactment of the bill was a matter of legislative policy.

Letters from both Departments are included in the report on the bill.

This vessel was built in the United States, was continuously owned in the United States under the American flag for 64 years and was transferred to a Canadian subsidiary for the special purpose of working briefly on an international project in which the interests of the United States are involved. The vessel, under the legislation, would be returned to ownership of the parent company, Merritt-Chapman & Scott Corp. of New York, and the privileges or readmission to the coastwise trade are only for so long as the vessel is continuously owned by said corporation.

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

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. This is a desirable bill. Representative DELANEY handled the bill in the other body. I hope the bill will be passed.

Mr. MAGNUSON. They merely transferred the ship to be used for dredging operations on the St. Lawrence.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 3792) was ordered to a third reading, read the third time, and passed.

AMENDMENT OF NATIONAL CULTURAL CENTER ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1024, S. 2230.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2230) to amend the National Cultural Center Act.

Mr. MORSE. Mr. President, I should like to have a discussion of this bill.

Mr. JOHNSON of Texas. Mr. President, the National Cultural Center Act, Public Law 874, 85th Congress, authorizes the Trustees of the National Cultural Center to solicit and accept gifts and bequests for the benefit of the Center. It also provides that if the office of the Trustees of the National Cultural Center terminates at the end of 5 years because sufficient funds have not been collected to carry out the purposes of the act, all funds and property accepted by the Trustees, and income therefrom, shall be vested in the Board of Regents of the Smithsonian Institution and be used by the Board for purposes specified in the act.

S. 2230 proposes to amend the act with regard to the disposition of funds or property accepted by the Trustees in case their office terminates. In lieu of the funds being vested in the Board of Regents of the Smithsonian Institution, the funds or property may be vested in an organization designated by the donor at the time of making the donation, if at such time, such organization is described in the Internal Revenue Code and is tax exempt and contributions thereto are tax deductible under the code.

The Trustees of the National Cultural Center feel that enactment of S. 2230 will encourage donations from persons who otherwise might be unwilling to make donations under the provisions of existing law, and will permit them to honor requests by donors that their gifts, bequests, or devises go to some recipient other than the Smithsonian Institution, in case sufficient funds are not received within the 5-year period for the Cultural Center.

The committee is in accord with the provisions contained in S. 2230 in regard to the disposition of funds in the event that insufficient funds were donated for the National Cultural Center and the project abandoned. It feels that enactment of this legislation will encourage donations from persons who otherwise might be unwilling to make such a donation. The committee therefore recommends favorable action on S. 2230.

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

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I thank the Senator for his explanation. I had asked for an explanation because I had been advised, obviously incorrectly, that this bill had something to do with getting congressional approval for the location of a National Cultural Center at a certain specific spot in Washington. The fact is, the bill has nothing to do with that at all.

Mr. JOHNSON of Texas. Nothing whatsoever.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2230) was ordered to be engrossed for a third reading, was read the third time, and passed, 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 7 of the National Cultural Center Act (72 Stat. 1698) is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "; except that such funds or property, and the income therefrom, shall vest in an organization designated by the donor of such funds or property at the time of the making of the donation thereof, if, at such time, such organization is described in section 501(c)(3) of the Internal Revenue Code of 1954 and is exempt under section 501(a) of such Code, and if, at such time, a contribution, bequest, legacy, devise, or transfer to such organization is deductible under section 170, 2055, or 2106 of such Code."

AMENDMENT OF SECTION 4544 OF REVISED STATUTES AFFECTING HEIRS OF DECEASED SEAMEN

Mr. JOHNSON of Texas. Mr. President, there is one more bill which comes from the committee so ably presided over by the very talented and lovable Senator from Washington [Mr. MAGNUSON]. If we can pass this bill I know the Senator will be happy.

Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1022.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MAGNUSON. Mr. President, this is a very desirable bill. At present, under the law, if a seaman dies at sea his effects are turned over to the Coast Guard. If the effects are valued at over $300 the Coast Guard must deliver the effects to the Federal court or to the Federal jurisdiction of the seaman's legal residence. That means if the effects are worth $301 or $302 there must be a probate proceeding.

I am not against lawyers doing business, but they receive a fee whenever it is necessary to probate an estate. There have been so many cases where the seamen have had effects worth more than

$300 that we conferred with the Administrator of the Federal court about the matter. He inquired various places in the Federal jurisdiction as to what would be a reasonable amount, and the recommendation is the figure of $1,500. If the value of the effects were less than $1,500 the effects would be delivered to the Coast Guard to be delivered to the widow, representative, or next of kin. The seaman might have a will. This could be done without going to the Federal court.

Mr. MORSE. Mr. President, I should like to ask a question or two about the bill.

Let us suppose that seaman X dies at sea. The Coast Guard finds on this seaman a ring of some value, and some other personal property which is valued, let us say, at $350. That property is delivered to the Coast Guard?

Mr. MAGNUSON. Yes.

Mr. MORSE. Under the existing law the Coast Guard is only the custodian of the property?

Mr. MAGNUSON. That is correct.

Mr. MORSE. Under the present law the Coast Guard must deliver the property to the Federal district court where the seaman had a residence?

Mr. MAGNUSON. That is correct.

Mr. MORSE. The Federal district court would be the custodian of the property under the existing law until the estate was probated?

Mr. MAGNUSON. That is correct. Even if there were nothing else to probate, some lawyer would have to go to court and make a motion, as the Senator from Oregon knows, and go through certain legal procedures to get the property.

The bill would change the provision as to value. The Coast Guard in any event would take over the effects.

Mr. MORSE. That is the point I desire to raise.

Mr. MAGNUSON. Yes.

Mr. MORSE. The Coast Guard gets the personal property valued at $350, including a ring and a camera and certain clothes and so on?

Mr. MAGNUSON. Yes.

Mr. MORSE. Then the Coast Guard renders a judgment as to who shall get the property. Suppose that a sister comes in and wants the property, and the next day a brother comes in to say, "Why did you give it to my sister? Why did you not give it to me?"

What procedure is the Coast Guard going to follow which will give some protection to the next of kin, so that not the first next of kin who gets to the scene will get the property?

Mr. MAGNUSON. The Coast Guard will have to use discretion. When a man dies at sea the ship's master lists not only the death in the log but a certification that seaman A died on such and such a voyage, and that among his effects was found a will, or a directive directing that certain things be done, and his property was this and that. I suppose that the master would add in certain cases a rough appraisal of the value of what might have been found on the seaman. Then the Coast Guard would have to use its judgment.

I do not believe we have any problem at all in this field. Of course, if there were two relatives who wanted to argue about the matter, they could immediately go to the Federal court and enjoin the Coast Guard from delivering any property to anyone, pending the judgment of the court or pending the determination of the matter.

Mr. MORSE. Frankly, I have been so busy I have not had time to read the details of the bill.

Is there any time requirement in the bill which would require the Coast Guard to keep the personal property for some definite period of time before a decision was rendered? Frankly, although materially what is involved is rather inconsequential, the Senator from Washington and I both know that from a sentimental standpoint and from the standpoint of family problems it could become a very important thing. What I am trying to do is to make certain that there is a protection to the next of kin, so that the Coast Guard will be required to keep the property for a reasonable period of time and that notice will be given to known next of kin that the property is being held so that they can make such representations as they wish.

In the case of a will, of course it is obvious that the procedure would be automatic. The Coast Guard would follow the terms of the will, unless the will were challenged.

Even a controversy in regard to a picture or a ring or some other little personal sentimental item can be of great concern to members of a family. I simply want to know what protection is provided in the bill.

Mr. MAGNUSON. The present statute was passed almost 50 years ago. Under that statute the Coast Guard has to keep the effects for at least 1 week. That is the provision under the old statute. Then, if the value of the effects is over $300 the money and effects are turned over to the district court. Otherwise, there is no limitation as to how long they would keep them.

Under existing practice the Coast Guard has kept the effects a reasonable time. In those cases when delivery is not made to the district court the Coast Guard would keep the effects until someone came in and proved he was the next of kin. If two or three relatives came in I suppose the Coast Guard would have to exercise discretion. It has done so on some occasions. I know of one or two cases where there has been a dispute over a sentimental item of some kind. Then the Coast Guard has turned the matter over to the district court. There is no restriction about turning the matter over to the court now, even if it is only a small ring involved in controversy. The Coast Guard can do that.

Mr. MORSE. I do not want to delay this matter, but I should like to point out that $1,500 is quite a bit of money for the family of a seaman. I can foresee a lot of problems which may be raised.

Suppose the Coast Guard did not know that the seaman had a wife, and 30 days later discovered that the seaman did have a wife, although $1,250 worth of property in the meantime had been turned over to a brother.

Mr. MAGNUSON. Mr. President, of course all of those things could happen. Naturally problems arise when anyone dies, even if the man is not a seaman.

The bill simply provides a way to start the procedure. The Coast Guard has some discretion. The Attorney General recommended that the amount be $2,500. We talked to the administrator of the courts and he told us he thought $1,500 would be reasonable.

As was pointed out, sometimes the wages of the seamen are kept for 2 or 3 months and they amount to over $300 in cash.

There are a lot of instances in which there may be disputes. There are disputes now. I do not know how we are ever going to be able to pass a law so that there will not be disputes between relatives who may fight over some effects of a deceased seaman, or of a deceased Senator.

Mr. MORSE. We know that is almost inescapable, but we also want to have some reasonable protection provided.

Mr. MAGNUSON. Mr. President, let the bill go over.

Mr. MORSE. I think we can take care of this very quickly. I am only suggesting that there be an amendment to provide that the Coast Guard will keep the effects 30 days. The Senator says the law requires them to keep the effects one week. If we are going to raise the amount to $1,500, it would not be unreasonable to ask the Coast Guard to keep the effects 30 days.

Mr. MAGNUSON. No. I would be willing to accept that. Let us say 60 days.

Mr. MORSE. Very well, 60 days. The Senator from Washington will not have trouble working this out with me reasonably.

Mr. MAGNUSON. Mr. President, I move that at the proper place in the bill there be inserted "60 days".

Mr. MORSE. I accept that amendment.

Mr. MAGNUSON. "Not less than 60 days."

Mr. HICKENLOOPER. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I wonder if we can proceed to the consideration of another bill while the Senators get the amendment in order.

Mr. HICKENLOOPER. Mr. President, I want to ask a question.

Mr. JOHNSON of Texas. I beg the Senator's pardon.

Mr. HICKENLOOPER. I should like to ask, What provision is made in the bill for debtors? What provision is there in the bill for repayment of debts?

Mr. MAGNUSON. Well, the debtors will have to come in in any case and file their claims in court.

Mr. HICKENLOOPER. Suppose the Coast Guard turns the money over to the relatives and somebody comes along in a couple of months and says, "I did not know he was dead. I have a note that he owes me for $400."

Mr. MAGNUSON. I guess he would have to appeal to the Federal court. As it is now, the Coast Guard uses its discretion. They can turn anything over, but if they kept it for 60 days, that would be all right.

Mr. JOHNSON of Texas. I suggest that this go over until the Senators can straighten out their differences.

Mr. MAGNUSON. It is all right with me if it goes over. The bill passed the House after long hearings on the matter. Under the situation as it is now, it just clutters up the Federal court calendars, because pretty nearly every seaman who dies has over $300 and some lawyer takes about 20 percent of it when it gets into court.

Mr. JOHNSON of Texas. I do not mean that the bill should go over to the next session of Congress. I suggest that it go over until later in the day so that the Senators can get their amendment prepared.

Mr. MORSE. When we get up to $1,500, we get into quite a little bit of money as far as the families are concerned. The Senator from Ohio [Mr. LAUSCHE], I believe, shares my view that we should get a time requirement into the bill of 60 days.

Mr. JOHNSON of Texas. If the Senators will draft an amendment, we can probably dispose of the bill later. I should like to call up another measure in the meantime.

Mr. MAGNUSON. Very well. I am willing to let the bill go over.

REVIEW OF BOOK ENTITLED "THE GREAT DECISION"

Mr. HICKENLOOPER. Mr. President, in the CONGRESSIONAL RECORD of August 26, 1959, there was inserted by a Member of the other body a review by Prof. E. U. Condon of a book entitled "The Great Decision," which is subtitled "The Secret History of the Atomic Bomb." The book was written by Michael Amrine, and was published by Putnam's, of New York, this year.

I have read the book review by Dr. Condon, and I feel it is not a fair presentation of the situation by any means. It contains many controversial statements, to say the least. Especially, it has some rather caustic things to say about Gen. Leslie R. Groves, which, I believe, are utterly unwarranted and utterly unfounded.

I have before me a copy of a letter written by General Groves to the editor of Science magazine in which the review was published. His letter is dated September 4, 1959, and in it he points out some of the fallacies and misstatements in the book review by Dr. Condon.

I ask unanimous consent that the copy of General Groves' letter be printed in the RECORD at this point as a part of my remarks.

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

DARIEN, CONN., *September 4, 1959.*

The EDITOR, SCIENCE MAGAZINE,
New York, N.Y.

DEAR SIR: I am writing to you about Dr. Condon's review of Michael Amrine's book, "The Great Decision." This appeared in your issue of July 3, 1959.

I would like to correct some of the erroneous impressions a reader would gain from Doctor Condon's review of the book.

This review goes far afield from the content of the book and this despite a confession of little firsthand knowledge. While such frankness may be refreshing, equal frankness would have added the statement that he was not particularly fond of me.

I would not bother to answer Dr. Condon, except that a publication like yours has seen fit to print his review without checking his alleged facts. Many are so preposterous as to be obviously incorrect. The conclusions supposedly drawn therefrom present me in an entirely false position.

Doctor Condon's charge that I worked "to hobble and frustrate cooperation" with the British simply is not true. Because neither I nor anyone else could even guess at that time how the atomic future might unfold; because I felt that I had no right to give away information developed with U.S. funds; and because I believed that orderly procedures were essential in such a large and widespread effort, I did not want the previous highly informal communications to continue. These had not been unreasonable before the United States entered upon its major atomic effort. I felt that now specific Presidential approval was required for any significant passing of information. I was not alone in this opinion. An executive agreement between President Roosevelt and Mr. Churchill, defining British-American relationships in this area was the first essential to the formalization of the interchange of information.

Yet, it was not until the Quebec Conference of August 1943 that the necessary basic agreement was reached. I was not responsible for the fact that this agreement was not made sooner. As soon as it was signed, proper arrangements were promptly made and the furnishing of information was controlled in accordance with the terms of the Quebec agreement.

As to Chalk River, Dr. Condon ignores the fact that its parent organization was already being established at Montreal before I was placed in charge of the Manhattan project. This laboratory was never a part of the American project. A number of its key personnel were Free French and France was still under German control. This added to our difficulties. In spite of these complications, the Canadian-British effort always receive essential information from us to the extent necessary for the work it was carrying on. The Canadian Government always seemed satisfied with this cooperation. The Royal Commission appointed to investigate Russian espionage in Canada in its report of June 27, 1946, said:

"From the beginning there was the closest cooperation in scientific research between Canada, the United Kingdom and, later, the United States. While some secrets were not fully shared, as in the case of some details concerning the atomic bomb, the results of continuing research work by scientists in one country was in almost all cases at once communicated to their opposite numbers in the other two" (p. 617).

All available essential data and estimates respecting the bomb were made known to our policymakers when decisions were being made on the use of the bomb. General Marshall, Secretary Stimson, and the President (Mr. Roosevelt and later Mr. Truman), were kept informed as to the probable effect of the bomb on the conduct of the war. It was my responsibility to keep General Marshall and Secretary Stimson fully informed as to the changes in scientific thinking, including my own, on the probable power of the bomb. And I fulfilled that responsibility.

It is true that I did not know enough physics to insure the accuracy of any estimate but, I might add, neither did anyone else. We simply did not have in the Manhattan organization a scryer of sufficient ability to do this. The estimates included in my December 30, 1944, memorandum were based on my latest discussions with, and information from, Dr. Oppenheimer and his associates at Los Alamos. I might add that as late as the middle of May 1945 the responsible heads at Los Alamos felt that the explosive force of the first implosion-type bombs would fall somewhere between 700 and 1,500 tons.

Actually my memorandum of December 30, 1944, to General Marshall, of which Dr. Condon makes such a point, has been completely misrepresented—and this is not the first time, although, with a few omissions (all nonessential for the present discussion) it was published in full with the Yalta papers and is thus readily available to any responsible writer.

The first part of this memorandum read as follows (the remainder dealt with informing Admiral Nimitz and the air commander in the Guam area as to the atomic possibilities):

"It is now reasonably certain that our operation plans should be based on the gun-type bomb, which, it is estimated, will produce the equivalent of a 10,000-ton TNT explosion. The first bomb, without previous full-scale test which we do not believe will be necessary, should be ready about August 1, 1945. The second one should be ready by the end of the year, and succeeding one at * * * intervals thereafter.

"Our previous hopes that an implosion (compression) type of bomb might be developed in the late spring have now been dissipated by scientific difficulties which we have not as yet been able to solve. The present effects of these difficulties are that more material will be required and that the material will be less efficiently used. We should have sufficient material for the first implosion-type bomb sometime in the latter part of July. This bomb would have an effect which would be equivalent to about 500 tons of TNT. During the remainder of 1945 it is estimated that we can produce * * * additional bombs. The effectiveness of these should increase toward 1,000 tons each as development proceeds and, if some of our problems are solved, to as much as 2,500 tons.

"The plan of operations while based on the more certain more powerful gun-type bomb also provides for the use of the implosion-type bombs when they become available. * * * The time schedule must not be adversely affected by anything other than the difficulties of solving our scientific problems."

For a considerable period prior to this we had fully expected to use the gun-type bomb first and, as we did at Hiroshima, to do so without previous test. Actually the reading of this memorandum by President Roosevelt was only a minor portion of the conference and further information was given to him later, the next day, I believe, by Secretary Stimson. That the President was fully informed is well illustrated by the statement of Secretary of State Stettinius, who, in his book, "Roosevelt and the Russians," mentioned his meeting with President Roosevelt shortly after this date when the latter told him that if a bomb were dropped on New York City at 42d Street and Broadway, the resulting explosion would lay New York low.

President Truman was fully aware of the potential power of the bomb from the time that he had his first conference on it with Secretary Stimson and me on April 25, 1945. At this meeting the President was not shown the December 30 memo. He did see, among other papers, Secretary Stimson's memo of

April 25, the first paragraph of which read as follows:

"Within 4 months we shall in all probability have completed the most terrible weapon ever known to human history, one bomb of which could destroy a whole city." (P. 635, vol. II, "On Active Service in Peace and War," Stimson & Bundy.) Could anything have been clearer as to the import of the bomb?

From the very first, the messages to Potsdam were definite and clear as to the magnitude of the Alamogordo explosion. It was described in one of the cables as being visible for over 200 miles and audible for more than 50. Nothing could be further from the truth than the charge that there was any design to minimize the bomb.

I trust that because of the scientific reputation and value of your publication, because unanswered statements, no matter how unfounded, tend to become history, and because of the palpable injustice to me contained in Dr. Condon's review you will publish this letter in full and in equal space to the review.

Sincerely yours,

LESLIE R. GROVES,
Lieutenant General, U.S. Army, Retired.

STUDY AND INVESTIGATION OF PRESENT PRICES OF DRUGS

Mr. SMATHERS. Mr. President, I submit for appropriate reference a resolution which would authorize the Select Committee on Small Business to conduct an investigation of the present-day consumer prices of drugs and other medicines.

Much comment has been made recently on the growing cost of medical and hospitalization insurance. Considerable attention has been devoted to the reasonableness of the fees charged by the medical profession for their services. But scant notice has been taken, in my judgment, to the extremely high cost of antibiotics and other medicines and drugs which must be borne by every American family. The partial tax-deduction that families can apply against their Federal income tax bears little resemblance to the amount of the financial burden suffered because of the prevailing high costs of drugs.

To get some idea of the proportion of these costs to American families, it is essential to ascertain the extent to which pharmaceutical houses are ballooning drug costs in the first years of their discovery and a comparison of the costs of certain drugs in this country with the costs of similar drugs in foreign nations.

It is a matter of common knowledge that when a drug is first discovered, its cost to the consumer is extremely high and only after several years does its price begin to drop to within reasonable proportions, where the average and low income families can afford it. Why pharmaceutical houses maintain this practice is not quite clear unless it be to recoup every cent of research as costs as quickly as possible, at the expense of those needing the new drugs at once.

Such practices have the inevitable effect of almost putting outside the reach of the average American family, without a substantial financial setback, the very latest and best medicines and drugs available for the cure of physical ills. Without the benefit of modern developments in antibiotic drugs, common diseases such as pneumonia and influenza would again become the killers they were in earlier years.

As an example of what I am saying a medicine called progynon micropellets cost $18.10 for 10 cubic centimeters when it was first introduced on the market and today the average price runs about $7. Vitamin B_{12}, in the 10-cubic-centimeter size ran as high as $18 when it was first put on the market. After a few years the price began to drop and today it averages about $2.85. The first couple years that the antibiotic known as chloromycin was available, its cost was $1.10 per capsule. Today that drug, along with most other antibiotic capsules, average in price between 40 cents and 60 cents per capsule, still a very high cost to those unfortunate persons who contract illnesses requiring extended dosages of these medicines.

Mr. President, not only does the American family have to bear the burden of inordinately high cost of new drugs, but an investigation of the matter will disclose that consumer costs of drugs in this country are, on the average, far in excess of the cost to the consumer for similar drugs in other nations of the world. Sometimes this is the case even though the same manufacturer is involved. For example, the cost to the consumer of a bottle of 100 tablets of vitamin B_{12} is $2.63 in Venezuela. In this country the same medicine produced by the same manufacturer runs $4.88. In France the antibiotic known as erithromycin is about $4 for 25 capsules. In this country it is closer to $6, yet it is produced by the same American manufacturer which distributes the antibiotic in France. In Argentina, the cost of 50 tablets of the tranquilizer known as Miltown is 46 cents. In the United States people who need this drug must pay from $3.85 to $4.25, even though it is made by the same American firm that supplies the drug to Argentina. A certain migraine headache tablet is $14 per hundred in this country. The same tablet is $7 per hundred in England. In Russia one pays only 45 cents for an antibiotic that costs $3.50 in this country. In England a dozen aspirin are 12 cents compared to 25 cents in the United States.

I think it is readily apparent, Mr. President, that the American people, who are fortunate in having the most advanced medicines and drugs in the world, share alike the doubtful distinction of paying the world's highest premium for these basic human necessities. The middle and low income families of this country, together with the aged and our retired citizens, all of whom go to make up the great majority of our population are the greatest consumers of these items and at the same time those who can least afford the present-day high costs of medicine and drugs. I think the Congress should undertake to discover whether the naked law of supply and demand has forced upon the needy group of Americans who are ill, especially the aged and chronically infirm, an unreasonable financial strain for an inseparable human need.

It has come to my knowledge, in the preparation of this resolution, that the Senate Committee on the Judiciary, or a subcommittee of the Senate Committee on the Judiciary, headed by the very able senior Senator from Tennessee [Mr. KEFAUVER] has already begun, at least at the staff level, a study into the high cost of drugs. I can assure the able Senator from Tennessee that I have no pride of authorship in this resolution. I congratulate him and his subcommittee on beginning to look into the high cost of medicines and drugs. I hope, however, that if that subcommittee finds that it is too busy to go forward with a realistic study of the high cost of drugs and medicines to the American people, he will be willing—and I am sure he will—to sit down and talk with me about it. Perhaps the Small Business Committee could undertake the study. Obviously something must be done in order to protect the American people.

Mr. MAGNUSON. Mr. President, I am sure the Senator from Florida knows that 2½ or 3 years ago this subject was brought up at some length in our committee at a time when we had under consideration the nomination for reappointment of one of the members of the Federal Trade Commission. He was repeatedly questioned on this subject. The result was that the Senate Committee on Interstate and Foreign Commerce recommended to the chairman of the Appropriations Committee an appropriation to the Federal Trade Commission for the purpose of making a study of the cost of drugs.

That was done. We provided an extra amount of money for that purpose. The result was that the Commission filed a quite lengthy report, of which we have copies. A further result was that some eight drug companies were cited into court for price fixing. They are still under indictment.

The Federal Trade Commission has informed the committee and myself that it is continuing its study. I think there is no doubt that, unless something is done, or some changes are made in this field, there will be further indictments in connection with price fixing. The indictments to which I refer were civil indictments. Whether or not they go into other phases of price fixing under the antitrust laws, I do not know.

The Federal Trade Commission has done a great deal of work in this field. I believe that the committee in charge of this subject might well go further. One of the purposes of the Senator's resolution would be to ask the Federal Trade Commission to bring us up to date. That might lead to further discussions of this very important subject. As will be seen from a further report, prices have not gone down. The result has been that, for example, in my own State of Washington, we found some cases in which recipients of old age assistance were having to spend as much as 20 or 25 percent of their assistance money to buy the kind of drugs they thought they needed for their illnesses.

Anything that is done, whether it be done from the Federal Trade Commission level or from the level of Congress, is well worth while, because prices have not gone down, even after the indictments to which I have referred. New drugs are constantly coming on the market. It is true that manufacturers of drugs have a large initial cost. They should be commended for the research work they do. But everyone knows that the greatest markup in the retail field is on drugs and medicines. I think the facts prove that.

Secondly, in the past 4 years there have been more mergers of chemical and drug manufacturers, in a business that can properly be termed "big business," than in any other industry in the United States.

I commend the Senator from Florida. The Federal Trade Commission needs a great deal of help to do the job which needs to be done. It must be directed to do it.

Mr. JOHNSON of Texas. Mr. President, I associate myself with the statement of the Senator from Washington in commending the junior Senator from Florida.

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

Mr. SMATHERS. I yield.

Mr. LAUSCHE. I wish to associate myself with the words spoken by the junior Senator from Florida and the Senator from Washington [Mr. MAGNUSON] with regard to the need for making a study of the high prices of drugs.

I believe the drug industry is the beneficiary of the highest profits of any business in the country. A report which was filed at a hearing which we conducted on the plight of the transportation industry showed that the drug industry has a profit of 22 percent. Something should be done. I wish to join, with all my might, with the Senator from Florida in bringing about some action.

Mr. SMATHERS. I thank the able Senator from Ohio and also the Senator from Washington for their kind words. I believe both of them have demonstrated what I have tried to make clear, namely, that there is a pressing need to do something about the high cost of drugs and medicine, as that cost particularly penalizes the people least able to pay—the needy and the aged.

The resolution (S. Res. 191) was referred to the Committee on Banking and Currency, as follows:

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by Senate Resolution 58, Eighty-first Congress, agreed to February 20, 1950 (as amended and supplemented), is authorized and directed to conduct a full and complete study and investigation of the prevailing prices of drugs for the purpose of ascertaining whether or not such prices are fair and reasonable.

SEC. 2. For the purposes of this resolution the committee, from the date that this resolution is agreed to until January 31, 1960, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. On or before January 31, 1960, the committee shall report to the Senate the results of its study and investigation, together with such recommendations for legislative or other measures as it may determine to be advisable.

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

CONSTRUCTION DIFFERENTIALS FOR FISHING VESSELS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 815, Senate bill 2578.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2578) to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I understand that a yea-and-nay vote is desired on the passage of the bill.

Mr. LAUSCHE. The Senator is correct.

Mr. JOHNSON of Texas. Has the chairman of the committee, the Senator from Washington, any idea when we might anticipate a vote?

Mr. MAGNUSON. Mr. President, I shall not take much time in explanation of the bill—perhaps 15 minutes. The Senator from Ohio wishes to be heard, as do the senior Senator from California [Mr. KUCHEL], who wishes to speak for 5 or 10 minutes, the senior Senator from Massachusetts [Mr. SALTONSTALL], 15 minutes or so, and the junior Senator from Massachusetts [Mr. KENNEDY].

Mr. JOHNSON of Texas. The Senator from Massachusetts had to leave.

Mr. MAGNUSON. The junior Senator from California [Mr. ENGLE] wishes to speak.

Five or six proponents of the bill wish to speak. I do not know how long the Senator from Ohio wishes to speak.

Mr. LAUSCHE. As I understand, there will be five proponents who will desire to speak.

Mr. MAGNUSON. Five have told me that they would like to speak, but they will be very brief.

Mr. LAUSCHE. I think I should like 25 minutes—not necessarily at one time.

Mr. JOHNSON of Texas. Then I notify employees of the Senate that it is hoped to reach a vote on this measure in the neighborhood of 2 o'clock. We shall try, with the cooperation of the chairman of the committee, to adjust ourselves to that approximate schedule. While we cannot obtain a unanimous-consent agreement, if the chairman would take 30 minutes, and ask the proponents to try to confine their remarks to 30 minutes, and the opponents were to take 30 minutes, we could reach a vote, and suit the convenience of certain Senators who desire to be registered, but who must leave the Chamber.

Mr. LAUSCHE. Mr. President, I recognize that the senior Senator from Oregon will remain steadfast to his resolution that there shall be no unanimous-consent agreements with respect to time.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. But if the Senator from Ohio makes the statement that he will use 10 minutes only, and respectfully requests the Senator from Washington to use only 10 minutes, without a binding agreement, but letting those statements operate as an impact on those who listen, to persuade them not to protract the discussion beyond the 10 minutes, or whatever time is announced, we could act expeditiously.

Mr. JOHNSON of Texas. That may very well be, but a number of Senators may wander in with speeches, which may upset the schedule.

Mr. MAGNUSON. Mr. President, I will agree to the suggested arrangement. I do not need to take any time.

Mr. THURMOND. Mr. President, I am interested in the bill. I filed minority views.

Mr. MORSE. Mr. President, I should like to comment further on what the Senator from Ohio [Mr. LAUSCHE] said. He referred to my position with regard to parliamentary matters. I wish to say that, of course, he is free to enter into any persuasive agreement with the Senator from Washington that he cares to. I am sure that they will demonstrate that we can do business expeditiously in the Senate without unanimous-consent agreements. They have been demonstrating it here today. I merely wish to be sure that any Senator who wishes to speak on the bill will not be bound by a formal agreement.

Mr. JOHNSON of Texas. Then I hope, in the light of the assurance of the chairman [Mr. MAGNUSON], the Senator from Ohio [Mr. LAUSCHE], and the Senator from South Carolina [Mr. THURMOND], that we may vote at, say, 15 minutes after 1. That would allow a full 30 minutes of debate, instead of the 20 minutes I suggested. I hope that may be done.

Mr. THURMOND. If I may have 10 minutes on the bill, that will be enough for me.

Mr. JOHNSON of Texas. That will be satisfactory. The Senator from Washington [Mr. MAGNUSON] wants 10 minutes, the Senator from Ohio [Mr. LAUSCHE] wants 10 minutes, the Senator from South Carolina [Mr. THURMOND] wants 10 minutes. All Senators should be on notice that a vote is expected at about 20 minutes after 1.

Mr. MORSE. The Senator from South Carolina is not seeking to limit himself, is he?

Mr. LAUSCHE. I would like to speak when more Senators are on the floor. I do not want to talk chiefly to newspapermen.

Mr. JOHNSON of Texas. There are some Senators here. Does the Senator wish to suggest the absence of a quorum?

Mr. DIRKSEN. The Senator from Texas is not trying to fix a time for a vote, is he?

Mr. LAUSCHE. Let us start now.

Mr. JOHNSON of Texas. I suggest that the Senator from Washington make his explanation of the bill.

Mr. MAGNUSON. The House has passed a bill on this subject.

Mr. JOHNSON of Texas. Mr. President, before the Senator proceeds, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. MAGNUSON. The House has passed H.R. 5421. The House bill contains no defense features. I think such features are desirable. The House bill is limited to sections of the industry which have been denied tariff relief.

The House bill provides an expenditure of $1 million annually for a period of 3 years.

The Senate bill, which is directed to the same problem, requires that all plans and specifications shall be submitted to the Department of Defense. The Department testified concerning the need for these ships in time of war or for standby purposes for use by the Department of Defense.

The Senate bill provides, further, that applicants must employ American crews or legally domiciled aliens.

It provides also that the full catch must be delivered to an American port.

Fourth. The vessel must be documented under the laws of the United States.

Fifth. The defense features incorporated in vessel construction are not included in the subsidy grant.

Sixth. The Senate bill provides not more than $5 million annually for a period of 3 years.

The commercial fishing industry of the United States is a vital and important part of our national economy. No one will deny that. It has given employment to thousands in its own sphere of activity and has provided jobs for additional thousands in allied fields that depend either in whole or in part upon the industry for their livelihood. It has paid into the treasuries of local, State, and Federal Government agencies millions upon millions of dollars in taxes, permits, and license fees. The U.S. Department of the Interior has identified it as one of the $14 billion industries that have contributed so much in making the United States of America the most powerful nation in the world.

Today, this vast empire of commercial activity is in serious trouble and is most assuredly facing complete extinction. I do not say this simply to be talking. It is in serious trouble. An economic blight that is not confined to any one section of the fisheries has taken root in all geographic fishing areas. It is comparable to a disease that ultimately spreads to all extremities unless preventive measures are adopted at once to halt its progress. The blight was first discernible in the New England groundfish industry as far back as 1947. It spread to the tuna industry of California, about the same time it attacked the extensive fishery of the Northwest. The sprawling shrimp industries of Texas, Louisiana, Mississippi, Florida, and Georgia have become its latest victims. However, they recognized the symptoms and, having taken warning from the woeful plight of other sections of the fishery, are trying to protect themselves from a similar fate.

This unhealthy situation cannot be blamed on the industry. It was not caused by internal conditions such as industrial shortsightedness or plant mismanagement. It stems from a combination of restrictions, technicalities, and legal inequities over which no section of the industry was able to exercise any control. One of the major causes of depression is the antiquated and outdated trade agreement pact between the United States and some 35 foreign countries. It was written almost 30 years ago with hardly any provisions for alteration or adjustment to meet modern conditions or modern economic standards of living. Another cause is the existence of a law written in 1792 to protect the commercial fisheries of that era. The law prohibits the use of a foreign-built vessel in the American fishery. It has long outlived its usefulness but has nevertheless exerted undue influence on the economy of the Nation's fishery especially in the light of present ship construction costs in the United States.

The plight of the New England industry has been worsened drastically by the President's refusal on two occasions to invoke relief measures recommended by the U.S. Tariff Commission. Although the President recognized the status of the New England fishery and suggested other possible solutions to its problem, none of the suggested solutions were ever implemented. The New England group appealed to every Federal agency that was empowered to help them but no help was forthcoming. They appealed to the White House asking that the promises of assistance voiced by Presidential assistants during appearances before congressional committees be fulfilled. The group, becoming desperately apprehensive, prepared its own rehabilitation program and submitted it to the Government for analysis only to have it ignored and summarily rejected.

They now appeal to Congress to grant at least one basic and vitally essential phase of the program, the right to build fishing vessels under fair and equitable conditions. They are joined in this appeal by all the major commercial fishing centers throughout the United States. It has nationwide support. They do not ask for repeal of the law which prohibits using foreign-built vessels in the commercial fishery of the United States, because we want such ships constructed in the United States. The exercise of such a repeal would inflict untold hardship on our American shipbuilders, on our shipyard workers and create a depression of major proportion in our domestic ship construction industry. It may solve one problem but it would create another of the first magnitude. In this bill, they petition instead for the right to build vessels under the same terms and conditions that are offered to the other segments of our maritime industries.

This request cannot be dismissed as just another subsidy program. It involves a vital part of our national defense and security structure. We are currently engaged in an economic cold war with the Soviet bloc. Our intelligence sources tell us, that as part of the strategy employed by the Russians in this cold war, they have developed and are presently implementing a long-range commercial fishery program designed to make Russia the leading fish-producing nation in the world by 1965.

Mr. President, I have seen pictures of such vessels. I have been aboard them. I have listened to reports of how the Russian fishing fleet is even greater than the Japanese fishing fleet, or greater than other fleets which compete with ours. The Russian fishing fleet makes ours look almost shameful. Theirs will be a new, highly modernized fleet which will be able to go out, as they are now doing, to all sections of the high seas, to all the historic fishing grounds in the world, and our fleet will have no chance to compete while using the old ships which are now in service.

The Russians are well on their way toward accomplishing that objective. A huge fleet of deep-sea trawlers and factory ships to comb the high seas of the world is being built in European shipyards. There is factual evidence of this that cannot be ignored.

Mr. President, I ask unanimous consent to place in the RECORD at this point a further statement concerning the Russian fleet and its costs, and also to the effect that the bill seeks to correct a very unjust situation. It is only fair and equitable treatment for our domestic fisheries.

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

STATEMENT IN REGARD TO S. 2578

The commercial fishing industry of the United States is a vital and important part of our national economy. It has given employment to thousands in its own sphere of activity and has provided jobs for additional thousands in allied fields that depend either in whole or in part upon the industry for their livelihood. It has paid into the treasuries of local, State, and Federal Government agencies millions upon millions of dollars in taxes, permits, and license fees. The U.S. Department of Interior has identified it as one of the $14 billion industries that have contributed so much in making the United States of America the most powerful Nation in the world.

Today, this vast empire of commercial activity is in serious trouble and is most assuredly facing complete extinction. An economic blight that is not confined to any one section of the fisheries has taken root in all geographic fishing areas. It is comparable to a disease that ultimately spreads to all extremities unless preventive measures are adopted at once to halt its progress. The blight was first discernible in the New England groundfish industry as far back as 1947. It spread to the tuna industry of California, about the same time it attacked the great bottom fishery of the Northwest. The sprawling shrimp industries of Texas, Louisiana, Mississippi, Florida, and Georgia have become its latest victims. However, they recognized the symptoms and, having taken

warning from the woeful plight of other sections of the fishery, are trying to protect themselves from a similar fate.

This unhealthy situation cannot be blamed on the industry. It was not caused by internal conditions such as industrial shortsightedness or plant mismanagement. It stems from a combination of restrictions, technicalities, and legal inequities over which no section of the industry was able to exercise any control. One of the major causes of depression is the antiquated and outdated Trade Agreement Pact between the United States and some 35 foreign countries. It was written almost 30 years ago with hardly any provisions for alteration or adjustment to meet modern conditions or modern economic standards of living. Another cause is the existence of a law written in 1792 to protect the commercial fisheries of that era. The law prohibits the use of a foreign-built vessel in the American fishery. It has long outlived its usefulness but has nevertheless exerted undue influence on the economy of the Nation's fishery especially in the light of present ship construction costs in the United States.

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A large flotilla of modern Russian trawlers are currently active in the fishery of the Bering Sea. Three supersized factory ships are now operating in the North Atlantic. A fleet of 100 such vessels are in the process of construction for later use in that area. These vessels are equipped with modern scientific and electronic devices, to conduct hydrographic studies, oceanographic research, act as weather stations, and have instruments to chart, plot and analyze the contour and conditions of the oceans bottom.

All such information is vital in conducting military and naval operations on the high seas in time of need. Several Members of Congress had an opportunity to view a film of one of the modern Soviet factory ships currently operating in the North Atlantic. It was indeed an impressive and awe inspiring sight. The reaction of one west coast Congressman typified the reaction of all who saw it. He said, "That's a factory ship? It looks like the *Maniposa*." We have nothing in this country to match such a program. Our fishing fleets in all areas are declining in numbers because of age and the economic blight previously referred to. Our deep sea trawler fleets that saw active duty on the high seas during World War II and which were so invaluable as bulwarks in our defense perimeter are old and worn out.

In order to meet the active competition of foreign fishery interests on the oceans of the world, the domestic industry must first have vessels as modern and efficient as those of their competitors. Domestic fishing vessels must, by law, be built in the United States. However, the costs of constructing a vessel in an American shipyard are from 38 percent to 50 percent higher than the cost of constructing the same type of vessel in a foreign yard. This places an insurmountable burden on a domestic industry that is already severely handicapped by the pressure of foreign imports.

This bill seeks to correct an unjust situation. It seeks only fair and equitable treatment for our domestic fisheries. Its enactment would enable our American fishing vessels to compete on a more equal basis against the vessels of foreign countries and render our industry more self-sustaining. It is vitally needed legislation not only for the purpose of improving the status of our commercial fisheries but also for the purpose of implementing our complex national defense effort.

Mr. MAGNUSON. Mr. President, the bill also affects the tuna situation. I observe the Senator from California [Mr. ENGLE] present. He has done yeoman work in an attempt to alleviate the serious condition in which the tuna fleet finds itself. At San Pedro and San Diego numerous vessels of the fishing fleet are tied to the piers.

As a matter of fact, I have an indirect interest in this bill, Mr. President. Most of the great tuna clippers have been built in the Puget Sound area, in yards established and run by fathers and sons. But in the last 7 years, not one tuna clipper has been built on the entire west coast—because of the importations of fresh and frozen tuna from Japan, without any tariff or duty or quota at all.

Mr. President, either we shall keep our commercial tuna fisheries alive or we shall not. If this measure is a drastic one, at least the situation requires drastic measures.

Mr. ENGLE. Mr. President, the nominal purpose of Senate bill 2578 is stated in part as a bill "to enable the fishing industry of the United States to regain a favorable economic status." But the passage of this measure will also contribute to the achievement of several far greater objectives. This bill without question is of solid significance to the security of the United States. It is important in helping to feed the country's expanding population; and it will be of inestimable future significance in the longer term, when the nations of the world are dividing up the resources of the sea, to make up for shortages in land-produced proteins.

As I say, the basic purpose of the bill is to help our distressed high-seas fishing fleets to survive.

I concur in the statement which has been made by the distinguished chairman of the Senate Committee on Interstate and Foreign Commerce—namely, that at the present time our fishing fleets are tied up at the docks, and are not getting anywhere.

Mr. MAGNUSON. And despite the fact that the domestic consumption of fish and seafood has increased almost four times since 1945.

Mr. ENGLE. Yes; that is a most significant development. Despite that fact, as the chairman of the committee has said, our fishing fleets are tied up; they are wholly inadequate to meet the competition of the fishing fleets of either Japan or the Soviet Union.

Mr. President, no one will claim that the small sum here authorized will completely cure any or all of the ills of our fishing fleets. This is admitted by all. Nevertheless, passage of this bill will do these things for our fleets:

First. It will tell our sorely distressed fisheries industries that the Congress is really interested in their survival.

Second. It will enable a start to be made on the construtcion of new, modern, well-designed fishing vessels capable, we believe, of competing with any fishing vessels of any nation—Russia, Japan, Iceland, or Norway.

Third. This encouragement, when provided by the Congress, plus the obvious advantages of the few boats that will be built with the help of these funds, will lure private capital back into the construction of an adequate fishing fleet—capital that in recent years has fled to less risky investments ashore.

The fact is, Mr. President, that at the present time, no one with any sense would invest any money in an attempt to build up the American fishing fleets.

It is natural that my primary interest in this proposed legislation stems from my desire to help the important tuna industry of my own State. I know from personal observation the desperate condition of the southern California tuna clipper fleet, once one of the largest, most valuable, and most magnificent of the fishing fleets of the world, but now reduced—through lack of financial resources—to a ghost fleet, tied to docks and unable to sail, because it cannot compete profitably with the fleets of other nations.

On the other hand, I have heard the testimony of the New England fishery people; and I sympathize with their needs. I agree that we must do something to help the great New England industry.

With regard to the tuna industry, however, I consider the proposed construction differential assistance but one facet of a larger program that will in the not-too-distant future put that industry back on its feet and enable it to assume its rightful role of feeding our people with wholesome, nutritious, protein food, assisting in the Nation's security program, and harvesting the renewable riches of the sea for the greater prosperity of the State of California, the Nation, and the world.

The other facets of our attack on the tuna problem include a government-to-government conference between the United States and Japan, to examine the overall problems of the tuna industries of both countries. Such a conference has been arranged. It is hoped that this mutual examination will lead to greater understanding by both industries and ultimate elimination of some of the problems of duplication and competition. The government-to-government conference will begin in Tokyo, in late September. Industry advisers with practical knowledge of the problems will be included in the delegations.

I may say that the tuna industry has been active and vigorous in looking after its own problems and in trying to help get the tuna fleets away from the docks and back at sea.

The third line of attack on the tuna problem is a concerted research effort participated in by Federal, State, and international agencies, with industry support, to help our tuna fishing and processing industries harvest this resource in the most efficient and economical way consistent with sound conservation practices. Some of these programs are already going forward. Others are just now beginning. Others will be started in the near future. The long-term outlook is hopeful—provided there is still in being a fleet—and I stress this point—to utilize advantageously the information gained. Senate bill 2578 is one of the devices to assure that there will be a tuna fleet when that day arrives.

Mr. President, I summarize my statement by saying that, first, we wish to reconstruct the fleet, so it can compete. At the present time its ancient hulls are unable to compete with the modern fleets put to sea by Japan, the Soviets, and others.

Second, we want to talk with the Japanese tuna industry, because that industry could voluntarily flood the American market, if it wanted to, with low-priced tuna. We want to get an understanding that that will not occur, and that there will be an equitable division of the existing markets, not only in the United States, but throughout the world.

Third, we want to have the research program go forward, so as to discover the means of making it possible to find more efficient ways to harvest the fish crop and the other food crops of the oceans.

I have referred to the significance of this bill to the Nation's security. This is no mere matter of putting machinegun mounts and radar equipment on some trawlers or tuna clippers.

I may say that every time we have had a program to help the American merchant marine, the Federal Government's help to the American merchant marine has been based on the proposition that it is sound for America to have an American merchant marine, and not be dependent upon foreign shipping, either in times of peace or in times of war. That was the basis of the first Merchant Marine Act written in 1936; and it has been the basis of every Merchant Marine Act since that time.

In amending the bill, as we have done, as was pointed out by our distinguished chairman—we had precisely that point in mind.

Report No. 803 of the Senate Interstate and Foreign Commerce Committee quotes in full a letter from the Chief of Naval Operations, Adm. Arleigh Burke, who makes the flat statement that the existence of U.S. deep-sea fishing units provides a reservoir of ships to carry out certain peacetime, as well as wartime, naval functions.

I may state that the Soviet fishing fleets, not only in the Antarctic, but also in the Atlantic Ocean, are, in our opinion, not altogether engaged in the business of taking fish. Those fishing fleets are doing some other things. They are making some observations for the benefit of the Soviet Union. I have suspicion that they are taking a good look at our picket ships on the Early Warning Line; that they are trying to ascertain if they can, and they probably have the facilities to do it, what we are doing at Cape Canaveral, hundreds and hundreds of miles away, in the ballistic missiles field, and some other activities. So these fishing fleets, spread throughout the world, have the peacetime function of bringing intelligence to the military.

Understandably, Admiral Burke did not elaborate on what those functions are. As far as I am concerned, he does not need to. However, as an indication of just what some of those functions might be, it is useful to note that our high seas fishing fleets cover continuously large areas of ocean not normally traversed by other vessels. They are able to take all kinds of observations in those areas, ranging from weather records to the scouting and spotting of unidentified undersea craft.

Our tuna clippers also, with their large refrigeration capacity and shallow draft, are able to provide logistic support where other vessels cannot go. They did so repeatedly in World War II, when practically every tuna clipper capable of putting to sea was taken over by the Navy shortly after Pearl Harbor. These high-seas fishing fleets provide pools of skilled seamen, navigators, and skippers for small naval auxiliary craft in time of hostility.

The distinguished chairman of the Committee on Interstate and Foreign Commerce [Mr. MAGNUSON], during the Second World War, was sent into Alaskan waters to try to find some people who knew enough about those waters in order to enable our ships to go into that area with safety. We did not have people who were familiar with those waters. These fishing fleets provide that service regularly, and without any cost to the Federal Government.

The last, but far from least, aspect of national security that I wish to touch upon, Mr. President, is this: This bill would not be before us today if our fishermen were able to buy their fishing vessels from foreign shipyards, where they could be built at a cost comparable to that of competing foreign vessels. However, we have on the statute books, and rightfully so, a prohibition against documenting, under the laws of the United States, any fishing vessels constructed in foreign countries. We all know the lengths to which we go to keep our domestic shipyards in existence. We all know how important it is to our country, as the leader of the free world, to be able to construct ships in time of need to maintain our contact with our allies, most of whom are separated from us by vast stretches of ocean. The construction of fishing vessels in domestic yards helps in no small way to keep those essential shipbuilding facilities in existence.

Mr. President, in view of these points just enumerated, can anyone successfully challenge the importance to national security of a healthy high-seas fishing fleet?

It is my view that this bill, while by no means the complete answer to all of our fisheries problems, does represent a good first step. Taken in conjunction with other activities—legislative, administrative, and voluntary programs of our fishing industry—we may be said to be embarking on a course that will meet our national requirement for a sound and prosperous industry capable of carrying out its responsibility to feed the people, aid the national defense, and provide jobs and wealth for the Nation.

Let me say that, so far as the fishing industry of America is concerned, we are at the crossroads. We will either take the action now proposed, or we will not have a fishing fleet for America any more.

AMERICA NEEDS A MODERN FISHING FLEET

Mr. KUCHEL. Mr. President, while it is not my good fortune to serve on the Committee on Interstate and Foreign Commerce, I am gratified that this committee has once again undertaken to assist our Nation's harrassed fishing industry by reporting favorably the bill S. 2578 to enable this industry to regain a more healthy economic condition.

I desire to commend this bill for favorable consideration of my colleagues because it appears sorely needed to equip the fishermen of America with modern equipment.

This bill will provide a construction differential which is decidedly in the national interest. Only with up-to-date vessels and gear can American fishermen hold their own against ever-increasing competition from abroad which has the very considerable advantage of a marked differential in operating costs, construction costs, and wages.

This legislation alone will not cure the ills from which our domestic fishing industry is suffering, but I daresay it will strengthen this industry and enable it to function more efficiently, and probably more economically.

Legislation of this type, which recognizes the collateral national defense value of a well-maintained fishing fleet, is merely one step in a long program to protect the various branches of the fishing industry. It will carry on the actions of the past few years, in which I was happy to participate, which include mortgage loans to boat owners for modernization of their present vessels and reorganization of the Fish and Wild Life Service so it can better assist those whose livelihood is derived from harvesting the sea.

The continuing plight of the fishing industry has caused me much concern, as I know it has my colleagues from the Pacific coast and from New England. Details of our problems may differ, but we have one common interest: to make certain that the traditional occupation of thousands of our fellow citizens is not wiped out by overwhelming competition from fishermen of other nations.

Enactment of the bill S. 2578 is desired by the hard-pressed southern California tuna fishing industry, which has been brought to the brink of financial disaster through the invasion of their American market by Japanese projects in ever-mounting volume. While our fleet has shrunk dangerously, there remain fishermen and fleet owners resolutely striving to keep operating. They from time to time must replace their vessels, due to obsolescence and to occasional tragic losses at sea or from other causes.

I am hopeful that a renascence of this southern California industry may be in the offing because of efforts now in progress to neutralize the Japanese competition.

Within a few days, a delegation of American Government officials and industry representatives will have departed for Tokyo to engage in conversations which I was happy to be instrumental in arranging. The Department of State, with the concurrence of and at the urging of the Interior Department and the Navy, finally has obtained an opportunity to sit around a table with our Japanese allies in discussion of the problem of economic survival.

As I told our Under Secretary of State, Mr. Douglas Dillon, it is imperative that we take up with Japan such matters as better conservation practices and more productive research. The agenda for this conference is being perfected, and I earnestly hope that spokesmen for the two nations will reach understandings beneficial to citizens of each country.

If cutthroat competition can be curbed, the American industry then will enter a stage favorable for a vigorous comeback. Enactment of legislation providing assistance by our Government in constructing new vessels would be a major ingredient of economic recovery for the southern California tuna industry. This bill also would be equally helpful to those engaging in sardine and mackerel fishing, to our salmon fisheries in the great new 49th State of Alaska, and to many other American operators in the Northern Hemisphere.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. Does the Senator desire a quorum call before the third reading of the bill?

Mr. MORSE. Yes. Some Senator may desire to offer an amendment; I do not know.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Ervin	Monroney
Allott	Frear	Morse
Anderson	Fulbright	Moss
Bartlett	Green	Mundt
Beall	Hart	Murray
Bennett	Hayden	Muskie
Bible	Hennings	Neuberger
Bridges	Hickenlooper	Pastore
Bush	Hill	Prouty
Butler	Holland	Proxmire
Byrd, Va.	Hruska	Robertson
Byrd, W. Va.	Jackson	Russell
Cannon	Javits	Saltonstall
Capehart	Johnson, Tex.	Schoeppel
Carlson	Johnston, S.C.	Scott
Carroll	Jordan	Smathers
Case, N.J.	Kerr	Smith
Chavez	Kuchel	Sparkman
Clark	Langer	Stennis
Cooper	Lausche	Symington
Cotton	Long, Hawaii	Talmadge
Curtis	Long, La.	Thurmond
Dirksen	McCarthy	Wiley
Dodd	McClellan	Williams, N.J.
Douglas	McGee	Yarborough
Dworshak	McNamara	Young, N. Dak.
Eastland	Magnuson	Young, Ohio
Ellender	Mansfield	
Engle	Martin	

The PRESIDING OFFICER (Mr. CANNON in the chair). A quorum is present. The bill is open to amendment. If no amendment is to be proposed, the question is on the engrossment and third reading of the bill.

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

Mr. SALTONSTALL. Mr. President, I hope the bill will pass. We in Massachusetts are very much interested in the fishing industry. It is one of the oldest industries of our Nation. Certainly on the Atlantic coast today it is still a very important industry. It employs many people in the city of Gloucester, in the city of New Bedford, and in the city of Boston; and in the other sections of New England, in Maine particularly, there are many people who make their living in the fishing industry.

On the Atlantic coast we must compete with 19 other nations off the Grand Banks. Some of their vessels have a much shorter distance to travel than do our fishing vessels, and consequently have lower costs of operation.

To compete with the other nations, Mr. President, we must have good ships, we must have modern ships, and we must have ships which can handle the fish in the best possible manner as they are brought aboard. Today many of our fishing ships are out of date as compared with the ships from the other 19 nations with which they must compete. Under present law the fishing vessels in the United States must be built in our country. They cannot be built in foreign countries.

At the same time they receive no subsidy or help from the Federal Government in connection with the cost of construction. The Merchant Marine Act, passed, I believe, in 1936, provided a Federal subsidy for the construction of merchant ships and for their operating costs. We are not asking for an operating cost subsidy. We are asking for a construction subsidy, which is now obtained by the merchant ships. That construction subsidy today is approximately 50 percent of the construction costs.

I ask the question, which I believe is a fair one to be addressed to those who oppose the bill: Why should merchant vessels, which carry freight, be given a construction cost subsidy, whereas fishing vessels, which serve one of our great industries, with the people engaged in it providing food for all of us, working hard and earning their livelihood by the sweat of their brows, be deprived of a construction subsidy?

Originally the act, before it was passed, was called the Merchant Marine and Fisheries Act. In other words, fishing ships were included, along with merchant ships. In the final drafting of the new law it became the Merchant Marine Act, pertaining to merchant ships alone, and fishing vessels were left out.

For the past 2 or 3 years, with the cooperation of the Senator from Washington [Mr. MAGNUSON] and other Senators from the west coast and the east coast, we have been trying to get a construction subsidy applied to fishing vessels.

From the standpoint of national security we must have modern ships which can help us in time of war. One of the reasons for the subsidy originally on merchant ships was that we wished the ship-construction industry to be kept going.

We are not asking for subsidy so much from the ship construction industry angle as we are asking for it to modernize our fishing fleet, and to make it possible for our fishing fleet to compete with other nations through modern equipment.

In addition to the cost of modern equipment we have the problem of cost of living. Our salaries and wages in this country are higher than the wages in other countries. If we are going to be able to compete with the present reciprocal trade laws as they are, and with our higher wages, we must have modern ships with which to do it. We cannot send our men out with old ships, but under present conditions new ones cannot be built because they will cost 50 percent more than the cost of ships built in other countries. Our ships travel longer distances to compete with foreign ships with modern equipment.

So I hope that the pending bill will become law. It was a recommendation of the committee last year. It passed the Senate, as I remember, but it died because Congress adjourned before the

House could act on it. I hope this year, the House having passed its bill, the Senate will pass it also. If the bill is passed, we will be taking one step forward to help revive and stabilize our fishing industry and to make it possible for the men who go out and make their living by fishing to continue to compete with fishermen from other countries.

I hope the bill will become law.

Mr. LAUSCHE. Mr. President, I rise to speak in opposition to the bill. The bill contemplates providing for the fishing industry a subsidy in the construction of the ships which they use in their business. The fishing industry in effect declares, "We cannot compete with Russia in the buying of ships which are constructed with costly American labor, and since we cannot compete with Russia, we ask that the Government subsidize us in an amount not to exceed 33⅓ percent of the difference in building a ship in the United States and building it in a foreign nation."

I submit to my colleagues that that is a very unsound argument. If the argument is sound that we should subsidize because we cannot compete with Russia, then every industry in the country in the end would be justified in coming to Congress and saying, "We cannot continue in existence unless the general taxpayers of our country will give us a subsidy."

Mr. ENGLE. Will the Senator yield?

Mr. LAUSCHE. No; not at this time. Where does that lead us? It leads us to the adoption of the Communist philosophy of government.

In the committee, the question was asked, "Is the Russian fishing industry subsidized?"

The answer given was that it was. Therefore, the argument is that if Russia subsidizes the fishing industry, the United States should also do so. In Russian there is no private enterprise. It is all governmental; and if the argument which has been advanced for the passage of this bill is generally applied, we must give up our democratic form of government and accept the Communist form.

In the committee, the Senator from Rhode Island [Mr. PASTORE] said, in effect, "If we are to subsidize the building of ships used in fishing, what about the watch industry, the ceramic industry, the machine tool industry, the violin manufacturing industry, the bicycle industry, and the garment and textile industry?"

It was said, "If a subsidy is established in some special field, and is justified by a special reason for a subsidy, we may go along with it."

Then came the great legerdemain. It was decided to tie it into the national defense. The argument is that the fishing fleet is indispensable to the maintenance of the safety and security of the U.S. Government.

I notice that the Senator from Michigan [Mr. HART] is looking longingly at me, and possibly approving my argument. If we subsidize the shipbuilding industry for fishing, then I say let us subsidize the automobile manufacturing industry.

Mr. HART. At least let us reduce the automobile excise taxes.

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

Mr. LAUSCHE. I yield for a question.

Mr. ENGLE. Would the Senator advocate the repeal of all legislation which authorizes subsidies for the American merchant marine?

Mr. LAUSCHE. I would not; but I emphatically state that we had better put a stop to the expansion of subsidies. In connection with the merchant marine subsidy, 1 month ago we passed a bill including in it the drydock industry. Today it is proposed to include the fishing industry. Tomorrow we shall include the fish catching equipment, and so on down the line. In principle I am opposed to our Government expanding its participation in subsidies.

Mr. ENGLE. Mr. President, will the Senator yield for another question?

Mr. LAUSCHE. I yield.

Mr. ENGLE. If the distinguished Senator has the choice between seeing an industry vital to America's security—and I ask him to assume that for the purpose of the question—would he prefer to see the industry die or would he prefer to subsidize it to keep it in existence?

Mr. LAUSCHE. I am glad the Senator from California asked that question. It enables me to tell my colleagues that the Department of the Interior said that inasmuch as these ships are of 5 tons capacity, or words to that effect, we should allow them to be documented, even though they are built by foreign shipbuilders. The proponents, however, do not want that. It seems to me that there is a dual purpose—first, in a measure to protect the fishing industry; and second, to protect the shipbuilding industry.

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

Mr. LAUSCHE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Does the Senator know of any other industry which has to compete with 19 other nations, and in which construction costs—before any operating costs are reached—are 50 percent less in foreign countries than they are in the United States?

Mr. LAUSCHE. I would have to answer the Senator from Massachusetts by saying that in practically every day's mail I receive letters telling of the difficulty of continuing in business because of the frightening competition which Russia, Japan, Germany, and other nations are giving us. If what we are trying to do is right in principle, it should be expanded to cover every industry that is in danger of extinction because of competition.

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

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. In connection with many of the other industries with respect to which the Senator is receiving mail, and I am receiving mail—and we have the same problems in Massachusetts that exist in the Senator's State—there is a question of operating expenses. The important question is one of the cost of doing the work. We are not asking in this bill for any subsidy for operations. We are merely asking for capital assistance from the Government, when the same assistance is being given in the building of other ships for the United States.

Mr. LAUSCHE. I am obliged to point out again what the Department of the Interior said. The Department of the Interior and every other branch of the administrative side of the Government oppose this bill. They say, "Let us allow the fishing industry to purchase foreign ships. They are small in capacity. They will not affect the shipbuilding industry of our country. Let those ships, purchased abroad, be registered." At present they cannot be registered. But the proponents of the bill will not accept that amendment recommended by the Department of the Interior.

The Department of the Interior also says, "Let us set up a direct loan fund to help the fishing industry." But the industry does not want that.

Mr. SALTONSTALL. We are not asking for that.

Mr. LAUSCHE. The fishing industry is asking for a direct subsidy.

Mr. SALTONSTALL. On construction costs alone, the same as applies to every merchant ship of the United States Lines and all the other lines that are operating merchant ships. As stated in the few remarks I made, originally the 1936 bill included in the title the fishing industry, but that was stricken out when final action was taken. We believe it should not have been stricken out, and should be there now.

Mr. LAUSCHE. I feel that if the Senator from Masssachusetts lived in any other State but Massachusetts, knowing of his fine thinking, and of his recognition of the financial problems of our country, I believe that he would not be supporting this bill today.

Mr. SALTONSTALL. Mr. President, will the Senator yield for an observation?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. One of the best meals I have ever had anywhere was in Columbus, Ohio, at the Governors' conference. The Senator spent many years there as Governor. At that conference fish and lobsters and other delicacies were imported from Massachusetts and other east coast States to provide the citizens of Ohio with a good meal. That is what we want to do with this bill.

Mr. LAUSCHE. I understand that. I love eating the seafood of Massachusetts. I once played baseball in Lawrence, Mass., in the old Eastern League. Aside from getting base hits, there was no greater delight than that of eating Boston seafood.

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

Mr. LAUSCHE. I yield.

Mr. ENGLE. The Senator said he would not support striking down all the legislation at present on the books, under which the Federal Government helps to maintain an American merchant marine. If I correctly understand the Senator's position, he is for the act of 1936, under which the Federal Government subsidizes and supports the American merchant marine, both with respect to construction costs and operation costs, involving the expenditure of many millions

of dollars. The Senator will note from page 7 of the bill that it carries an appropriation of $1 million annually for 3 years. Is not the Senator gagging at a gnat and swallowing a camel when he is willing to support subsidies for the American merchant marine, but refuses to support legislation which would cost only $1 million a year?

I beg the Senator's pardon. My attention has been called to the fact that the Senate bill calls for $5 million, which is, nevertheless, a gnat, when compared with a camel, with respect to the general program of sustaining the American merchant marine. So I ask the Senator; Is he not straining at a gnat and swallowing a camel when he protests this situation?

Mr. LAUSCHE. The answer is very simple. We must approach the problem from the standpoint of a universal principle. It cannot be decided merely because it involves only $1 million or $5 million a year.

Mr. ENGLE. It is the same principle. That is what I am driving at.

Mr. LAUSCHE. The question is whether the principle is sound. It is not the same principle. The bill deals with subsidizing coastal shipping. It deals with subsidizing an industry which does not carry passengers or cargoes from one part of the Nation to another.

Furthermore, I believe we have subsidized the merchant marine beyond the point where it ought to be subsidized. In the last 20 years Congress has provided $1 billion for the merchant marine. Every year, the representatives of the merchant marine come before our committee, headed by the distinguished Senator from Washington [Mr. MAGNUSON], asking for more and more money from the taxpayers.

Mr. ENGLE. Mr. President, will the Senator yield for a further observation?

Mr. LAUSCHE. I yield.

Mr. ENGLE. Now the Senator has me thoroughly confused. He has stated in answer to my question that he would not advocate the repeal of the Federal subsidy legislation to sustain the merchant marine, although he says it has cost a billion dollars to do so. That is what he said. If the record is not clear on that point, then I will withdraw my statement. But I think that is what the Senator said.

Now he says that is going too far, but that the matter ought to be decided on a matter of principle. The principle is, of course, that there is an American interest in maintaining an American merchant marine. That is the basis of the 1936 act. That is the basis on which the Federal Government has spent $1 billion on the American merchant marine. Now we talk about $5 million to subsidize the fishing fleet. But the distinguished Senator from Ohio says that that does not fall within the same principle, because these ships are not oceangoing ships; they do not go out very far. Well, they get out to a distance of 400 or 500 miles, and people get drowned, and we never hear about them. But apparently the Senator did not hear the statement I made, in which I quoted the Chief of Naval Operations, Adm. Arleigh Burke, who said that the coastal fishing fleet was an essential part of the American merchant marine and contributed to the national defense. In other words, the man who knows best is not willing to advocate the repeal of the law under which the American merchant marine is subsidized.

Mr. LAUSCHE. Mr. President, the proponents of the bill have had their time. There are many subsidies to which I would be opposed if I had been initially here. But they are so deeply rooted that they cannot be repealed. My approach to the problem is that we had better put a stop to subsidies of this kind, unless we want to convert our basic form of government completely.

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

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. I should like to ask one other question. Perhaps the Senator from California would help me to get the answer. Is there any other industry which the Senator from Ohio or the Senator from California knows of in which the capital construction—in other words, in this case, the ship—has to be built in the United States, and cannot be imported from England or Japan? That is one of the problems connected with the bill.

Mr. LAUSCHE. The Department of the Interior recommended what should be done in this bill. The bill permits the fishing industry to buy ships from foreign manufacturers if the ships have a capacity of 5 tons or less, and lets them be documented. That is the answer of the administrative side of the Government.

I close with this statement: The President of the United States has vetoed many money spending bills. In my opinion, he vetoed them because he realizes that the fiscal credit of the United States has to be restored in the faith of the people of the world and the people of our own country.

I disagreed with Senators on this side of the aisle the other evening when the Senate voted on the question whether to override the veto of the President. The United States is suffering a flight of gold from our Nation. The gold reserves at present are $19 billion. Within the last half decade, at one time, the reserves were $23 billion.

The United States is suffering from a cheapening of the dollar. The Canadian dollar is worth 6 cents more than the American dollar. The German mark is worth more than the American dollar. The Swiss franc is worth more. American dollars are buying Canadian bonds. The American people do not want to buy the bonds of our own country.

There is no graver problem before the people of the Nation and of Congress than to demonstrate that we do not contemplate moving more and more in the subsidizing of industries and businesses. No greater service can be rendered by us than to declare that we shall put our fiscal house in order.

Five million dollars means nothing of itself; but it is simply one new business which is being taken over by the purpose of subsidization. I have within myself an intuitive feeling that before we realize it calamity will break loose on account of the fiscal operations of our Government. If our country should be hit by a panic and with a run on the gold in our Treasury, this Nation will awaken. I will not be a party to anything which will aggravate the problem confronting us and which is likely to create a panic, further lower the value of our dollar, and endanger our gold reserves.

Mr. ENGLE. Mr. President, in order to get the proposed legislation in a proper parliamentary posture before the vote—and I know some other Senators wish to speak on the bill—I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from the further consideration of H.R. 5421, a companion bill; that the Senate proceed to the consideration of, and that the yea-and-nay vote be held on, H.R. 5421, instead of on S. 2578, on which the yeas and nays were ordered.

The reason why I make this request is that the House has sent its bill to the Senate, and it is now in our committee. The House bill is worded in slightly different terms. I desire to call up the House bill, substitute the Senate language for the House language, and proceed to a vote on the House bill.

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

The House bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5421) to provide a program of assistance to correct inequities in the construction of fishing vessels and to enable the fishing industry of the United States to regain a favorable economic status, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

There being no objection, the Senate proceeded to consider the bill.

Mr. ENGLE. Mr. President, I move to strike out all after the enacting clause of H.R. 5421 and to substitute in lieu thereof the language of S. 2578.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

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

The bill as amended was read the third time.

Mr. THURMOND. Mr. President, I rise in opposition to H.R. 5421. The bill provides for the payment of construction differential subsidies for fishing vessels up to 33⅓ percent of the cost of construction. It provides for an appropriation not to exceed $5 million a year for a period of 3 years.

The cure of the ills of the domestic fishing industry does not lie in a program of Federal subsidy to that industry. On the contrary, it has been shown in the past that such an approach leads only to

ever-increasing dependence on the Federal Government. That is demonstrated in this instance by the increased subsidy payments which have been necessitated for the merchant marine industry generally. The amount which has been paid to the merchant marine industry under the several programs of subsidization from 1947 until June 1959, is about $1 billion.

Mr. President, these amounts have increased each year. They began in 1947, with $3,314,906. In 1958, the amount reached $108,077,442.

Passage of the pending bill will be the first step in the extension of this type of program to another industry.

I predict that the cost of the program will increase in a manner similar to the increase in the cost of the subsidy program for the merchant marine.

Mr. President, the proponents of this measure urge that it is vital that our domestic fishing fleets be capable of competing with the foreign fishing industry. I do not take issue with that position. However, the proposed step should not be taken at the cost of expanding the present Federal program of subsidization to private industry, with the resultant dependency on the Federal Government and increased expenditures by our Government, which recently has registered the largest peacetime deficit in its history, and discrimination against other segments of the economy whose plight is similar, and whose pleas of assistance would soon be heard if this proposed legislation were to be enacted into law.

I realize that we want to have our ships built at home; and they should be built at home. But if we reach the point where we have to choose between having our fishing vessels built abroad or injecting the Federal Government into the business of building them, I believe it would be preferable to repeal the ban against foreign-built fishing vessels, because our Government is already in business to too great an extent.

I am convinced that if this bill were to be enacted into law, other pieces of proposed legislation would soon be submitted here, in an attempt to inject the Federal Government into the textile industry, the plywood industry, the mineral mining industry, the ceramics industry, the automobile industry, and various other types of business.

Someone raised the question that if the merchant marine is now receiving Federal benefits, why should not the fishing industry receive them? I think that question is easily answered. In the first place, the merchant marine is essential in time of war; it is certainly a strong arm of the national defense program, and is used to transport our defense forces and equipment across the waters, in the event of emergency. But the fishing vessels would be used only along the shores of our country. Although the availability of fish might be considered an aid to the national defense, it certainly would be such only to a minor extent.

Furthermore, Mr. President, in view of the fact that the purpose of the pending bill is to render Federal Government assistance to the fishing industry, I believe enactment of the bill would establish a dangerous precedent by singling out one industry or business and providing Federal Government assistance to it. If that were done, other industries would soon request like treatment.

Mr. SALTONSTALL. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. I thank the Senator from South Carolina for yielding to me.

Let me say that I know how he feels in regard to the pending bill. I wish to ask him the same question I asked the Senator from Ohio: Does he know of any other industry in our country that competes with similar industries of 19 other nations in which the construction costs or the capital costs under which those foreign industries do business are 50 percent less than the costs of that business in the United States?

Mr. THURMOND. I may reply by stating that the Japanese are now manufacturing textiles and are exporting them to the United States, and are selling them in our country at prices lower than those at which our manufacturers can even place on the market the textiles they produce.

I may also say that Japan and other countries are importing plywood into the United States, and are selling it in our country for less than the price at which the plywood manufacturers of the United States can even offer plywood on the American market. I know about those situations, because my State is vitally affected both as regards textiles and regards plywood.

Mr. ENGLE. Mr. President, will the Senator from South Carolina yield to me?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from California.

Mr. ENGLE. Let me ask my distinguished friend the same question I asked the Senator from Ohio: Is he now willing to support proposed legislation to repeal the almost 25-year-old act under which the Federal Government subsidizes the American merchant marine?

Mr. THURMOND. I have not advocated repeal of the Merchant Marine Act, and I do not advocate it now. But I do not believe we should broaden this question by bringing into the discussion of the Merchant Marine Act fishing vessels which affect one specific industry. I take that position because if the Congress were once to provide for Federal Government aid to that specific industry, certainly demands would soon be made to render similar assistance to other industries—as I stated only a moment ago, in answering a question which was asked by the distinguished Senator from Massachusetts.

Mr. ENGLE. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I am pleased to yield again to the Senator from California.

Mr. ENGLE. Let us assume that there were little or no uranium in our country, and that uranium were basic or essential to the security of our Nation, with the result that we had to purchase uranium from other countries. Would the Senator from South Carolina then be willing to subsidize uranium production, in order to aid the national security of our country?

Mr. THURMOND. I do not believe there is any parallel between that question and the pending question in regard to fishing vessels. I believe the Senator from California well knows of my interest in the national defense, as I know of his great interest in this important subject; and I am sure that both of us would be willing to pursue any course in order to protect the national defense.

But I do not consider the pending bill absolutely essential to the national defense.

I read the letter from Admiral Burke, in which he said the program proposed by means of the pending bill might be of some assistance to the national defense. But certainly it is not essential.

Furthermore, I am not too certain but that Admiral Burke might have strained his conscience a little, at least, in answering the letter from the able and distinguished Senator from Washington [Mr. MAGUSON], the chairman of our committee.

Mr. ENGLE. Mr. President, will the Senator from South Carolina yield further to me?

Mr. THURMOND. I am pleased to yield again to the senior Senator from California.

Mr. ENGLE. I should like to call attention to what Admiral Burke said.

Mr. THURMOND. I am familiar with his letter.

Mr. ENGLE. However, inasmuch as the Senator from South Carolina has mentioned the letter, I should like to read it into the RECORD, because this matter boils down to a question of who is right in regard to this proposed program.

I know that the distinguished Senator from South Carolina takes a great interest in matters of national defense. The Merchant Marine Act of 1936 was passed because we felt that the national security required the existence of an American merchant marine, in the interest of the national security.

Admiral Burke had the following to say about the proposed program:

> The recent trend of economic events relative to our U.S. deep-sea fishing fleets is indicative of possible future reduction in the availability of deep-sea fishing ships. This is of concern to the Navy because U.S. deep-sea fishing units provide a reservoir of ships to carry out certain peacetime as well as wartime naval functions. In essence, they constitute an asset to the Navy. It follows then that if there is a substantial decrease—

Let me interpolate here, to say that not only has there been a substantial decrease; but, in fact, if we do not do something about the fishing fleet, it will go out of existence.

I continue to read from the letter which was written by Admiral Burke:

> It follows then that if there is a substantial decrease in the availability of U.S. fishing units, it could operate to the detriment of our overall national defense effort.

So says Adm. Arleigh Burke.

Mr. THURMOND. I might remind the distinguished Senator the Defense Department has said that textiles are second only to steel in the matter of the defense of this Nation, and yet our textile industry has been terribly hit.

I might say again, as I stated a few moments ago to, I believe, the distinguished Senator from Massachusetts, that Japan manufactures and sends textiles to this country and can sell them cheaper than our own country can make them. But are we going to subsidize the textile industry? Are we going to subsidize the plywood industry? Are we going to subsidize the automobile industry, which is in such trouble today? How many industries are we going to subsidize by the passage of this bill today? Are not we going to set a precedent that will be a dangerous precedent for all legislation coming up in the future with respect to all industries that get in trouble?

I would remind the Senator that the Secretary of Commerce has studied this matter very carefully, and he is opposing this bill. Not only does the Secretary of Commerce oppose the bill, but the Secretary of the Interior opposes the bill.

Mr. President, I would like to say, in summary, I think there are four main points why this bill should not pass.

First, the answer to this industry in trouble does not lie in subsidies. I am convinced that every time an industry or business gets into trouble financially our Government cannot afford to inject itself in order to save that industry, unless it is something of such importance to our national defense that it is essential it do so.

Second, this bill sets a precedent for industries that, I believe, will haunt the Senate and will haunt this country in the future.

Third, this bill will get the Government further into business, which I think is very objectionable, and which I do not believe is advisable, certainly under the circumstances shown here.

Fourth, this bill will increase Government debt. We may say it is only $5 million a year, or, for a 3-year period, only $15 million. But, Mr. President, it is a little adding here, and a little adding there, and a little adding yonder that has run our debt up to the largest debt this country has ever known. We owe more money than all the nations put together do. Our debt today is about $289 billion.

We cannot afford to be adding new programs. We cannot afford to continue taking on more obligations and jeopardizing the fiscal sanity of this Nation. I am convinced that it would be a mistake to pass this bill. I believe it is a type of bill that we can well forego, and certainly we should not go into this matter and plunge our Government into another obligation that is nonessential.

Mr. HART. Mr. President, I wonder if the distinguished Senator from California [Mr. ENGLE] may help me clarify in my own mind the reasoning which he advances in support of the pending bill. I wonder if basically his approach is this, that if an industry in this country is essential to the national defense, and if it cannot compete successfully with foreign imports of its product, whatever it may be, the Federal Government then shall undertake to make up the difference? I think if I had an answer to what I hope is a simple question, I could better understand the position I should take upon this bill, and I would appreciate the Senator from California responding.

Mr. ENGLE. I will say to my distinguished friend that if we had the choice between letting any industry that is important to our national defense die or survive, we would have to make the choice, and we should choose to let it survive. I cannot believe that the automobile industry of Detroit, which is building bigger fins, and which spends more money for research on fins every year than is involved in this legislation, is in the kind of fix where it has to be subsidized by the Federal Treasury. But let me say this. I have said it time and time again. I said it in the House of Representatives. We need some types of industry. For instance, I have advocated that the mining of copper, lead, manganese, and a great many other minerals be sustained, in the face of foreign competition, by subsidy programs of one character or another, because they are absolutely essential to our national survival in the event of war. The basis of the American Merchant Marine Act was the fact that we felt the existence of an American merchant marine was essential to the national security and to the national defense.

The Senator from South Carolina has asked, "Well, what about textiles?" I can see a situation develop in which this country would not be able to manufacture enough uniforms for our soldiers or blankets for their use. If we got into that kind of a situation, we would have to find a way to help that industry out. We sustain the wool industry, and the Wool Act was passed by the Congress of the United States because we need to have that kind of production here in America.

That is my answer to the question of the Senator from Michigan. It is only a matter of degree. It is a question of how far we should go. It is a question of whether there is a real and imminent danger to the security of the United States in the imminent extinction of a particular portion of American industry in consideration of its requirement for the national defense.

Mr. HART. The distinguished Senator from California—and I appreciate his rather detailed answer—misunderstood the industry I had in mind. It never occurred to me I should ever come to the Federal Congress and ask that the automobile industry be subsidized. That happened not to be the industry I had in mind. Parenthetically, I would repeat that I hope very soon Congress will take off a burden that has been imposed on that industry in competition with the nonfinned small cars turned out with low-cost labor. Twice we have had an opportunity to take off the excise tax imposed on that industry. I would welcome the help of the Senator from California in that direction.

However, that was not the industry I had in mind. The distinguished Senator from California, when he went through the litany of other industries, happened to mention one I had in mind, as reflected in Senate bill 295, which the senior Senator from Michigan [Mr. MCNAMARA] and I have introduced, and as to which I would welcome the sponsorship of the Senator from California, in light of what he has told me.

We have proposed that we do exactly what he is asking in the case of copper mines of this country. The Senator is seated next to the junior Senator from Minnesota [Mr. MCCARTHY], who can describe the situation on the Minnesota range, which is precisely why we introduced the bill relating to the Michigan range. I think the Senator from California has given support to our effort to do something about copper mines.

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

Mr. HART. Yes.

Mr. ENGLE. Let me say that when I was a Member of the House of Representatives, I introduced so many mining bills that they called me the one-man mine bloc.

Mr. HART. S. 295 has a two-man team on it. We would be glad to have the more experienced cooperation of the one-man miner.

If there is no objection, Mr. President, I ask unanimous consent that an additional cosponsor of Senate bill 295 be permitted.

The PRESIDING OFFICER. The question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll——

Mr. HOLLAND. Mr. President, will the Senator from California yield for a question?

Mr. ENGLE. I do not have the floor.

Mr. HART. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER The Senator will state it.

Mr. HART. Was consent granted to my request that S. 295 be open for additional cosponsors?

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

The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, the Senator from California does not have the floor, but I ask if the Senator will be courteous enough to reply to a question or two which I wish to ask in my time.

Mr. ENGLE. I should be delighted to try to respond to the distinguished Senator from Florida.

Mr. HOLLAND. I heard either the distinguished Senator from California or one of the other Senators who spoke in favor of the bill state that one of the objectives was to supply ships which would be needed and useful to the Navy in time of war for the defense of our Nation. I also heard mention made of the name of Admiral Burke in connection with the matter. I have read the letter written by Admiral Burke to the chairman of the committee, which is a part of the report of the committee. I

fail to find any reference in that letter to any defense implication of this program. I wondered if the distinguished Senator knew of some statement elsewhere by Admiral Burke which would justify the conclusion stated in the argument that this was a measure of importance to the defense of our country directly, in that the Navy needed to take over these ships and use them in case of war.

Mr. ENGLE. Of course, we provided in the bill that the ships must meet defense requirements. If the Senator finds nothing in Admiral Burke's letter of August 17, 1959, relating to national defense, he does not read it as I do, because the last sentence in the first paragraph says:

> It follows then that if there is a substantial decrease in the availability of U.S. fishing units, it could operate to the detriment of our overall national defense effort.

In the letter Admiral Burke also states that these ships "carry out certain peacetime as well as wartime naval functions."

Mr. HOLLAND. From what page of the report is the Senator reading?

Mr. ENGLE. From page 9 of the report. Admiral Burke's letter is shown on pages 9 and 10.

I wish to say to my distinguished friend from Florida, during the Second World War, as everyone knows, there was not a fishing boat left on either coast. The Navy grabbed them all. The distinguished chairman of the Senate Committee on Interstate and Foreign Commerce got on one of those boats and went clear to Alaska, trying to find people who knew enough about the waters around Alaska and that general area, in which we had operations, to enable the combat ships to go in and not run across rocks or run aground.

The history is that this kind of boat has been used. All of the boats we had were used. If we get into another war these boats will not be in private hands 30 days.

Mr. HOLLAND. Mr. President, I appreciate the reply of the Senator from California, but I am highly conscious of the fact that there are many shipyards in our Nation, of which we have several in my own State, which are manufacturing trawlers which are, I believe, somewhat smaller than those involved in this particular proposed legislation.

I had the privilege of attending the dedication of the 700th trawler produced by one plant alone, at St. Augustine, Fla., not long ago. I know that a great many such trawlers are being produced. There are a very large number of them in the gulf and in the South Atlantic.

I am of the feeling that the proposed legislation should not be passed unless it does directly relate to the defense of the Nation, as demonstrated by the need of the Navy for ships of the type to be subsidized by the proposed legislation, which would not be available except for the passage of the bill. I fail to find anything in the testimony which indicates that is a fact. If the Senator knows of any such testimony I wish he would indicate where it may be found.

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

Mr. MAGNUSON. I should like to make a statement to the Senator from Florida.

Mr. HOLLAND. If the Senator will permit, I will yield first to the Senator from Ohio.

Mr. LAUSCHE. I should like to restate what occurred in the committee.

There was general opposition to the bill. The fear was that if the bill were passed it would set a precedent for other industries to ask for subsidies. Then it was suggested that if we could put the bill on the basis of national defense perhaps we could isolate it and prevent other industries from making such requests. It was an artificial concoction.

The Secretary of Defense, as the Senator will find in the report, does not urge passage of the bill. He remains indifferent to it. This was an artificial creation in an attempt to make it appear that passage of the bill was important to national defense.

In summary, Admiral Burke does not recommend passage of the bill. The Senator can search and search what the admiral said, and he will find the admiral does not recommend it.

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

Mr. HOLLAND. I will yield to the Senator from Washington in just a moment.

Mr. President, I have been trying to find something specific on this matter relating to the defense necessity of this effort, and I have not been able to find it, up to now.

My reluctance to approve the measure unless it does involve such a value comes from the fact that I know there are numerous shipyards producing small trawlers, most of which are wooden trawlers. We have several such shipyards in my own State. The Gulf of Mexico and the South Atlantic Ocean are full of those trawlers, which are operating there.

I would not want to do anything which would invite the subsidization of that industry, which has been a very profitable one and which has been operating since the colonial days of my State.

Incidentally, many of the men who are such skilled workers in wood who are building these wooden trawlers are men of Spanish descent. I was very interested to go to the shipyard to see their operations.

I do not want to have us plunge into a new field of subsidization unless it is necessary to do so to protect our Nation in a field where defense calls out loudly for some action.

I yield now to the Senator from Washington.

Mr. MAGNUSON. I think the Senator from Florida ought to understand the situation. The trawlers about which the Senator from Florida is speaking could qualify under the terms of the bill. However, those trawlers would not want to qualify for the simple reason that there is a different type of trawler involved. The ones we are talking about are the large trawlers, for use where it is necessary to compete in the Grand Banks, in the high seas of the world, in the Bering Sea, in the Tuna Banks, in the South Atlantic, and in both the South Pacific and the North Pacific. These are ships of that type. During any war they are immediately grabbed by the Navy.

As a matter of fact, no one thought it was necessary to have testimony to that effect, because we thought it was common knowledge that when a war emergency occurs the Navy takes all fishing fleets. The fishing fleets of the smaller type, such as the trawlers the Senator from Florida speaks about, are used for patrol of the coast. The large trawlers go out further into the oceans, and sometimes join with the fleet in different places. They are not used in actual combat, but they are used to transport supplies. I have known of trawlers which would meet the fleet in the South Pacific. They can transport certain supplies, and they are all useful.

The fishermen were not allowed to fish with this size and type of trawler for that reason. I imagine Admiral Burke assumed that everyone knew when something happens the Navy takes over all the fishing fleets.

The Senator from Washington himself at one time acted as the temporary JAG of the 14th Naval District, Pearl Harbor.

Mr. HOLLAND. They had an excellent "JAG" at that time.

Mr. MAGNUSON. Our first duty was to grab everything that floated. We did. The vessels were used by the Navy. Some were turned back to the Coast Guard, which was part of the military unit during the war, and these would be ships of that type. That is why there is a limitation of only $5 million in the bill. It is merely to find out what we can do with a modern trawler, whether we can compete with the Russian threat. The Russians now have 60 modern big trawlers, and 60 more are to be built. The Japanese are building them in every Japanese shipyard.

It would not necessarily affect the shipyards which build the trawlers the Senator from Florida speaks about, although conceivably they could make application, but I do not think there would be any grant of application under the bill to anyone except to an applicant who could comply.

I have no doubt that the Defense Department will probably suggest that some defense features be put on these larger ships, which they do on all ships. They have the authority to do that. The bill provides for a 3-year period.

I know the argument will be made that perhaps this subsidy situation will continue. We may have to continue it; I do not know. We have to find out first.

There is no way to build these ships under the present system. No bank will lend the money. I cannot subscribe to the argument that the subsidies paid to the merchant marine for ships which were used during the war have not been worth while. I do not have the exact figures, but the Senator from Ohio may be correct in saying that over a 20-year period we have spent a billion dollars for ship subsidies in the merchant marine.

If that is true, it will be worthwhile if something happens. We did not do anything about shipping between World War I and World War II, and we had to spend $27 billion to build merchant marine fleets which now are laid up, because we needed them at that time. That amount would subsidize the merchant marine for the next 150 years, but the ships would be available in time of war and in time of emergency.

I do not think the Senator from California, the Senator from Massachusetts [Mr. SALTONSTALL] or the Senators from any of the seaboard States want subsidies. Surely no one wants subsidies less than the Senator from Massachusetts. However, these people are desperate. Their ships are tied up at the docks. We just have to see if we can compete. The bill provides a shot in the arm that we will be giving them, and that is all it amounts to, and these trawlers alone would be worth any such amount in the defense appropriation bill.

Mr. HOLLAND. Mr. President, I appreciate the very helpful comments of the Senator from Washington. I repeat my statement that when he served as Judge Advocate General in the Pearl Harbor naval district I am sure that the district had available to it the best legal services that could be obtained anywhere.

Mr. MAGNUSON. I thank the Senator.

Mr. HOLLAND. I also wish to call the Senator's attention to the fact that the Senator from Florida has served for a good many years as chairman of the subcommittee which has attempted to supply the funds to meet the needs of the merchant marine, including its building needs. The Senator from Washington has been one of the most helpful members of the subcommittee, and the Senator from Florida wishes to pay tribute to him now. Neither of us has ever hesitated in any way to go all out for the continuation and support of a merchant marine able to serve the needs of our country under any condition, whether in peace or in war.

What causes me concern in connection with the pending bill is not only the fact that Admiral Burke, speaking specifically for the Navy, seems not to be concerned about any defense implications, but that the general counsel of the Department of Defense, in a letter to the chairman of the committee, states:

> The Department of Defense does not have available information which would enable it to form a judgment on the desirability, as a national policy, of providing special financial aid to the segments of the fishing industry. It therefore neither supports nor opposes the enactment of S. 1374.

That statement is found at page 10 of the committee report.

Mr. President, in view of that statement, the Senator from Florida does not wish to see us committed to another program of subsidy in an industry which we are supporting very generously, and which I believe we should support as generously as may be necessary to fully supply our defense needs, but no further.

I certainly do not wish to see ships which are constructed in direct competition with many trawlers which are now constructed in my own State and in other States on the Atlantic seaboard and the gulf—and I am sure there are such shipyards also on the Pacific coast—given a subsidy in such a way as to put them in unfair competition with the shipyards constructing large numbers of wooden ships which do not ask for a subsidy. Those ships involve the employment of many people, including many in my own State and in other States.

Unless a better case can be made—and I am groping for a good case on the pending bill—than I have heard in the discussion or read in the RECORD, I shall have to oppose the proposed legislation.

The PRESIDING OFFICER. On the question of the passage of the bill, the yeas and nays have been ordered, and the clerk will call the roll.

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

Mr. MAGNUSON. I am sure Senators have been notified. I would suggest that we proceed with the yea-and-nay vote. I do not believe a quorum call will be necessary.

Mr. JOHNSON of Texas. If that is the Senator's judgment, I will withhold my suggestion of the absence of a quorum.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from Tennessee [Mr. GORE and Mr. KEFAUVER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

The Senator from West Virginia [Mr. RANDOLPH] is necessarily absent in West Virginia.

On this vote the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Delaware [Mr. WILLIAMS]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Delaware would vote "nay."

The Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from New York [Mr. KEATING]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from New York would vote "nay."

I further announce that if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from West Virginia [Mr. RANDOLPH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Hawaii [Mr. FONG] the Senator from Arizona [Mr. GOLDWATER], the Senator from New York [Mr. KEATING], the Senator from Kentucky [Mr. MORTON], and the Senator from Delaware [Mr. WILLIAMS] are detained on official business.

On this vote, the Senator from Delaware [Mr. WILLIAMS] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Delaware would vote "nay," and the Senator from Massachusetts would vote "yea."

On this vote, the Senator from New York [Mr. KEATING] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from New York would vote "nay," and the Senator from Minnesota would vote "yea."

If present and voting, the Senator from Hawaii [Mr. FONG] would vote "yea."

The result was announced—yeas 55, nays 30, as follows:

YEAS—55

Aiken	Hart	Morse
Anderson	Hayden	Moss
Bartlett	Hennings	Murray
Beall	Hill	Muskie
Bible	Jackson	Neuberger
Bridges	Javits	Pastore
Butler	Johnson, Tex.	Prouty
Byrd, W. Va.	Johnston, S.C.	Saltonstall
Cannon	Kerr	Scott
Carroll	Kuchel	Smathers
Chavez	Langer	Smith
Clark	Long, Hawaii	Sparkman
Cooper	Long, La.	Symington
Cotton	McCarthy	Wiley
Dodd	McGee	Williams, N.J.
Eastland	McNamara	Yarborough
Engle	Magnuson	Young, N. Dak.
Frear	Mansfield	
Green	Monroney	

NAYS—30

Allott	Dworshak	Martin
Bennett	Ellender	Mundt
Bush	Ervin	Proxmire
Byrd, Va.	Fulbright	Robertson
Capehart	Hickenlooper	Russell
Carlson	Holland	Schoeppel
Case, N.J.	Hruska	Stennis
Curtis	Jordan	Talmadge
Dirksen	Lausche	Thurmond
Douglas	McClellan	Young, Ohio

NOT VOTING—15

Case, S. Dak.	Gruening	Kennedy
Church	Hartke	Morton
Fong	Humphrey	O'Mahoney
Goldwater	Keating	Randolph
Gore	Kefauver	Williams, Del.

So the bill (H.R. 5421) was passed.

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2568. An act to amend the Atomic Energy Act of 1954, as amended, with respect to cooperation with States; and

S. 2569. An act to amend the Atomic Energy Act of 1954, as amended.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 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).

The message further 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. 8609) 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.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOUNTAIN, Mr. BROOKS of Louisiana, and Mrs. DWYER were appointed managers on the part of the House at the conference.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H.R. 1387. An act for the relief of Mrs. Mary D'Agostino;

H.R. 4603. An act to amend the Organic Act of Guam for the purpose of permitting the government of Guam, with the consent of the legislature thereof, to be sued;

H.R. 6884. An act for the relief of Mrs. Barbara May Boswell;

H.R. 7225. An act for the relief of Sylvester L. Gardiner;

H.R. 7605. An act for the relief of the State of Oklahoma;

H.R. 8277. An act for the relief of Harold William Abott and others; and

H.R. 8599. An act to amend the Small Business Act, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 1434. An act for the relief of Mrs. Elba Haverstick Cash; and

H.R. 8728. An act to amend the Federal Boating Act of 1958 to extend for an additional year the period when certain provisions of that act will take effect.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 355. An act 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.

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml;

S. 1837. An act for the relief of Marguerite Fueller;

S. 2219. An act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes;

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes;

H.R. 839. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 2301. An act for the relief of Mrs. Gladys M. Ellison;

H.R. 3816. An act for the relief of Mukhtar Mohammed;

H.R. 4002. An act to authorize the use of Great Lakes vessels on the oceans;

H.R. 4714. An act to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.;

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students;

H.R. 5357. An act for the relief of Loretta F. Ossorio;

H.R. 5752. An act to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes;

H.R. 6269. An act 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;

H.R. 6335. An act for the relief of Mrs. Lourene O. Estes;

H.R. 6368. An act to amend the Tariff Act of 1930 to place certain pumice stone on the free list;

H.R. 6546. An act for the relief of Nancy Mae Floor;

H.R. 6579. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for tanning;

H.R. 6669. An act to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes;

H.R. 6781. An act to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park;

H.R. 7125. An act to provide for a study of the feasibility of establishing the President Adams Parkway;

H.R. 7437. An act 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;

H.R. 7571. An act to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution;

H.R. 7629. An act to extend section 17 of the Bankhead-Jones Farm Tenant Act for 2 years, and for other purposes;

H.R. 7744. An act for the relief of John I. Strong;

H.R. 7857. An act for the relief of Richard C. Long;

H.R. 8189. An act to improve the active-duty promotion opportunity of Air Force officers from the grade of captain to the grade of major;

H.R. 8196. An act for the relief of Everet Bumgardner;

H.R. 8197. An act for the relief of Lawrence M. Furtado;

H.R. 8198. An act for the relief of Martin Ackerman;

H.R. 8310. An act for the relief of Joseph H. Cornell;

H.R. 8461. An act to amend the Act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure;

H.R. 8593. An act to amend the Act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis;

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard;

H.J. Res. 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes;

H.J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks); and

H.J. Res. 513. Joint resolution designating the 17th day of December as "Wright Brothers Day".

WITHHOLDING FROM SALARIES OF FEDERAL EMPLOYEES FOR STATE INCOME TAX PURPOSES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 669, S. 2282.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2282) to amend the act of July 17, 1952.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert:

That the Act entitled "An Act relating to withholding, for State income tax purposes, on the compensation of Federal employees", approved July 17, 1952 (66 Stat. 765; 5 U.S.C. 84b–84c), is amended to read as follows:

"That where—

"(1) the law of any State or Territory provides for the collection of a tax by imposing upon employers generally the duty of withholding sums from the compensation of employees and making returns of such sums to the authorities of such State or Territory, and

"(2) such duty to withhold is imposed generally with respect to the compensation of employees who are residents of such State or Territory, then the Secretary of the Treasury, pursuant to regulations promulgated by the President, is authorized and directed to enter into an agreement with such State or Territory within one hundred and twenty days of the request for agreement from the proper officials of such State or Territory.

Such agreement shall provide that the head of each department or agency of the United States shall comply with the requirements of such law in the case of employees of such agency or department who are subject to such tax and who are residents of such State or Territory and whose regular place of Federal employment is within the State or Territory with which such agreement is entered into. A statement in writing of an employee that he is not a resident of the State or Territory in which he is employed shall be accepted by the head of each department or agency of the United States for purposes of the above agreement. No such agreement shall apply with respect to compensation for service as a member of the Armed Forces of the United States.

"SEC. 2. Nothing in this Act shall be deemed to consent to the application of any provision of law which has the effect of imposing more burdensome requirements upon the United States than it imposes upon other employers, or which has the effect of subjecting the United States or any of its officers or employees to any penalty or liability by reason of the provisions of this Act. However, no department or agency of the United States shall, after March 31, 1959, accept compensation from any State or Territory for services rendered in withholding State or Territorial income taxes from the salaries of employees of such department or agencies."

AMENDMENT OF SECTION 1 OF ACT OF JUNE 14, 1926—CONFERENCE REPORT

Mr. MOSS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the 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). I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CANNON 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 today.)

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. MOSS. Mr. President, the report is signed by all the conferees of both the Senate and House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MOSS. Mr. President, I move that the Senate reconsider the vote by which the conference report was agreed to.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR RECESS UNTIL 9 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 9 o'clock in the morning.

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

EXTENSION AND AMENDMENT OF PUBLIC LAW 480—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. 8609) 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. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CANNON 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 today.)

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. ELLENDER. Mr. President, all members of the conference, from both the Senate and the House, signed the report. It was a unanimous report.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an explanation of the conference report.

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

SENATE COMMITTEE ON AGRICULTURE AND FORESTRY—EXPLANATION OF CONFERENCE REPORT ON H.R. 8609

Two-year extension of titles I and II: The House bill provided for a 1-year extension of titles I and II of Public Law 480, 83d Congress. The Senate amendment provided for a 3-year extension. The conferees agreed on a 2-year extension.

Titles I and II authorizations: The conference substitute provides $1.5 billion for title I for each of the 2 years and $300 million for title II for each of the 2 years. In each case unexpended amounts may be carried forward from the preceding year. This is the same annual rate that was provided in the House bill and the Senate amendment.

Agricultural market development: The House bill contained a provision requiring an amount equal to 5 percent of total sales made under title I in the future to be used for agricultural market development. The Senate had no similar provision. The conference substitute adopts the House provision with clarifying amendments.

Acquisition of nonstrategic materials for stockpile: The House bill contained a provision enlarging section 104(b) of Public Law 480 to permit the use of foreign currencies generated under title I for the acquisition of nonstrategic materials for the supplemental stockpile. The conference substitute includes this provision. (No similar provision in Senate amendment.)

Additional foreign-currency uses: The Senate bill contained amendments to section 104 of Public Law 480 providing for the use of foreign currencies for scientific activities, workshops and chairs in American studies, nonfood emergency relief requirements, audiovisual educational materials, and third-country technicians. The provisions relating to scientific activities and workshops and chairs in American studies are included in the conference report without change in substance. The provision for third-country technicians has been omitted from the conference substitute. The Senate provision with respect to emergency nonfood purposes provided that not more than $2 million could be made available for that purpose during any fiscal year in total. The House bill provided that $2 million could be made available for this purpose in each country in each fiscal year, so that the total amount provided by the House bill could be greatly in excess of that provided by the Senate amendment. The conference substitute provides for not more than $5 million being used for this purpose in any fiscal year. This would be the total for all countries. With respect to audiovisual materials, the Senate amendment provided that not more than $5 million could be made available for this purpose during any fiscal year. The House bill contained no similar provision. The conference substitute limits the use of foreign currencies for this purpose to $2,500,000 in any fiscal year, but states that nothing in this provision shall limit or affect the use of foreign currencies for such purpose in connection with trade fairs and other market-development activities under section 104(a) of the act.

Under the Senate amendment and existing law, foreign currencies would be available for the uses just mentioned, except that of nonfood emergency relief, only in such amounts as may be specified from time to time in appropriation acts. The Department of Agriculture advised that it could carry out these activities under other provisions of the law, and that it would not interpret the new language as being intended to limit or alter existing authority unless Congress indicated a clear intent to the contrary. In order to make the intent of Congress clear, the conference substitute provides that foreign currencies may not be allocated for these purposes after June 30, 1960, under any provision of the law, except in such amounts as may be specified from time to time in appropriation acts. This, of course, does not apply to the nonfood emergency relief provision which provides for the use of $5 million annually for that purpose without appropriation.

Local language labeling: The House bill provided that the language of the locality should be used insofar as practical in identifying Commodity Credit Corporation stocks donated abroad under title II of the act and section 416 of the Agricultural Act of 1949 as being furnished by the people of the United States. The law already requires identification of such donations as being so furnished, and this provision simply adds the requirement that the identification be in the language of the locality where the stocks are being distributed, insofar as practical. (No similar Senate provision.) The conference substitute contains the House provision.

Food stamp plan: Both the House bill and the Senate amendment contained provisions for food stamp plans. The Senate amendment provided for a mandatory program in not less than three or more than six demonstration areas during the period ending January 1, 1962. The House bill provided for a permissive permanent program on a nationwide basis, extending into any State or political subdivision requesting such a program. The House bill was restricted to surplus agricultural commodities, while the Senate amendment was not. The conference substitute generally follows the provisions of the House bill, but makes it clear that needy Indians receiving welfare assistance will be eligible as needy persons for the benefits of the program; limits the program to the period February 1, 1960, through January 31, 1962; limits the cost of the program, including the cost of the commodities, to $250 million per year; and includes the Senate pro-

vision that the receipt by any person of benefits under the program shall not be deemed to be income under the Social Security Act or other Federal legislation, and the benefits of the section will be denied States or local subdivisions decreasing assistance to any person as a consequence of the assistance made available under the program.

Domestic relief: The Senate amendment requires the Secretary of Agriculture to make any surplus food commodity available for distribution to needy persons in the United States in such quantities as he determines are reasonably necessary before making such commodity available for sale under title I of Public Law 480. The conference substitute retains this section, but directs the Secretary to make such commodities available domestically "insofar as practicable."

Fats and oils: The Senate amendment contained a provision authorizing the disposition of Commodity Credit Corporation stocks of animal fats and edible oils by donation to relief agencies to assist needy persons outside the United States and authorizing the purchase of such fats and oils for such donation in such quantities as would maintain the support level for cottonseed and soybeans. The conference substitute contains this provision with one modification. The quantity authorized to be purchased by the substitute are such quantities as will "tend to" maintain the support level for cottonseed and soybeans. (No similar provision in House bill.)

Long-term supply contracts: The House bill contained a provision for long-term supply contracts under which the President would be authorized to enter into agreements with friendly nations providing for delivery annually of agricultural commodities which, at the time of delivery, are in surplus over periods of up to 10 years. Payment would be made in dollars with interest over periods up to 20 years from the date of the last delivery of commodities in each calendar year. The conference substitute contains this provision with a clarifying amendment. (No similar provision in Senate amendment.)

Enrichment and sanitary packaging: The Senate amendment contained a provision requiring the enrichment and sanitary packaging of certain cereal products when made available for certain donation programs. The conference substitute contains this provision, but omits white rice from the cereal products covered by it. (No similar provision in House bill.)

Conservation reserve payments: The Senate amendment contained a provision providing the same limitation on annual rental payments for conservation reserve contracts entered into in 1960 as applied in 1959. This limitation would replace the limitation prescribed for 1960 contracts by the 1960 Appropriation Act, which has been found to be very difficult to administer. The conference substitute contains this provision. (No similar provision in House bill.)

Extra long staple cotton: Both the House bill and the Senate amendment provided that the 1960 extra long staple cotton marketing quota could not be less than 90 percent of the 1959 quota and the conference substitute contains this provision.

Barter for strategic or critical materials to meet requirements of Government agencies: The House bill contained an amendment to section 206(a) of the Agricultural Act of 1956 to permit the Commodity Credit Corporation to barter agricultural commodities for strategic or critical materials to meet requirements of Government agencies. This provision, with a clarifying amendment, is contained in the conference substitute. There was no similar provision in the Senate amendment.

PROVISIONS OF SENATE AMENDMENT NOT CONTAINED IN CONFERENCE SUBSTITUTE

The only provisions of the Senate amendment omitted from the conference substitute are the provisions providing for the use of foreign currencies under title I of Public Law 480 for third country technicians and binational foundations.

PROVISIONS OF HOUSE BILL OMITTED FROM CONFERENCE SUBSTITUTE

The House bill contained provisions for an Export-Import Bank revolving fund for loans under section 104(e) of Public Law 480; maintenance of the value of foreign currencies loaned under section 104(g) of such Act; national food reserves; the use of agricultural commodities to fund economic development projects in underdeveloped areas; the payment of general average contributions arising out of the ocean transport of commodities transferred under title II of Public Law 480; the encouragement of barter for materials processed in the United States; and a short title. These provisions have all been omitted from the conference substitute.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. HOLLAND. Mr. President, the distinguished Senator from Louisiana, who was chairman of the committee of conference, has correctly reported that all members of the conference signed the report. There were so many matters involved in the bill, however, that, as a matter of course, there is no single member of the committee of conference who is satisfied, I feel certain, with every provision in the bill.

So far as I am concerned, there are several provisions in the bill with which I am not satisfied. However, I thought the general tenor of the bill was such, and the necessity of continuing this major program for the disposal of our agricultural surpluses was so great, that I was glad to sign the report.

There is one provision only of the bill to which I wish to refer, for fear the record might indicate that all the conferees were in favor of this particularly potentially very large new program; that is, the provision having to do with the food stamp plan. Of course, the food stamp plan really had no place in a bill having to do with the distribution of surpluses in the offshore, foreign effort which has proved to be of very great importance to our Nation.

I see present, among other Members who always have been interested in the bill, the one who, I think, first introduced it; I refer to the Senator from Kansas [Mr. SCHOEPPEL]. This bill has amply justified, over and over and over again, the efforts which have been made in connection with it.

But, Mr. President, this food stamp plan, as it is provided in the bill, met with the opposition of a substantial minority of the conferees.

I merely wish to call attention to that fact, and also to the reason why some of us felt we should object—as we did strongly for as long as we could—to the inclusion of the provisions for this program.

In the first place, we believe it is too big. It calls for expenditures annually of up to $250 million. That amount would more than double the present program, which already is a large one, and is participated in by 43 States, which, in June of this year, fed 4,715,349 people; and last year the program required the expenditure of well in excess of $200 million. That program operates entirely through the State governments or local governments, in the areas in which unemployment or other serious conditions requiring the distribution of surplus food justify the operation of the program.

Not only did a sizable minority of the conferees think that the program was too big, but the Senate will remember that it voted down a proposed $20 million a year program, and finally approved only a $15 million a year program. We went to conference with the Senate's provision for the $15 million a year program, as contrasted with the $1 billion a year program which, on the floor of the House, was voted into the House version of the bill.

I know that I speak for a substantial minority of the conferees of both the Senate and the House, when I say that we oppose the size of the program.

In the second place, we are opposed to the program because the proposed legislation—and, in general, we adopted a program for 2 years, and on a permissive basis only and limited to surplus foods, alone—does not spell out in any way many of the details which we believe are of such concern that they should be spelled out in any adequate measure.

In fact, the more we examined the program, the more apparent it became that it had been drawn on the spur of the moment, without carefully bringing together all of the details, or a considerable number of them, which should have been covered in making any careful approach to this problem.

So, Mr. President, without seeking to amplify this discussion at all, I merely wish the RECORD to show that several of those of us who participated in the conference were skeptical about the program; and I wish to state, for myself, alone, that I hope the Secretary of Agriculture will be just as skeptical as I am before he seeks to apply this program—lacking, as it is, in almost all the fundamental machinery which should have been provided by the act itself.

Mr. HART. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator from Michigan.

Mr. HART. Let me ask whether the conference committee's recommendation in regard to the food stamp program makes it mandatory that there be the three to six experiments; or will that be merely optional, so far as the Secretary is concerned?

Mr. HOLLAND. It will be only permissive or optional.

But I know the Senator from Michigan is concerned with the point that before any program may be instituted, it must be worked out in cooperation with the State or local authorities who are operating the present program—which, in his own State, is a quite sizable one.

Mr. HART. As the Senator from Florida and the distinguished chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] know, I regret that the conference report does not provide that this food stamp program shall be mandatory.

Mr. HOLLAND. Mr. President, the comment made by the distinguished Senator from Michigan is quite illustrative of what occurred in the conference. Hardly any detail of the entire program was agreed to by all the conferees. We simply agreed that since each House had provided for a program dealing with a food stamp plan, the conference report should contain some provision on it. But I am sorry to say that the program is not spelled out with the certainty that the seriousness of the subject in my judgment requires.

Mr. SCHOEPPEL. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER (Mr. DODD in the chair). Does the Senator from Florida yield to the Senator from Kansas?

Mr. HOLLAND. I yield.

Mr. SCHOEPPEL. I thank the Senator from Florida for yielding to me.

Let me say that I appreciate very much his generous remarks relating to the Senator from Kansas with reference to this measure.

I wish to say that I appreciate what the Senator from Florida has had to say in regard to the conference report and some of the amendments of this measure.

I am sure he knows that the Senator from Kansas has certain misgivings about certain of the amendments which were included in this measure.

I appreciate the fact that in the conference committee sessions it became necessary to give, as well as to take. But I fear that some of the amendments which are not being spelled out in detail will rise to haunt us with reference to legislation of this type.

But I do appreciate the efforts which were made by the conferees—including the distinguished Senator from Florida [Mr. HOLLAND], as well as the chairman of the full committee [Mr. ELLENDER]—in connection with this matter.

Mr. HOLLAND. Mr. President, I appreciate very much the comments of the Senator from Kansas.

I may say that I conferred with the distinguished Senator from Louisiana [Mr. ELLENDER], prior to his submitting the conference report, and advised him that I would make this statement in regard to the food stamp plan. It is my definite feeling that the Senator from Louisiana also has his very grave misgivings about this program. However, on that point I prefer to speak with certainty only for myself.

Mr. President, I yield the floor.

Mr. AIKEN. Mr. President, I wish to agree with the Senator from Florida [Mr. HOLLAND] to the extent that he has expressed disappointment in regard to the language of the so-called food stamp amendment which was included in this measure by the conferees. However, I am afraid that at that point our agreement in regard to the desirability of a program of this nature ends.

I am disappointed about the language adopted by the conferees, because I am afraid it will not be effective.

I am not one of those who believe implicitly in the survival of the fittest. I do not believe that people grow old simply because they wish to grow old. I do not believe that people become crippled simply because they wish to become crippled. I do not believe that children become orphans because they wish to be orphans. Neither do I believe that married women become widows—at least, I do not believe that most of them do—because they wish to be widows. Similarly, I do not believe that people become sick with chronic illnesses because they wish to become sick. And neither do I believe that in our land of plenty we should tolerate a situation in which 25 million people are unable to have diets which will keep them in good health and make them reasonably happy.

I am disappointed about the provisions which were included by the conferees, because I believe those provisions certainly will not be effective, unless they are wholeheartedly applied by the Department of Agriculture; and in that connection I have in mind the fact that the Secretary of Agriculture has expressed very sharp disapproval of any program of this nature.

I think we have to work from here on. The language that is in this conference report does express the sentiment of the two Houses of the Congress, to the effect that we should not tolerate hungry people in a land of plenty; and we shall have to go on from here. We have the expression of the two Houses now, and must continue our efforts in this respect.

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

Mr. AIKEN. Mr. President, it is perfectly possible to enact legislation which will accomplish this end, which will not cost any more than we are spending now, and which will take the Government out of competition with private industry, to a very large extent.

I certainly hope, having once expressed its opinion, that the Congress will proceed to go on until we have an effective program so that unfortunate people—some of them, Mr. President, trying to live on $50 or $60 a month, and spending $40 a month of it for rent—will be aided. They have a right to live. They have a right to eat. They have a right to be as happy as we can make them, if they are not destitute through their own fault.

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

Mr. AIKEN. I yield.

Mr. HOLLAND. I think the record has clearly shown this fact before, but in case it has not I want to make it perfectly clear now, that the Senator from Vermont has assiduously supported the setting up of a food stamp program for many years, and he certainly has been animated by the highest motives, which the Senator from Florida respects, and the Senator from Florida honors him for the remarks which he has made. The Senator from Florida knows him to be a warm advocate of a food stamp program. The contrast between his comments and those just made by the Senator from Florida show that, though we are not on the same side on the question of the kind of approach which should be made, both of us are dissatisfied with the provisions of the conference report because we know that no workable framework is proposed; and it was for the purpose of stating that fact that the Senator from Florida rose.

I think the Senator from Vermont would be the first to admit that the Senator from Florida, as much as any other Senator, had much to do with the setting up of the present program under which some 4¾ millions of our people are being fed. The question of the adequacy and the definiteness and the workability of this duplicate food stamp program was one that gave equal concern to those who wanted a food stamp program and those who did not want it, because we feared it would not dovetail with the existing program.

Mr. AIKEN. I know the Senator from Florida has an objective similar to mine, but may perhaps differ as to the road which should be taken to reach it. I think we should continue to work on this problem until we come to a satisfactory solution which can be approved by the majorities of both Houses.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, the Senate has approved the conference report on Public Law 480. As a member of the conference committee, I signed the report; I believe it represents substantial progress in the field of agricultural policy and the relationship of such policy to our international goals.

Mr. President, the conference report embraced a 2-year extension of Public Law 480 under title I and title II. It provided for long-term credits for the sale of agricultural commodities that are in surplus supply. I believe it will be an effective tool in economic competition on the international front. It also provided new uses for the currencies that are being accumulated.

Mr. MORSE. Mr. President, may the Senate be in order so that I can hear the Senator?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MORSE. The Senator is speaking on a matter which I have been waiting all afternoon to hear discussed.

The PRESIDING OFFICER. The Senate will be in order.

Mr. HUMPHREY. The conference report also provides for new uses of the foreign currencies which are accumulated as a result of the sales of our surplus commodities under the provisions of title I of Public Law 480. Some of those new uses relate to the needs of the Office of Civil and Defense Mobilization. Some of the new uses relate to providing materials for the Atomic Energy Commission and the Department of Defense, materials which can be purchased by soft currencies or obtained through barter

arrangements. This is a desirable and constructive change which I support.

The conference report also includes specific authorization for the use of our foreign currencies in such activities as sanitation, nutrition, education, health and medical research, scientific activities, the establishment of chairs of American studies and American workshops in universities overseas, along with the distribution, preparation, use, and translation of audio-visual aids as a part of our technical assistance and education program overseas. This is new authority and should be quickly implemented.

I have not mentioned all of the new uses for foreign currency, but I have emphasized some of the new uses that have been authorized by the conference agreement between the House and the Senate relating to Public Law 480 activities.

I believe that this is constructive and good legislation. It represents progress and gains.

I wish to make it quite clear that there are many activities already provided for under existing law, Public Law 480, which were not affected in any way by the amendments to the Extension Act, S. 1748, as passed in the Senate. In other words, certain provisions under section 104 are maintained without change or interference, and we have added new uses which will, to my mind, enhance our foreign policy, strengthen it, and give our representatives abroad an opportunity to do a much better job in terms of economic development and community improvement in some of the underdeveloped areas of the world. Furthermore, it should be understood that the use of foreign currencies is supplemental to, in addition to, regular appropriations.

Mr. President, there were other provisions which I believe to be very helpful and constructive. One provision gives authority to the Secretary of Agriculture to utilize animal fats and edible oils in overseas programs of relief and charity programs on a donation basis; also that the Secretary may purchase animal fats and oils under the price support operations of the Commodity Credit Corporation and make these products available for overseas distribution. These purchases are to be made in order to help maintain price support levels for soybeans and cottonseed.

I addressed myself to this subject matter yesterday in referring to an article from a magazine relating to the feed industry. Those comments are to be found in the CONGRESSIONAL RECORD of Thursday, September 10, on pages 18972 and 18973. The article to which I referred was entitled "Soybean and Swine Outlook Analyzed," from Feedstuffs magazine of September 5, 1959.

Mr. President, I mention this again because I am fearful that while the authority is provided in Public Law 480 conference report for the donation of animal fats and edible oils in an overseas feeding program, the Secretary may be reluctant to use that authority. I want the record clear that the authority was put there to be used if there are surpluses of either animal fats or edible oils. The authority is there for the Secretary to act and not merely to look at it. He is authorized to buy and to donate animal fats and edible oils both as a humanitarian program and in accordance with price support operations.

A year ago there was enacted authority of a less comprehensive nature. Regrettably the Secretary did not use the authority and did not act; as a result, producers of cottonseed, soybeans, and other products which can be converted or processed into edible oils found a very serious price decline, costing the producers millions of dollars. Had the authority been used at the proper time prices could have been maintained at a reasonable level and those persons who were in need could have been fed, and the many voluntary agencies representing our great religions in this country as well as nonsectarian groups could have performed a very valuable humanitarian service overseas.

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

Mr. HUMPHREY. I yield to the Senator from Pennsylvania.

Mr. CLARK. I have been trying all afternoon to get a copy of the conference report. I was told it was not available. Unfortunately, I could not be in the Senate when the conference report was brought up.

Will the Senator advise me whether, in the conference report which was adopted, the substance of the Cooper amendment, which many of us cosponsored, calling for a priority for food for the needy ahead of purchases by foreign currency abroad, was continued in the bill?

Mr. HUMPHREY. It was.

Mr. CLARK. I thank the Senator.

Mr. HUMPHREY. The Cooper amendment was modified so that it would not jeopardize the Secretary's power to conduct normal operations of the Commodity Credit Corporation. The language states that he shall make available surplus foods, insofar as practicable, but this is a much stronger provision than we had in existing law. Actually the existing law was the result of administrative interpretation and regulation.

Mr. CLARK. Was there any authorization for an appropriation to make it possible?

Mr. HUMPHREY. No, there was not. However, the distribution does take place. There are commodity distribution programs presently in operation.

Mr. CLARK. I am aware it is now taking place, but the objection has been raised that if we gave this priority for the domestic needy, we would be incurring huge additional expense. I wonder if that question was considered in the conference report at all.

Mr. HUMPHREY. The question was not dealt with directly. It was recognized by the conferees—and I must say that one of the conferees who stood very firmly for the Cooper amendment was the Senator from Florida [Mr. HOLLAND]—that this was an obligation that we should assume, and that the Government should be prepared to assume, whatever costs were involved in the donation program for needy persons within the United States, from our surplus commodities. Of course, the program would be directly limited by the availability of surplus commodities.

I will say to the Senator from Pennsylvania, however, that the Cooper amendment should not be interpreted as interfering with title I, dealing with sales under Public Law 480, nor should it be interpreted as interfering with the normal operations of a cash sale program. Where the commodities can be sold for cash, such a transaction is within the charter of the Commodity Credit Corporation; and I am sure that Members of Congress would expect the Government to be able to sell its commodities, if it could sell them for cash and also under the authority of title I of Public Law 480.

Mr. CLARK. When the Senator says cash, he does not mean to include local currencies, does he?

Mr. HUMPHREY. I said under title I of Public Law 480, which means local currencies.

Mr. CLARK. Then am I to understand that sales for rupees, or the currency of Cambodia or Laos, would still take priority over the utilization of these products for the needy at home?

Mr. HUMPHREY. We said insofar as practicable. If there are large amounts, they should be available for domestic use and title I. If there are small amounts which could not be distributed equitably, the Secretary would have discretion as to how best to use them.

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

Mr. HUMPHREY. I yield.

Mr. SPARKMAN. I was hoping that we could dispose of the pending measure, in which several Senators are interested.

Mr. HUMPHREY. I shall not be long. I have waited quite awhile for this opportunity, and the conference report is of keen interest to me.

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

Mr. HUMPHREY. I yield.

Mr. HOLLAND. The Senator from Pennsylvania [Mr. CLARK] had asked me about this subject prior to his questions on the floor. I could not at that time remember everything that occurred; but what the Senator from Minnesota has said is exactly what occurred. We inserted the words "insofar as practicable."

I thought the point made by the House was valid, that when commodities bought under section 32 are highly perishable or are not in sufficient quantity to make for national distribution, or when commodities are acquired which are necessary to be used in connection with the rebuilding of a destroyed export business in those same commodities, under a different provision of Public Law 480, the conferees of the House wanted it understood that neither of these situations would be interfered with. I believe that the decision of the full conference was in accord with that position. If that is not so, I should like to have the Senator correct me.

Mr. HUMPHREY. That is my understanding of the report.

I conclude by pointing out that certain features were not adopted, which I regret. Among them was the national Food Reserves provision, suggested by the administration, which I think was a sound provision, both from the point of view of the national defense and security, and from the point of view of having available supplies of food and fiber in food devastated areas, when they are needed. I hope that next year we shall be able to amend the Act to include the National Food Reserves, or, as the Representative from Connecticut, CHESTER BOWLES, has called them, Food Banks—National or International Food Banks.

Mr. HOLLAND. Mr. President, will the Senator further yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. The Senator will recall that the Senate had refused to adopt that objective, and that it was the duty of the Senate conferees to object to the inclusion of that provision in the conference report, which we did.

Mr. HUMPHREY. Yes.

Finally, we dropped from the conference report a provision which the Senate had adopted, with respect to binational foundations. I regret very much that this happend, because I believe that binational foundations have a distinct role in this program.

My suggestion is that, as we review in the next year the uses of foreign currency, we will find a place for the implementation of binational foundations and the broader use of grants and loans for economic and social development projects.

The bill as it came from conference, however, to my mind represents a very constructive effort, including the provisions of the food stamp plan, which I hope the Secretary will consider in connection with a trial run, at least. I know that the Secretary has expressed opposition to food stamp plans. We have now authorized a broad food stamp program, and I hope the Secretary will look upon the language adopted by the Senate as a guideline to a trial run or pilot experimental project in the first year, to get an opportunity to see how it could operate. The authority exists for a much broader program but the least the Secretary should do is to look upon the language of the act as permitting him to undertake, as a minimum, a pilot or experimental program, and then enter into a much more significant program. I understand the Secretary personally opposes such a program. He looks upon it as a depression measure. However, the Congress expects action, not delay and excuses.

LEGISLATIVE PROGRAM

Mr. COTTON obtained the floor.

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

Mr. COTTON. I yield to the Senator.

Mr. DIRKSEN. Mr. President, inasmuch as the Senator from New Hampshire [Mr. COTTON] has been so courteous to yield to me at this time, for this purpose, I now wish to ask the majority leader about the program.

Mr. JOHNSON of Texas. Later in the evening we shall have a calendar call, I believe.

We shall also bring up, by motion, several bills which have recently been reported, and are now on the calendar. I have previously made announcements in regard to some of them.

We plan to have the Senate convene tomorrow at 9 a.m.

We shall take up the mutual security bill. A motion to suspend the rule will be made in connection with that bill; and there will be several hours of debate on that motion. We hope to have the vote on the motion taken as early as possible. As the Senators are aware, a two-thirds vote will be required in order to suspend the rule.

Then several amendments will be proposed to the mutual security bill.

I hope the Senate will be able to conclude its action on that bill tomorrow night but I am informed that that may not be possible, in view of the number of Senators who will desire to speak on that measure tomorrow. If not, we shall convene early on Monday, and then shall continue with the calendar call, and then shall consider several of the bills about which I have previously made announcements, in addition to completing our action on the mutual security bill.

Mr. DIRKSEN. Let me ask about the plans for the remainder of today, and also in regard to the consideration of any other bills.

Mr. JOHNSON of Texas. I have given notice about any measures on the calendar which are not passed during the call of the calendar.

After we complete the action on the pending bill, we shall have a calendar call.

Then we shall consider Calendar No. 820, House bill 7244, to protect savings and loan associations from encroachment by holding companies, I believe.

AWARD OF PHILIPPINE LEGION OF HONOR TO MAJ. GEN. BERNARD W. KEARNEY

Mr. JOHNSON of Texas. Mr. President, in the meantime, I ask that the Foreign Relations Committee be discharged from the further consideration of House bill 5477, and that the bill now be considered by the Senate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the Chair lays the bill before the Senate.

The Senate proceeded to consider the bill (H.R. 5477) to authorize Maj. Gen. Bernard W. Kearney, U.S. Army (retired), a former Member of Congress, to accept and wear the Philippine Legion of Honor in the degree of commander, conferred upon him by the Government of the Philippines.

Mr. JOHNSON of Texas. Mr. President, I have discussed this matter with the distinguished minority leader and with the interested committee members.

This measure is to be passed as a courtesy to a distinguished former Member of the House of Representatives, who was respected on both sides of the aisle. The House has already passed the bill; and I hope the Senate will do likewise.

The bill authorizes the acceptance by Major General Kearney of a medal which was awarded him in 1957 by the Philippine Government, in recognition of his services to the veterans of the Philippine wars.

Mr. KEATING. Mr. President, I wish to say that I have long known of the distinguished services of my former colleague in the House of Representatives, "Pat" Kearney. He rendered outstanding services while he was a Member of the House of Representatives. In view of those services and in view of my knowledge of the facts which gave rise to the conferring of this award upon him, I feel sure that it is richly deserved.

"Pat" Kearney is a great American citizen; and all of us who served with him are very proud of him. I am happy that the majority leader has brought up this measure.

Mr. DIRKSEN. Mr. President, a great many Senators who formerly served in the House of Representatives know "Pat" Kearney intimately. He rendered outstanding service in the House of Representatives, and he had a distinguished military career. As I recall, he served several terms as national commander of the Veterans of Foreign Wars.

I remember him very well, and I esteem him very highly. I believe the honor which has been bestowed upon him by the Philippine Government is richly deserved, and was awarded in recognition of his outstanding services and his great ability as a military man.

So I am delighted that the Senate is to act in accord with the action already taken by the House of Representatives so as to make it possible for him to receive this reward.

Mr. JAVITS. Mr. President, I served in the House of Representatives with General Kearney; and I wish to add to the remarks already made by my colleagues who have spoken so eloquently about him. Let me point out that he was a great leader in the House of Representatives, in connection with veterans' affairs; and some of the most constructive work done by the Veterans' Affairs Committee of the House of Representatives was done under the stimulus and the initiative and, I believe, almost the inspiration of Bernard Kearney.

He is a very distinguished citizen of New York; and I believe we can say with great pride that the award is only a certification of what we in New York already know—namely, that "Pat" Kearney richly deserves any honors which our Government or any other government may see fit to bestow upon him.

So, Mr. President, it is with great gratification that I join in the tributes which have been paid to him by my colleagues.

Mr. BEALL. Mr. President, I join my colleagues in the tributes they have paid to "Pat" Kearney. I, too, served with him in the House of Representatives. He is a very close personal friend of mine; and I am indeed happy that he is being honored in this way.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H.R. 5477) was ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, let me ask the majority leader whether an order has been entered to have the Senate convene at 9 a.m. tomorrow.

Mr. JOHNSON of Texas. Yes.

The PRESIDING OFFICER. The order has been entered.

Mr. JOHNSON of Texas. Mr. President, let me announce that all the measures on the calendar will be called, from the beginning of the calendar, during the calendar call.

We also expect to bring up by motion a number of bills. There will be objections to some of them, and perhaps there will be lengthy debate. If so, we shall have to move to take up other bills.

Some of the bills we have in mind are the following:

Calendar No. 669, Senate bill 2282, to amend the act of July 17, 1952.

Calendar No. 819, Senate bill 694, to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Calendar No. 820, House bill 7244, to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

Calendar No. 828, Senate Resolution 169, concerning the desirability of holding an international exposition in the United States.

Calendar No. 921, Senate bill 2168, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine.

We expect Calendar No. 819, S. 694; Calendar No. 828, Senate Resolution 169; and Calendar No. 921, S. 2168, probably will go over until Monday.

Order No. 398, H.R. 6190, we hope may be taken up a little later today.

We also have a motion to reconsider entered on behalf of the Senator from New Hampshire [Mr. BRIDGES] yesterday on an amendment to the Battle Act. We expect to discuss that later in the day.

In addition, we will consider any bills that may be called on the calendar call, and announce some of those that may be called up by motion today or early tomorrow morning or Monday.

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

Mr. JOHNSON of Texas. Yes.

Mr. PROUTY. Did I understand the distinguished majority leader to say the vegetarian bill will be taken up tomorrow?

Mr. JOHNSON of Texas. What number is that?

Mr. PROUTY. Calendar No. 921, S. 2168.

Mr. JOHNSON of Texas. That would be for Monday.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry, if it is a parliamentary inquiry. I am not quite sure I am familiar with any vegetarian bill.

Mr. KEATING. That is Calendar No. 921, the one that is an attack on the dairy industry.

Mr. PROUTY. That bill would require members of the Navy to become vegetarians.

Mr. FULBRIGHT. Mr. President, will the majority leader yield?

Mr. JOHNSON of Texas. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I know the Senator from New York has expressed opposition to Calendar No. 828, Senate Resolution 169. I talked to the senior Senator from New York [Mr. JAVITS]. At one point I thought we had agreed to have an amendment made, but the position of the Senator now is that he would rather have no resolution than to amend it.

I may say the Committee on Foreign Relations considered the proposal of the Senator from New York, and reported the resolution unanimously. It is my conviction that the overwhelming majority of this body wishes to enact Senate Resolution 169. As I stated before, the resolution was endorsed by the administration. The Department of State is in favor of the resolution. I think it is in the public interest. It is not a matter of any local interest to my State. It is not a matter about which I am greatly excited, but in view of the obligation of the chairman of the committee, and having brought the resolution to the floor with the unanimous approval of the committee, I think it should be submitted to the Senate for a vote.

I think the Senator from New York should not prevent the Senate from considering it at all. If the Senator from New York can convince the Senate of his views, I have no objection to his doing so, but I do not think it is fair to bury the resolution. If it is to have any effect at all, it must be agreed to now, because the exposition to take place will occur in November. It is not one of those measures that can go over until January for action. If it is not acted on now, it will be dead.

I think the administration has a good case, and is entitled to action by the Senate, in spite of the objection of the Senator from New York.

Mr. JAVITS. Mr. President, will the Senator yield to me so I may comment on the resolution concerning a World's Fair?

Mr. JOHNSON of Texas. Yes.

Mr. JAVITS. I think the Senator from Arkansas has properly raised the point, because perhaps we can do something constructive at this time. I submitted an amendment in an effort to redeem a measure which, under the circumstances of world's fairs and how they work, cannot work. In an effort to do something, after investigation by New York State and New York City authorities, I find the measure cannot be saved. Therefore, that accounts for my effort to bring about a meeting of the minds with respect to the committee's resolution, which I did out of deference to them, and not out of any expectation that it could be done. It cannot work, and for the reason I shall state, and I shall not be long:

New York does not wish to shut out any other city, and the best proof of that is that in 1939 there were two world's fairs, one in New York and one in San Francisco. Resolutions went through Congress giving both the opportunity to have world's fairs. New York does not want a resolution to be agreed to which will shut everybody out, because the mechanics of appointing a commission to pick a site, which in itself is a very different procedure from what it was before, and because of the political turmoil into which it is bound to throw the whole operation, will result in the United States being deprived of an opportunity to have a world's fair at all, because, in the final analysis, the choice as to where in the world a world's fair shall be held is decided by an agency in Paris.

I submit to the chairman of the Foreign Relations Committee, notwithstanding the excellent intentions which I am sure went into this matter, that, in the light of the history of world fairs and the way they are run, the enactment of this bill would throw the matter into greater difficulty, instead of helping.

I am informed that the State Department is in a position to do everything that needs to be done with respect to any American city to enable it to qualify to have a world's fair in the eyes of the foreign organization to which I referred, without any resolution. Therefore, if it is unsatisfactory, and I do not see why it should be, to have resolutions for New York City and Washington, D.C., so far as New York is concerned, we shall be glad to have another resolution for Washington if they are able to carry on a fair, because that is exactly what happened in 1939, but if we cannot have that, in view of the fact that the State Department can proceed anyhow, I think we are better off without a resolution, and the people in New York think so.

Mr. DIRKSEN. Mr. President, I think our friend from New Hampshire yielded to me. I do not want to take advantage of him, because he was in the middle of a very powerful, persuasive, and devastating argument.

Mr. COTTON. Mr. President, I am perfectly willing to wait patiently while my friends make these very able speeches, but I ask unanimous consent, if this is going on, that all of this colloquy should appear at the end of my remarks, with the understanding that I am perfectly willing to wait until tomorrow, if necessary.

The PRESIDING OFFICER. Without objection, the colloquy will appear at the end of the remarks of the Senator from New Hampshire.

Mr. DIRKSEN. Mr. President, I wanted to ask the majority leader whether he could indicate to us how late the Senate might stay in session this evening.

Mr. JOHNSON of Texas. I have no idea. If we are going to talk about what we ought to do instead of doing it, we shall be here until midnight. We have a number of bills to call up by motion. Some of them have been on the calendar for a good length of time.

I will say to the Senator from Arkansas [Mr. FULBRIGHT], I am not trying to delay the world's fair resolution, and I do not know of anyone else who is. I have agreed to bring up several measures on the calendar. For example, one affects the State of Arkansas. I agreed earlier today that after 4 o'clock this afternoon I would proceed to the transfer to Arkansas bill, Order No. 398, H.R. 6190, but we have not finished Order No. 669, S. 2282. So we cannot get to that. I also mentioned Order No. 820, H.R. 7244.

All of those bills have been on the calendar longer than the world's fair resolution. I do not know why the world's fair measure ought to come in and displace the mutual security appropriation bill and everything else.

I agreed that we would be here Monday. We will come in very early Monday. I am going to make a motion to consider the resolution Monday. I hope no one will filibuster the resolution. I will do all I can to give each Senator an opportunity to amend the resolution in any way he can, and then I will ask for a vote on passage of the resolution. I cannot do that on Saturday because of the mutual security bill. That bill must go to conference. I do not feel that I should set aside the bills which were reported and cleared by the policy committee some weeks ago, when this resolution was reported only a few days ago.

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

Mr. JOHNSON of Texas. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I simply want the record to be very clear that the committee did what it was asked to do. I did what I was asked to do. I think the resolution is in order. It would give everybody a fair chance. The responsibility for inaction ought to be very clearly at the feet of the Senators from New York, because they must take full reponsibility for obstructing action on this proposed legislation. It was requested by the administration, which believes the resolution would be useful in order to promote an orderly world's fair.

Mr. JOHNSON of Texas. If I could get an agreement, I would agree, if the Senate is disposed to do so, that upon the completion of action in regard to the bill before the Senate we proceed to consider Calendar No. 828, with a limitation of 1 hour of debate, the time to be equally divided between the proponents and the opponents.

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

Mr. JOHNSON of Texas. I yield to the Senator from New Hampshire.

Mr. COTTON. Would it not be even better, I will ask the distinguished majority leader, to set aside consideration of the bill before the Senate until next January, and proceed with consideration of the resolution now?

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

Mr. JOHNSON of Texas. I yield to the Senator from New York.

Mr. KEATING. There is no disposition on the part of this Senator from New York, and I believe there is none on the part of my colleague, to prevent debate on the resolution. We are ready to debate the resolution. It has been stated that the resolution will be on the calendar, for consideration next Monday.

Either the Committee on Foreign Relations or the administration, and I do not know which—our friend says both—has concocted this completely new method or device as to the holding of the world's fair. It is something entirely different from anything we have been confronted with before. We have ample precedent for doing this in another way. Whether this procedure was concocted by the Committee on Foreign Relations or by the administration, if it is against the interests of New York the Senator cannot blame me for opposing it.

Mr. FULBRIGHT. I have made it clear that the text of the resolution was handed to me by people speaking for the Department of State. I did not concoct it, nor did the committee.

Mr. KEATING. Very well.

Mr. FULBRIGHT. However, I say it is a very reasonable resolution. The committee considered it, along with the resolution of the Senator from New York, and unanimously reported the resolution. I will take full responsibility for our judgment as to which resolution is in the public interest.

Mr. KEATING. All I say to my dear friend from Arkansas is that when the State Department, or the administration, is acting against the interests of New York I am just as much opposed to them as I would be opposed to the Senator from Arkansas if he should be acting against the interests of New York.

This resolution involves a completely new method of approaching the whole proposition of the world's fair.

Mr. FULBRIGHT. It is new. I do not deny that. There is no doubt about the fact that the resolution is worded to give the rest of the country an opportunity to participate, and not to have all the world's fairs monopolized by the city of New York. That is exactly the purpose.

Mr. KEATING. That is exactly what we should do—give every city an equal opportunity—but the resolution would not do so.

Mr. SCOTT. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from Pennsylvania.

Mr. SCOTT. I should like to make a suggestion to the distinguished Senator from Arkansas: Why not hold the world's fair in Philadelphia, the cradle of liberty?

Mr. FULBRIGHT. That would suit me fine. The resolution would give Philadelphia an opportunity.

Mr. JAVITS rose.

Mr. JOHNSON of Texas. Mr. President, I yield to the senior Senator from New York.

Mr. JAVITS. Mr. President, the approach of New York is not an exclusivist approach. We will welcome similar resolutions to that which we have proposed, for every city in the country which feels it can hold the fair. This is all entirely consistent. We simply do not want to have the matter tied up in redtape and commissions until nobody gets anything. That is all the resolution looks as if it would accomplish.

I believe we can prove that to the Senate. I will say to the Senator from Texas we will be unable to accept his time limitation under those circumstances. From what the Senator from Arkansas has already told us, we will have to prove our case. We are fully prepared to do so, but if we are going to do that we will need a little opportunity to do it.

Mr. KEATING. Ample opportunity.

Mr. MORSE. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. In just a moment.

Mr. MORSE. I should like to ask the Senator from New York a question.

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. Do I correctly understand that the Senator from New York is suggesting he would not accept a time limitation on this matter?

Mr. JAVITS. If the Senator from Texas will yield, the Senator from New York will not accept an hour's time limitation on this matter, nor will the Senator from New York accept its being put on this afternoon.

Mr. KEATING. Nor, I believe, will the Senator from Oregon accept the limitation.

Mr. MORSE. I simply wondered if I heard the Senator correctly.

Mr. KEATING. There are occasions when this Senator from New York will object to a limitation of time. I feel certain that if I did not object there might be an objection from the Senator from Oregon.

Mr. MORSE. If there is any doubt about that, I remove it.

Mr. JAVITS. Mr. President, if the Senator will yield, there is no desire whatever to forestall action. I think we have an excellent case and we can prove our case to the Senate.

Our case is not that the fair should be given to the city of New York, but that it should be available to the United States. I think we can prove the case. At the proper time we will undertake to do so.

DESIGNATION OF THE DAM ACROSS THE LAMPASAS RIVER IN TEXAS AS STILLHOUSE HOLLOW DAM

Mr. JOHNSON of Texas. Mr. President, a responsible government is a responsive government—responsive to the needs and desires of its people. In that light, I compliment the Senate for having passed Calendar No. 1026, H.R. 616, a bill which was introduced in the House by Mr. POAGE, the able and distinguished representative of the 11th District of Texas.

This bill is responsive to the desires of the people. It would, Mr. President, change the name of the dam to be con-

structed on the Lampasas River in Texas from Lampasas Dam to Stillhouse Hollow Dam.

This dam will be located on the Lampasas River in Bell County, Tex., about 3 miles southwest of Belton, Tex., but approximately 40 miles east of the town of Lampasas. The original plan was to name the dam for the river on which it will be built.

However, local groups in the area have expressed belief that confusion would result from using the same name as that of a town located many miles away.

Instead, these local groups have proposed a name steeped in local tradition, a name that recalls both the cool, clear water of the Lampasas River and the fertile fields of the valley in which the dam will be located. Local chambers of commerce in the area and others have proposed, Mr. President, that this structure be officially designated as Stillhouse Hollow Dam—a name on which one may conjure, but never be confused.

Mr. President, I believe that the Senate should honor the customs and traditions of the fine people who live in the Stillhouse Hollow area, and I am gratified that it has been responsive to their desires in this instance.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

NATIONAL SHORELINE AREA ON PADRE ISLAND

Mr. JOHNSON of Texas. Mr. President, the able and beloved chairman of the Senate's Interior and Insular Affairs Committee the distinguished senior Senator from Montana [Mr. MURRAY] has announced his intention of holding public hearings this fall in Texas on the question of establishing a national shoreline area on Padre Island. I was delighted to learn this news.

I am now further gratified to learn that a tentative decision has been made by the committee to hold this public hearing December 11, 1959, probably at Corpus Christi.

For my distinguished colleagues in the Texas delegation and for the people of Texas, I know I can say that those who participate in this hearing will receive a true, warm Texas welcome. I also voice with every confidence the belief that these visitors to Texas will return to Washington lastingly convinced of the tremendous potential for a public recreation area at Padre Island.

Mr. President, I wish to express my deep appreciation to the able and beloved chairman of the Senate Committee on Interior and Insular Affairs [Mr. MURRAY], the members of the committee, and the committee staff for their cooperation in furthering this most important proposal.

As I am sure my colleagues know, Padre Island, located on the Texas gulf coast, is the longest natural shoreline area remaining in the United States. It presents the one last opportunity to our Nation to save a substantial area of shoreline in a natural state. I believe that with this decision of the Committee on Interior and Insular Affairs we are one step further toward the preservation for future generations of a wonderful wilderness area on Padre Island.

NOTICE IN REGARD TO CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask the aids of the Senate to notify Senators we shall try to have a call of the calendar as soon as we have completed action on the bill before the Senate.

RELEASE OF COMMITTEE INFORMATION ABOUT LOCAL 107 OF THE TEAMSTERS UNION IN PHILADELPHIA

Mr. JOHNSON of Texas. Mr. President, I should like to yield to the Senator from Arkansas [Mr. MCCLELLAN], who desires to have action on a resolution, in order that some papers may be given to the court in Pennsylvania.

Mr. MCCLELLAN. Mr. President, I offer a resolution as chairman of the Senate Select Committee on Improper Activities in the Labor or Management Field and ask for its immediate consideration. This resolution has been considered and adopted by the members of the Senate select committee.

In hearings held before the committee into the activities of the officers of local 107 of the Teamsters Union in Philadelphia, there is ample evidence of misuse of union funds, forgery, and other criminal activities by officials of the Teamsters Union.

The district attorney, the Honorable Victor H. Blanc, of the city of Philadelphia, Pa., has expressed his desire to obtain copies and present the records of local 107 of the Teamsters Union to a grand jury investigating certain criminal violations of the law in the State of Pennsylvania.

I feel it important that such records obtained by the Senate select committee in the course of 'ts activities should be made available to local law enforcement agencies to enable them to enforce the laws of the local government.

I deem it my duty, as chairman of the committee, to do everything possible to aid and assist local law enforcement agencies in the performance of their duty, and if the committee has any evidence of wrongdoing on a local level, I believe it should cooperate with such local officials and permit them to utilize such evidence to enforce their laws and to eliminate labor racketeering.

Mr. President, I submit for the RECORD a telegram which I have received from the district attorney of the State of Pennsylvania, making this request of the committee.

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

PHILADELPHIA, PA., *September 11, 1959.*

Senator JOHN MCCLELLAN,
Chairman, U.S. Senate Select Committee on Improper Activities in Labor or Management Field, Senate Office Building, Washington, D.C.:

Desire permission to present records, and where necessary, obtain copies thereof, of local 107 of International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, presently in your possession, to grand jury. Original records will remain in your custody.

VICTOR H. BLANC,
District Attorney.

Mr. MCCLELLAN. Mr. President, I send the resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The legislative clerk read the resolution (S. Res. 192), as follows:

Whereas the Senate Select Committee on Improper Activities in the Labor or Management Field has in its possession under subpena certain books and records of Local 107, Highway Truck Drivers and Helpers Union, International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America; and

Whereas the committee has received a request from the district attorney of the city of Philadelphia, Pa., requesting permission to obtain copies and to present records of local 107 to a grand jury in pending investigation into criminal activities of certain officials of this union; and

Whereas under rule 14 of the Select Committee on Improper Activities in the Labor or Management Field and rule 30 of the Standing Rules of the Senate such documents in the hands of the committee are the property of the Senate and may not be released without a resolution of the Senate: Therefore be it

Resolved, That the committee is granted leave to permit properly designated staff members to appear as witnesses before the State courts of the State of Pennsylvania, and to permit the copying and presentation of such records for examination of the grand jury and courts and thereupon to be returned to the possession of the committee; and be it further

Resolved, That a copy of this resolution be submitted to the said State courts of Pennsylvania.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCLELLAN. Mr. President, I may state further that it is my understanding that this is the proper procedure if the Senate is to cooperate with local law enforcement officials in making available to them for use in investigating crime within their jurisdiction such information as the committee may have in the form of documents and material.

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

Mr. MCCLELLAN. I yield.

Mr. MORSE. I am sure that I will find myself in support of the resolution, but this is a request that is a little out of the ordinary. We do not have such problems presented to us very often.

Mr. MCCLELLAN. Occasionally we do. It might be that under the rules of the select committee we could proceed to release this by a unanimous vote, as we have voted, but I really think the proper course, when we have something which may be of considerable value, when we have material in a matter like this, is to come to the Senate to get the authority.

Mr. MORSE. That was one of the questions I was going to ask. I should

like to ask some other questions first and close with that, if I may. I think we ought to make very clear legislative history as to what we are doing, because I certainly agree with the Senator from Arkansas that if the local Teamsters Union in Philadelphia is guilty of violating the laws of Pennsylvania or of the city of Philadelphia, it should be thoroughly prosecuted.

My first question is: Are the information, the papers, the documents, and the files which the State district attorney of Pennsylvania is seeking to get from the select committee a body of material that he could get under State process if the select committee did not have possession of it at the present time?

Mr. McCLELLAN. Yes. If the committee did not have possession of it by process of the committee, I would think that a subpena duces tecum would produce the same documents in the State courts. I would think so. I know of no reason why it would not.

Mr. MORSE. Would the Senator from Arkansas explain to the Senate by what legal process the select committee obtained possession of these documents in the first instance?

Mr. McCLELLAN. By authority of the resolution establishing the committee, vesting it with subpena powers. We subpenaed the records of the union and thus those are the records the district attorney now wishes to use before the grand jury, as I understand.

Mr. MORSE. Even though it is repetitive, I am going to state it again, so that it may be perfectly clear. The documents which the State district attorney of Pennsylvania is seeking to obtain from the select committee consist of material the select committee obtained through the exercise of its subpena power. Is that correct?

Mr. McCLELLAN. That is correct.

Mr. MORSE. So long as these documents stay within the file of the select committee, is it the law that the district attorney of Pennsylvania cannot subpena them from the select committee?

Mr. McCLELLAN. That is correct. That has been the holding of the courts. That is my understanding.

Mr. MORSE. That is my understanding, too.

Mr. McCLELLAN. Yes; that is correct.

Mr. MORSE. So we have a body of evidentiary material here which was obtained by the select committee through the exercise of the subpena process. The State law enforcement officer now believes that that material would be very helpful to him in prosecuting a case in Pennsylvana, and to do so he needs to present the material first to a Pennsylvania grand jury. To obtain it he has requested the select committee to turn it over to him because it has been taken out of the jurisdiction of the State of Pennsylvania for the time being and he does not have access to it, and he is of the opinion that it is essential to the enforcement of the criminal law of the State of Pennsylvania. Is that correct?

Mr. McCLELLAN. Obviously he thinks so; and, may I say to the distinguished Senator, it has been taken out of and away from his jurisdiction by Federal process.

Mr. MORSE. Yes.

Mr. McCLELLAN. If the committee should release it, our release of it, I think, would carry it back to the local officers, possibly under charge, if we could release it at all.

Mr. MORSE. That is the next point I wanted to make.

Mr. McCLELLAN. Then in the meantime, if they disposed of it or destroyed it, there would be no protection on the side of law enforcement.

Mr. MORSE. That is the next point I wanted to make. The Senator said he thought perhaps the committee by its own committee action could turn this material over to the district attorney of the State of Pennsylvania. I think that might raise some legal questions.

Mr. McCLELLAN. Before the Senator proceeds, may I say I am just reminded that the Federal district attorney has enjoined us from returning these documents to the union. As I understand, the State district attorney primarily wishes to examine these documents and obtain copies of them, and then they will be returned to the committee.

Mr. MORSE. The fact that the Federal district attorney has enjoined the committee from returning them to the local Teamsters' Union does not in any way change the fact that for the State district attorney of Pennsylvania to get possession of these documents, he would have to do it by means of this resolution, because he could not get them by subpena against the committee.

Mr. McCLELLAN. That is right.

Mr. MORSE. The Federal district attorney can enjoin the committee, but the State district attorney cannot exercise subpena powers against the committee.

Mr. McCLELLAN. That is correct.

Mr. MORSE. I wanted to make this record because I think it is important to have this legislative history. I think the Senate under these circumstances has a clear duty to see to it that these documents are made available to the law enforcement officers of Pennsylvania for the consideration of a grand jury.

As the Senator from Arkansas has pointed out, if the select committee has further use of them, it does not mean that after the grand jury gets through with them they automatically go back to the files of the Teamsters' Union. They are being released, in fact, under this resolution for the use of the district attorney and for consideration by the grand jury, and for no other purpose.

Mr. McCLELLAN. That is right.

Mr. MORSE. When the Pennsylvania authorities get through with the documents before the grand jury, their receptacle then will be the files of the select committee until the members of the committee get through with the papers.

Mr. McCLELLAN. That is correct. That is my understanding. I wish to thank the distinguished Senator.

It is my belief, Mr. President, that in a matter of this importance, the Senate should give its approval, and that is why we deal with it by resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution. Without objection, the resolution is agreed to.

WITHHOLDING FROM SALARIES OF FEDERAL EMPLOYEES FOR STATE INCOME TAXES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate return to the consideration of S. 2282.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 2282) to amend the act of July 17, 1952.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. Is the business now before the Senate the consideration of S. 2282?

The PRESIDING OFFICER. The Senator is correct.

Mr. SALTONSTALL. I call up my amendments to that bill, which I offer for myself, my colleague [Mr. KENNEDY], and a number of other Senators, identified "9–2–59—D," and ask the clerk to state them.

The PRESIDING OFFICER. The amendments offered by the Senator from Massachusetts for himself and other Senators will be stated.

The CHIEF CLERK. It is proposed on page 3, lines 9 and 10, to strike out "and who are residents of such State or Territory".

On page 3, line 12, beginning with "A statement" to strike out all through the period in line 16.

Mr. SALTONSTALL. Mr. President, the bill reported by the Finance Committee, which is a new draft of a bill submitted by my colleague [Mr. KENNEDY], and myself, has for its purpose a very simple one. At the present time, Massachusetts has in its law a withholding of State income tax provision. As a part of that withholding tax provision, the employer who collects the tax is entitled to retain a certain amount of the tax withheld as compensation for the withholding service ranging from a half of 1 percent to 3 percent. The Federal Government does not want compensation for withholding the tax levied upon its employees.

There are a substantial number of employees of the Federal Government in Massachusetts, and it is estimated the Federal Government would be entitled to collect approximately $30,000 for withholding the tax of these employees. It does not want to receive that money.

This bill is for the purpose of allowing the Federal Government to enter into an agreement with the State to withhold the tax and yet not receive any payment for doing so.

The purpose of the Federal Government in this relationship is perfectly clear. If the Federal Government receives compensation for withholding State income taxes, then why should not every employer like General Motors, General Electric, and every other large corporation, receive compensation for

withholding the income taxes they collect that are owed the Federal Government? The Federal Government says it does not want to receive any compensation for this purpose.

The bill as reported by the Finance Committee contains a provision which would prevent the Federal Government from withholding any State's income taxes from its employees who are nonresidents of the State even though their regular place of Federal employment is within the State and it is one with which such an agreement is entered into.

In other words, if a man works for the Federal Government in Massachusetts and lives in New Hampshire, Vermont, Maine, or Rhode Island, then, under the bill reported by the Finance Committee, the agreement of the Federal Government with Massachusetts to withhold income taxes could not apply to such a person. That, of course, would make it almost impossible for the State to collect the income taxes of an employee of the Federal Government within the State who was a resident of another State.

I submit that the question of tax liability is one to be decided between the States, for example between New Hampshire and Massachusetts, or any of the other neighboring States, whether the citizen of another State who works in Massachusetts should have to pay an income tax to Massachusetts.

So far as collection by withholding of a State income tax which is properly levied, I submit that no exception should be made. Either the Federal Government keeps such an agreement and it applies to all the employees of the Federal Government within the jurisdiction of Massachusetts, whether residents or nonresidents of Massachusetts, or it should not exist at all.

The Treasury is very much opposed to the Finance Committee bill as it was reported. I will read two passages from a letter of Mr. Scribner, Acting Secretary of the Treasury, which appears in my remarks in the CONGRESSIONAL RECORD for September 1, 1959, at page 17499. That letter is addressed to the Senator from Virginia [Mr BYRD], chairman of the Finance Committee, and is dated July 28, 1959.

I will read just two short passages from that letter:

> The purpose of S. 2282 is to provide that agencies of the Federal Government shall not accept compensation for services performed in withholding State income taxes pursuant to agreements entered into between individual States and the Secretary of the Treasury in accordance with the provisions of Public Law 587, 82d Congress.

Now, another short passage:

> The proposal to prohibit Federal agencies to withhold State income taxes from the compensation of their employees who do not live in the State in which they are employed, even though they are liable for such taxes by virtue of their earnings within the State, embodies a policy to which this Department is opposed.

In other words, the Treasury Department takes the position that any employee of the Federal Government who is within a State where, under the law, the Federal Government withholds a part of his income for income tax, should be under a uniform provision which applies to all its employees, rather than a provision which tries to distinguish between who is a resident of Massachusetts and who is a resident of New Hampshire. If New Hampshire and Massachusetts want to come to some agreement between themselves, that is an interstate matter, but it certainly is not a problem we should consider in trying to determine whether the Federal Government should enter into an agreement whereby it may not take compensation from a State for withholding income taxes which the State levies.

I hope that my amendment, which is supported by many of the Senators from various States, will be agreed to.

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

Mr. SALTONSTALL. I yield to the Senator from Maryland.

Mr. BEALL. Mr. President, on June 29, 1959, S. 2282 was introduced by the Senators from Massachusetts [Mr. SALTONSTALL and Mr. KENNEDY]. The sole purpose of the bill was to prevent any department or agency of the United States from accepting compensation from any State or Territory for withholding State or Territorial income taxes after March 31, 1959.

In its original form, this measure could be easily classified as noncontroversial. The Finance Committee, however, amended the bill in such a way as to effect a major change in policy. The committee amendment would require departments and agencies to withhold taxes only from employees who are residents of the State or Territory imposing the tax.

I understand that some 18 or 20 States and Territories are now operating under agreements whereby the Federal Government withholds taxes imposed by those States and Territories.

It would be unwise to alter this policy which heretofore has existed without serious objection. The Acting Secretary of the Treasury, Mr. Scribner, has opposed the committee amendment on two counts.

First, it would place Federal employees in a preferential status as compared with the employees of private employers and

Second, it would constitute a reversal of established congressional policy to cooperate with the States in the enforcement of their tax laws.

Undoubtedly, we would be providing some individuals with an effective means of evading State taxes.

Mr. President, in the interest of continuing the harmonious relationship between the Federal Government and the States with regard to taxation and in the interest of assisting the States to collect those revenues to which they are entitled, I urge the adoption of the amendment introduced by the senior Senator from Massachusetts, which I was pleased to cosponsor.

Mr. SALTONSTALL. I thank the Senator from Maryland.

Mr. BARTLETT. Mr. President, will the Senator yield to me?

Mr. SALTONSTALL. I yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, I dislike very much taking a position which is perhaps exactly contrary to that of my delightful friend from New Hampshire, but that is the situation in which I find myself.

I ask the Senator from Massachusetts if it is not true that most radical surgery was committed upon the bill originally introducted by him and his colleague from Massachusetts, before the version now before the Senate was reported.

Mr. SALTONSTALL. The bill as reported by the Committee on Finance changed the original purpose of the Senators from Massachusetts. The committee action puts another complexion to the bill entirely, because it leaves out of the agreement between the Federal Government and the States those employees who state in writing that they live in another State.

Mr. BARTLETT. Mr. President, I note the language of the bill reported—

> A statement in writing of an employee that he is not a resident of the State or Territory in which he is employed shall be accepted by the head of each department or agency of the United States for purposes of the above agreement.

It seems to me that this does not afford the kind of protection which ought to be afforded. A mere statement, without the furnishing of proof in any case, ought not to be sufficient.

Does the Senator agree?

Mr. SALTONSTALL. I agree with the Senator from Alaska. In addition, let us assume that two citizens ride to the Federal Building at Boston each day from New Hampshire, one a Federal Government employee and another an employee of a business corporation. The employee who is a member of a business corporation would have his tax withheld; but if the bill as it was reported by the Finance Committee is enacted, the employee of the Federal Government would not have income tax deducted from his pay so long as he stated in writing he was a resident of another State.

Mr. BARTLETT. A statement made by him without any furnishing of proof would suffice?

Mr. SALTONSTALL. That is correct, as I understand the situation.

Mr. BARTLETT. The sentence which I read from the bill says, in part, "He is not a resident of the State or Territory."

The courts have defined "resident" in a good many different ways. Does the Senator from Massachusetts observe an exact definition of "resident" in the bill? Is there not an area of doubt as to what "resident" might mean?

Mr. SALTONSTALL. I assume that is the case. I am not an authority on income-tax law, but it does seem to me there is a question as to whether a man is a resident or not. The word "resident" may include the question of domicile and a number of other things.

Mr. BARTLETT. We have a good many Federal employees in Alaska. Every State has Federal employees. Many of our Federal employees were recruited from other States. They do not become residents of Alaska because,

so long as they maintain as their legal residences the places from which they were recruited, they get what is called home leave.

If the bill were to pass without the Senator's amendment, such a person could live in Alaska for 20 years and the Federal Government would have no right to withhold the income tax from his salary, although a man working right alongside of him, who was a resident of Alaska, would have such tax withheld; is that correct?

Mr. SALTONSTALL. That is correct.

Mr. BARTLETT. I am sure the Senator agrees that would not be a fair administration of the law.

Mr. SALTONSTALL. It would not be a fair administration of the law.

Mr. BARTLETT. We have Federal employees who come to Alaska for 1 month, 2 months, or 6 months, and then leave. Without a withholding tax arrangement those employees might return to the places from whence they came, and the State of Alaska might never be able to collect the taxes to which it is entitled, although it has a withholding tax system. Does the Senator not agree that this would be most unfair to many States?

Mr. SALTONSTALL. I believe the Senator is correct.

Mr. BARTLETT. I merely wish to express the hope, Mr. President, that the amendment offered by the senior Senator from Massachusetts will be agreed to, because I think it is of real importance.

Mr. SALTONSTALL.. I thank the Senator.

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

Mr. SALTONSTALL. I should like to read this list into the RECORD first, and then I will yield the floor.

Mr. President, the Treasury Department has informed me that the bill in its present form would upset the agreements which the Federal Government has for withholding of income taxes of Federal employees in the following 18 income tax jurisdictions: Oregon, Vermont, Delaware, Arizona, Kentucky, Colorado, Maryland, Idaho, Montana, Alabama, Indiana, Massachusetts, New York, Utah, Oklahoma, Hawaii, Alaska, and the District of Columbia.

Agreements are in the process of consummation with North Carolina and South Carolina.

Mr. BUTLER. Mr. President, I ask unanimous consent that the Senator may yield to me for the purpose of my making a brief statement in support of his amendment.

Mr. SALTONSTALL. I yield the floor, Mr. President.

Mr. COTTON and Mr. BUTLER addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, it is the purpose of the Senator from New Hampshire to offer a substitute amendment, if it is in order, to the amendment of the Senator from Massachusetts. I am perfectly willing—and I ask unanimous consent—to yield to my friend from Maryland so that he may make a statement, without losing my right to the floor.

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

Mr. BUTLER. I thank the Senator from New Hampshire.

The committee amendment to S. 2282 would permit a Federal employee to file a statement with his agency that he is not a resident of the State where employed, and the agency would withhold no income tax from his compensation for State purposes.

The committee amendment does not take into consideration that the employee could be subject to tax as a nonresident, by the State where employed.

The right of any State to impose its income tax on nonresidents has been upheld time and time again by the courts. See *Shaffer* v. *Carter*, 252 U.S. 37, 57; *Lawrence* v. *State Tax Commissioner*, 286 U.S. 276; *New York ex rel. Cohn* v. *Graves*, 300 U.S. 308, 313 and many other cases.

Maryland, like most States, imposes its income tax on both residents and nonresidents. Nonresidents are subject to tax on compensation received for services performed within the State.

The Maryland law is a reciprocal law in that it contains provisions designed to eliminate dual taxation. In fact, Maryland, like Virginia and New York, goes a step farther by completely exempting the compensation of a nonresident if he resides in a State having a reciprocal income tax law.

The Federal act providing for withholding of income taxes for State purposes, from the compensation of Federal employees—66 Stat. 76; 5 U.S.C. 84c—brings the United States within the category of an "employer." The only restriction being that the State would impose no more burdensome requirements upon the United States than it imposes upon other employers. Amending the Federal law to nullify withholding with respect to a large segment of Federal employees, changes the rules "in the middle of the game" so to speak.

Pursuant to a provision of the Federal Withholding Act and regulations promulgated by the President, the State of Maryland entered into an agreement with the Treasury Department of the United States for the withholding of income taxes from the compensation of Federal employees whose regular place of employment is within Maryland. In entering into the agreement, we granted certain concessions which actually reduced the Federal withholding burden.

My State has a very satisfactory arrangement, as I have outlined, and my State very strongly opposes the committee amendment and urges the Senate to reject it. At this point in my remarks, I ask unanimous consent to insert in the body of the RECORD a letter which I have received from the Governor of my State, the Honorable J. Millard Tawes under date of August 24, 1959, commenting on the controversy before the Senate at this time; and a letter from Louis L. Goldstein, comptroller of the treasury of the State of Maryland.

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

EXECUTIVE DEPARTMENT,
Annapolis, Md., August 24, 1959.

Senator JOHN MARSHALL BUTLER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BUTLER: My attention has been called to S. 2282, Calendar No. 669, 86th Congress, which was introduced by Senator SALTONSTALL to provide that the State of Massachusetts would not be required to pay to the U.S. Government any compensation for services rendered that State in the withholding of Massachusetts income from the salaries of Federal employees.

This bill, as introduced, was of no importance to our State. However, an amendment has been added by the Committee on Finance which is of great concern to Maryland, and is strongly opposed by us.

The amendment provides that the U.S. Government would no longer withhold State income taxes from their employees when the employee provides the Government agency where employed, a statement in writing that he is not a resident of the State wherein he is employed.

Under the Maryland income tax law, a nonresident is subject to the tax on salaries received for services performed within our State. There are certain exemptions and reciprocal tax credits which eliminate dual taxation and generally the tax is paid only by an individual who resides in a State imposing no income tax.

In Maryland, in view of the many Federal installations here, a large number of nonresidents are employed, and many of these commute from States having no income tax imposition. Prior to the passage of Federal legislation providing for the withholding of State income taxes by agencies of the Federal Government, considerable difficulty was experienced with these nonresidents. The amendment proposed to S. 2282 will immediately create this former difficulty.

Employers in private industry withhold Maryland income taxes from their employees under the rules promulgated pursuant to our income tax law. We feel that employees of the Federal Government should be subject to the same rules and that no special legislation should be enacted in their behalf.

S. 2282, prior to the amendment, is certainly agreeable to us. The amendment is, however, most objectionable.

We hope that you will support us in our opposition to the amendment and that you will do what you can to defeat it.

With kindest personal regards, I am

Sincerely yours,

J. MILLARD TAWES,
Governor.

STATE OF MARYLAND,
COMPTROLLER OF THE TREASURY,
Annapolis, Md., August 21, 1959.

Hon. JOHN MARSHALL BUTLER,
U.S. Senator, Washington, D.C.

DEAR SENATOR BUTLER: We wish to call your attention to S. 2282, Calendar No. 669, 86th Congress, which was introduced by Senator SALTONSTALL to provide that the State of Massachusetts would not be required to pay to the U.S. Government any compensation for services rendered in the withholding of income taxes for the benefit of the State of Massachusetts.

This bill, as introduced, was a simple harmless bill, but it was amended by the committee to make it a bill of real importance to many States, including Maryland. We are most definitely opposed to the committee amendment.

This amendment provides that the U.S. Government would no longer withhold State income taxes from their employees, when the employee provides the governmental agency

a statement in writing that he is not a resident of the State in which he is employed. This procedure will greatly nullify our withholding program, insofar as the income-tax liability of a nonresident is concerned as it will leave it entirely in the hands of the nonresident whether or not he is to declare himself a resident or nonresident of Maryland.

It is our understanding that this amendment was adopted without any hearing. Certainly, no States that we know of would be in favor of this amendment and it seems to us that it was no doubt instigated by Federal employees who escaped their income tax liability to many States before withholding.

We have just learned of this action on the part of the committee and we write this letter to you rather hurriedly so that you may have our views on the matter. We shall be glad to furnish further details as to our reasons for opposing the measure, as we shall most certainly do to our Members in Congress.

We hope that you will see your way clear to support us in our efforts to have the amendment taken from S. 2282.

Very truly yours,

LOUIS L. GOLDSTEIN,
Comptroller.
By BENJ. F. MARSH,
Chief, Income Tax Division.

Mr. COTTON. Mr. President——

The PRESIDING OFFICER (Mr. DODD in the chair). The Senator will suspend until the Senate is in order.

The Senator may proceed.

Mr. COTTON. Mr. President, before offering my substitute amendment, I cannot refrain from commenting on the statement of my beloved friend, the Senator from Maryland, as well as on the letter from the Governor of the State of Maryland.

It would seem clear to me that the day will come, if we proceed along the pathway of the Senators who are sponsoring the amendment offered by the distinguished Senator from Massachusetts, when the statement of the Senator from Maryland, the statements by the Governor of Maryland and Governors of other States will rise to haunt them.

In the case of Maryland, it is extremely significant, because if the Senate in its wisdom should enact an income tax to be paid by the people earning their income in the District of Columbia, and have it collected from them regardless of where they sleep at night, there will be untold thousands of people who actually sleep and vote and live in the State of Maryland and earn their money in the District who would find themselves taxed. Their taxes would be paid to the District and not to the State of Maryland. The financial loss would be enormous. I am amazed that the Governor of Maryland should take the position he takes, because I believe he is thus opening himself to a disaster which would be almost catastrophic to the State of Maryland.

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

Mr. COTTON. I must yield to my friend from Maryland.

Mr. BUTLER. As I pointed out, under the reciprocal income tax law a resident of Maryland would not be penalized. So I can see no great calamity which would befall the people of Maryland under the circumstances suggested.

Mr. COTTON. It would be no calamity except a loss of a great deal of money; and in my little State money talks.

Mr. BUTLER. We may now be losing more than we gain by reason of the reciprocity provisions of our statute, but we feel it is a just provision, and we are willing to live by it.

Mr. CASE of New Jersey. Will the Senator yield ?

Mr. COTTON. I yield to the distinguished Senator from New Jersey, provided I do not lose the floor.

Mr. President, I ask unanimous consent to yield to the Senator from New Jersey without losing the floor, because I wish to offer an amendment.

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

Mr. CASE of New Jersey. Mr. President, it may be better, after all, for the Senator to proceed now, and I will speak later.

Mr. COTTON. Mr. President, I have an amendment at the desk, which is designated "9–9–59—A." A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COTTON. Is it in order to offer an amendment at this point as a substitute for the amendment offered by the distinguished Senator from Massachusetts [Mr. SALTONSTALL]?

The PRESIDING OFFICER. The Senator's amendment is not a substitute, but perfects the amendment offered by the Senator from Massachusetts, and it is therefore in order to offer it at this time as a perfecting amendment.

Mr. COTTON. Mr. President, I call up my amendment for consideration at this time.

Mr. SPARKMAN. May I ask what the ruling was?

The PRESIDING OFFICER. The ruling of the Chair, in answer to the parliamentary inquiry of the Senator from New Hampshire, was that his amendment is not a substitute for the amendment offered by the Senator from Massachusetts, but that his amendment is a perfecting amendment to the language proposed to be stricken out by the Senator from Massachusetts, and is in order.

Mr. SPARKMAN. It is in order at this time?

The PRESIDING OFFICER. Yes.

Mr. SPARKMAN. Do I understand correctly that the Senator from New Hampshire is offering his amendment?

Mr. COTTON. I am offering it now, and I ask that the clerk report it.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, lines 9 and 10, it is proposed to strike out the words "Who are residents of" and insert in lieu thereof the following: "Whose place of abode is in".

On page 3, line 12, strike out all after the period in line 12, down to and including the period in line 16.

Mr. SALTONSTALL. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. The amendment the clerk has just read, as offered by the Senator from New Hampshire, is an amendment to the bill and is not a perfecting amendment to the amendment of the Senator from Massachusetts. Therefore it cannot be offered as an amendment to my amendment. It may be offered as a substitute for my amendment, but not as an amendment to my amendment.

Mr. COTTON. The Senator from New Hampshire offered it as a substitute, and understood that the ruling was that it could not be so offered. There certainly must be some way under the rules by which this amendment may be brought up at this time for consideration.

The PRESIDING OFFICER. The amendment of the Senator from New Hampshire is a perfecting amendment of the language which the motion of the Senator from Massachusetts proposes to strike out and therefore is in order at this time and has precedence over the motion to strike out. The amendment of the Senator from New Hampshire proposes to strike out the words "who are residents of" and to insert in lieu thereof the words "whose place of abode is in."

Mr. COTTON. Mr. President, I should like to say a word in explanation of my amendment and the difference between it and the amendment offered by the Senator from Massachusetts. Mr. President, the bill in its original form, as introduced by the able Senator from Massachusetts, has been clearly explained by him. It had a perfectly legitimate and praiseworthy object. It was to enable agencies of the Federal Government to enter into agreements with the States, under which the Federal Government would withhold State income taxes from employees of the Federal Government. However, it was the opinion of the Committee on Finance—and I say frankly that the junior Senator from New Hampshire, for reasons which will be set forth shortly raised the question—that if we were to adopt or enact this perfectly legitimate and innocuous piece of legislation, we should be very careful that we did it in such a manner as to keep the Federal Government in a completely neutral position. We did not want to make the Federal Government the arbiter between States as to the collection of State income taxes from Federal employees or inject the Federal Government into a controversy between a State and the citizens or residents of another State.

I say that because if I live in one State and another State claims it is entitled to tax my income, and I am employed by the Federal Government, and the Federal Government decides to withhold the State tax, there are nearly two strikes on me from the start. I am sure I speak for the chairman and my colleagues on the Committee on Finance when I say the sole purpose of the amendment was to exercise great care that the hallmark of approval of the Federal Government not be placed on any particular practices as between the residents of one State and the taxes of another, or put the Federal Government into the position of reaching its strong arm into this matter and

prejudicing the rights of individuals, which are, after all, fundamentally the most precious rights we have in this country.

Mr. SALTONSTALL. Will the Senator yield?

Mr. COTTON. I will yield to the Senator from Massachusetts very shortly, if the Senator will let me finish this brief statement on the amendment.

The Committee on Finance amended the bill therefore by providing that agreements entered into between the Federal Government and the States would not permit the Federal Government to collect or withhold State taxes as against residents of another State.

Then to make the administration of the act easier, a new sentence was added to the effect that the written statement of the taxpayer as to where his residence was should be taken as final by the Federal Government in connection with the withholding of State taxes. That action was I think at the request of the Treasury Department and certainly not with my approval. I want to be fair. I do not blame the Senator from Massachusetts and other Members for feeling that the added, new sentence might prove a gimmick whereby taxpayers could evade the withholding of their taxes by simply filing a statement that they are residents of some place other than where they are living and sleeping and where their apparent residence is.

So, in order to try to accomplish what the committee wished to accomplish, and to keep the Federal Government in a neutral position, my amendment would do two things. The second part of it is exactly the same as the amendment of the Senator from Massachusetts. It strikes out on page 3, line 12, this sentence:

> A statement in writing of an employee that he is not a resident of the State or Territory in which he is employed shall be accepted by the head of each department or agency of the United States for purposes of the above agreement.

Then, in order further to simplify the matter and make this bill reasonable and fair, my amendment would substitute, in place of the words "who are residents of" in lines 9 and 10 on page 3, the term "whose place of abode is". So it does not involve the question of whether a person is a legal resident of this State or another State. If his place of abode, where he sleeps, where his children go to school, is in a certain State, and he is an employee of the Federal Government, it will be perfectly legitimate and proper, if my amendment is adopted, for the Federal Government to withhold State taxes from his compensation. I feel that this amendment should clear away the reasonable objections which many have to the bill as amended by the committee.

The committee report well expresses the basic justification of my amendment. I remind the Senate of the language of that report. The Committee on Finance said:

> Your committee is concerned over the multiplicity of income taxes which is developing as many States (and now several cities, as well) turn to this source of revenue. As a result it often occurs that an individual finds two or more States asserting the right to tax his income. Thus, he may be faced with the possibility of paying several local income taxes and may have to go to the effort of filing several returns and explaining his financial affairs several times.

I interpolate that the language in the report of the Committee on Finance is amazingly and strikingly similar to the language used by that committee in favorably reporting Senate bill 2624, of which my friend the distinguished Senator from Massachusetts, whom I honor greatly, and who is here fighting for his State, was a sponsor, when that bill was reported to the Senate by the Committee on Finance.

The purpose of that bill was to protect nonresident corporations engaged in interstate commerce from a multiplicity of taxation by the various States.

If a corporation engaged in interstate commerce is entitled to be protected from a multiplicity of taxation from this State, that State, and the next State, wherever it does business—and I agree that it was entitled to receive protection—will someone, and particularly the distinguished Senator from Massachusetts, tell me why the same kind of protection should not be extended to the individual income taxpayer in this country?

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

Mr. COTTON. I yield.

Mr. BRIDGES. I wish to compliment my distinguished colleague for the very able presentation he is making of this case.

The first responsibility of a U.S. Senator, as I see it, is to promote the best interests and the welfare of the country as a whole. That is his primary duty. His secondary responsibility, I believe, is to protect the interests of the State and section he serves against unfair and discriminatory action. I think the distinguished junior Senator from New Hampshire is performing that service ably in his presentation of the facts justifying the necessity of the bill as reported by the Senate Finance Committee.

Mr. COTTON. I thank my colleague.

Mr. BRIDGES. New Hampshire does not have a sales tax nor an income tax on the earned income of its residents. Irrespective of this fact, I support S. 2282 as amended by the Senate Finance Committee.

The Federal Government should not be reimbursed for its expenses in withholding State income taxes when it imposes the same withholding duty on millions of employers as well as State and municipal governments without reimbursement for their expenses.

I do not believe that there is any Member of this body who believes that the Federal Government should become an accomplice with any State in enforcing and wrongfully withholding income of a Federal employee who is a nonresident of the collecting State. Approval of this bill without the committee amendment would in an effect give congressional sanction and encouragement to a collecting State to continue in its indiscriminate withholding of wages to which it is not lawfully entitled. I, therefore, urge my colleagues to support this bill as reported and with the perfecting amendment of the junior Senator from New Hampshire in an effort to correct this inequitable situation.

At this time, I also would like to pay tribute to my distinguished colleague from New Hampshire and his associates on the committee for their comprehension and efforts in reporting a sound, practical, and necessary bill which will be fair to the residents of all States.

Mr. COTTON. I thank my senior colleague.

Mr. CASE of New Jersey. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield to the Senator from New Jersey, provided I do not lose the floor.

Mr. CASE of New Jersey. I join with the senior Senator from New Hampshire in complimenting the junior Senator from New Hampshire on the excellent statement he has made and upon the very sound position he has taken. It seems to me to be very clear that the junior Senator from New Hampshire, in the words of his senior colleague, is not only representing the interests of his own State well, but also the national interest.

I ask the junior Senator from New Hampshire how anyone can claim that it is in the national interest for the Federal Government to be a party to imposing upon a State a kind of taxation it does not want.

Mr. COTTON. I agree with the distinguished Senator from New Jersey. His question aptly expresses the principle involved in the whole controversy. The original bill was an innocuous bill, and served a perfectly praiseworthy purpose. But if the amendment of the Senator from Massachusetts is agreed to, the problem can become extremely vexatious and will make more acute the situation as between the rights of States and the rights of individuals.

Mr. CASE of New Jersey. I agree fully with the statement of the Senator and with the report of the committee, to which he referred earlier in his remarks.

When I said that the proposal of the Senator from Massachusetts would force a State to adopt a form of taxation it did not want, I meant exactly that. I mention, for example, my own State. New Jersey does not have an income tax or a sales tax, except for a certain specific purpose. The money for the upkeep of the New Jersey government is raised in other ways.

Our adjoining State of New York has an income tax. New York State chooses to raise a large part of its income for government operations by taxing the incomes of persons and corporations who work and live in that State.

Is there any reason why the residents of New Jersey who work in New York should have to pay twice for government functions, once in New York and again in New Jersey, because they live in New Jersey and have to pay their

share of the upkeep of New Jersey's government?

There is a basic unfairness in one State taxing the income of a person who lives in another State. I am not speaking about the constitutional power. When it is said that a State has the right to do this, it is not stated whether it is proper for it to do so. Particularly, it is not stated whether the Federal Government should be a party to an unjust, unsound kind of taxation, which it spreading elsewhere throughout the country, until we are so enmeshed in intricacies that we are bogged down with taxes.

I commend the junior Senator from New Hampshire for the sound position he is taking, and also the sound position of the Committee on Finance, which reported the bill.

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

Mr. COTTON. I yield.

Mr. MORSE. I desire to propound a few hypothetical questions to the Senator from New Hampshire. Suppose A lives in New Hampshire, sends his children to school in New Hampshire, and works for an agency of the Federal Government in Massachusetts. Under the bill as it comes from the committee, could the State of Massachusetts ask the Federal Government to deduct from the person's Federal check, which is paid to him every month at the seat of the agency in Massachusetts, an amount to cover the tax which Massachusetts wishes to impose on that individual?

Mr. COTTON. Under my understanding of the bill as it came from the committee, in the hypothetical case stated by the Senator from Oregon, the Federal Government could not withhold for the State of Massachusetts a tax on the wages of a person employed in Massachusetts by the Federal Government, if that person was a resident of the State of New Hampshire.

Mr. MORSE. Suppose B lives in Massachusetts, works for a Federal agency located in New Hampshire, and the State of Massachusetts asks the Federal Government to deduct from his wages, paid in New Hampshire, an amount equal to the payment of the Massachusetts income tax. Under the bill as it came from the committee, could the Federal Government do that?

Mr. COTTON. Did the Senator assume that the person lived in Massachusetts?

Mr. MORSE. Assume that he lives in Massachusetts and works for a Federal agency in New Hampshire.

Mr. COTTON. On page 3 of the bill, lines 9, 10, 11, and 12, are the words:

who are subject to such tax and who are residents of such State or Territory and whose regular place of Federal employment is within the State or Territory with which such agreement is entered into.

So the Federal Government, under the terms of the bill as it came from the committee, could not withhold the tax of the State of Massachusetts on a Massachusetts resident whose regular place of Federal employment was in New Hampshire.

Mr. MORSE. Would the Senator from New Hampshire give me a set of hypothetical facts which raises the problem he is objecting to?

Mr. COTTON. I shall be very happy to do that. First, I think the Senator from Oregon will be amazed at some of the things that are already taking place in the matter of State taxation.

Even though I respect so much and love my friend, the senior Senator from Massachusetts [Mr. SALTONSTALL] so dearly, I feel I am standing or struggling to prevent the passage of a bill which by inference and by fact would be an entering wedge for very unjust taxation.

The Senator from Oregon has asked for a hypothetical case. I will read a letter I received from a resident or a citizen of the town of Newmarket, in New Hampshire, Newmarket being near the Massachusetts border. The writer says:

NEWMARKET, N.H., *February 14, 1959.*

Hon. NORRIS COTTON,
U.S. Senator, Washington, D.C.

DEAR SENATOR: I have been a resident and voter in the State of New Hampshire for 40 years excepting the years of 1943 to 1946 during which time I was a resident of Boston, Mass.

I am employed by the Boston & Maine R.R. as an engineman, and at present have a passenger run, Portsmouth to Boston and return.

As you doubtless know, Massachusetts has within the past few years enacted a nonresident income tax law that I and my fellow workers consider most unfair to us as citizens of New Hampshire. February 15 this tax is to be withheld from our pay each week and is retroactive to Jan. 1.

We live, vote and pay taxes in New Hampshire. Our runs start in New Hampshire and we are paid in New Hampshire, yet Massachusetts taxes us for the miles run in that State.

Inasmuch as I have no legal representation in that State—probably nothing would be gained if I had—I am writing to you. Can anything be done about it?

Very truly yours,

WILLIAM HOLT.

Mr. President, the Senate has before it three measures which attempt to deal with this overall situation. One of them is Senate Joint Resolution 29, introduced by my distinguished senior colleague [Mr. BRIDGES] and myself. The second is Senate Joint Resolution 67, introduced by the distinguished Senator from New Jersey [Mr. CASE] and the distinguished Senator from Connecticut [Mr. DODD]. The third is Senate Joint Resolution 140, which recently was introduced by the Senator from Connecticut.

Those measures provide for the submission of a constitutional amendment to clarify the matter of overlapping taxation as between States, as such taxation affects the citizens of other States.

The measure before us would have no effect on the employee of the Boston & Maine Railroad who wrote the letter I have read to the Senate; but I wish to call the attention of the Senator from Oregon to the fact that I inquired of the Treasury Department about the situation under the existing regulations and, in particular, about an employee of the postal service who is employed as a railway mail clerk and, although he may live in Newmarket, N.H., travels between New Hampshire and Boston, sorting mail in the mail car. Is the Federal Government going to agree to withhold from his paycheck a proportionate amount, for State income taxes, on the basis of the number of miles he travels on the train in the State of Massachusetts? Under the measure as originally introduced, that could be done.

I wish to be perfectly fair and frank. I state that I was informed by the Assistant Secretary of the Treasury that the Treasury has not taken any action of that sort, and that it would not be the purpose of the Treasury Department to do so, and I have complete confidence in the sincerity of those officials.

I state to the Senator from Oregon and to the other Senators who are sincerely interested in this matter that I have not the slightest desire to include in this measure any "gimmick." I also state frankly and sincerely that any provision included by means of the committee amendment was included in a sincere effort to take proper action in this situation, and was included on the advice of the Treasury Department experts.

If the amendment will allow a taxpayer to avoid any of the taxes which, in justice, he should pay, certainly I do not want that to happen. That is why I have included an amendment which I think will result in fair treatment.

But if Congress passes a measure by means of which Uncle Sam, as an employer, will be able to withhold income taxes for the State of Massachusetts, from the salary of a resident of New Hampshire who travels on a railway between those two States, similar action could be taken in the case of an airplane pilot who flies over a State in which he does not live.

Mr. KEATING. That is now being done.

Mr. COTTON. I do not know whether Uncle Sam does that; but I understand that it is now done by some States.

This measure, unless properly amended, would seem to put the seal of Federal approval on a situation which admittedly is improper. Certainly such a practice should be stopped. At this point I should like to touch on the question raised by the distinguished Senator from Alaska during the previous colloquy, upon which other Senators have naturally and properly expressed their deep concern.

I am sure that other members of the Committee on Finance will agree with me when I say that we did not wish to report any bill or have any measure passed which would result in making it difficult for the States of Alaska or Hawaii or any others to secure the cooperation of the Federal Government in withholding their taxes on the wages of Federal employees who are stationed in, living in, and working in the State.

As one member of the Committee on Finance, and I am sure the other members will agree with me, I can say we discussed this matter and inquired from the staff and from the Treasury members about the use of the term "residents of" in this bill, and we were informed

that the term "resident" did not mean citizen or voter. It meant a person residing there. But because of the fact that this very proper concern was voiced by the distinguished Senator from Alaska and others, my perfecting amendment, which is now before the Senate, changes the words "residents of" to "whose place of abode is." I am advised by Mr. Stam and others on our staff and by representatives of the Treasury that there can be no shadow of doubt that if this perfecting amendment is adopted, those people who are stationed in, live in, work in, and draw their pay in a State will be subject to having the State tax withheld from their Federal pay.

So I would suggest to my friend from Alaska and to my friend from Hawaii [Mr. LONG], who has in conversation discussed this with me and expressed concern, if this perfecting amendment is adopted, all question is decided about the application of withholding to Federal employees who really live within the State.

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

Mr. COTTON. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to state the Senator from New Hampshire [Mr. COTTON] has expressed the purpose very well. This was not a light matter in the committee. We discussed it at great length and tried in every way we could to define the residence of these people, and finally we came up with the language the Senator has offered. While we did not adopt that language in the committee, we discussed it, and I am confident it would take care of the situation he just mentioned.

Mr. COTTON. Mr. President, in the very few moments left, I would like to include in the RECORD in my remarks two or three important points.

In the first place, I would like to direct the attention of the Senate to the committee report of the Commitee on Finance, of which I read a few sentences earlier in my remarks. The committee report goes on to say—and this is important for the legislative history of this bill—

> Your committee is concerned over the multiplicity of income taxes which is developing as many States (and now several cities, as well) turn to this source of revenue. As a result it often occurs that an individual finds two or more States asserting the right to tax his income. Thus, he may be faced with the possibility of paying several local income taxes and may have to go to the effort of filing several returns and explaining his financial affairs several times. Your committee is aware that an individual regularly employed by an agency of the United States in a particular State may, nevertheless, not be a resident of that State. In such a case there might well be an issue between him and the State as to whether he is liable for the State income tax. However, if the U.S. agency which employs him has withheld from his salary the State will have the advantage, in any discussion or litigation, of having part or all of the claimed tax in its hands. Withholding as to such an individual might well have the effect of helping a State assert and collect an income tax from a nonresident. Your committee believes that in any issue involving a State income tax between a State and resident of another State, the position of the United States and of all its agencies and departments should be a neutral one. It therefore believes that there should be no withholding by the United States on the salary of a Federal employee who is not a resident of the State in which he is employed so that if this State asserts the right to collect income tax from him, it will not have the advantage of having the money in its hands in advance. For these reasons, your committee believes it desirable to provide that no U.S. department or agency shall withhold from the salary of an employee who states in writing that he is not a resident of the State in which he is employed.

Mr. President, I wish to emphasize two additional points, one of which I have mentioned briefly. Two recent enactments of this Congress provide a very strong precedent for the adoption of the bill in its committee form as perfected by my amendment. I mention first the bill I referred to earlier.

The Congress has approved legislation dealing with State taxation of income derived from interstate commerce. The bill, S. 2524, passed the Senate August 20, and the conference report was adopted September 3. It is no oversimplification to say that the whole purpose of this bill is to prevent the States from taxing the incomes of certain nonresident corporations. If the protective hand of the Federal Government can be extended to nonresident businesses, what is wrong with asking that it remain neutral when it comes to nonresident individuals?

There is another precedent.

On September 1, Congress completed action on, and sent to the President, a bill to prohibit the withholding of seamen's wages under State tax laws, S. 1958. The bill, which had the support of the U.S. Department of Commerce, and the maritime interests, would prohibit shipowners and operators from withholding State income taxes from the wages of persons who serve on the crew of any vessel engaged in the foreign, coastwise, intercoastal, interstate, or noncontiguous trade.

This Congress is willing to prohibit steamship companies from withholding State income taxes from their employees, regardless of their State of residence.

Why then should we insist that the Federal Government put itself in the position of withholding State income taxes from those whose place of abode is not in the State?

I merely wish to reemphasize my own amendment and then I shall conclude. The amendment which I have offered, and which will be voted on first, prior to the amendment of the distinguished Senator from Massachusetts [Mr. SALTONSTALL], is justly and correctly called a perfecting amendment. The second part of that amendment is identical with that of the Senator from Massachusetts. It strikes out completely the sentence in the bill as it came from the committee which provided that the taxpayer could determine legally, as far as the Federal Government as an employer is concerned, his place of residence or abode by simply stating in writing where he considered he lived.

That is out under my amendment. It is out under the amendment of the Senator from Massachusetts.

The first part of the amendment, however, changes the words "residents of" to "whose place of abode is," which, as I think I have explained, ought to remove all of the apprehensions of those who fear that the enactment of this bill would be a roadblock thrown in the way of the States collecting from employees of the Government who are stationed there, who live there, and who work there.

It seems to me that with the perfecting amendment the bill is safe. The bill will not work injustice on anybody.

More than that—and this is what makes the Senator from New Hampshire feel very strongly on this point—it will not be taken as another wedge and a moral victory for those who advocate that States and cities reach out further, and further, and further, to tax people in other States.

Mr. President, this process is going to catch up with us very soon. The conflicts over tax jurisdictions grow wider and wider all the time. Cities and municipalities are even beginning to levy what they call payroll taxes. Soon citizens of this country will find themselves reporting to one State and then another State and to the cities and counties, and will find themselves taxed by States in which they do not live, taxed by States in which they do not work, and taxed by cities in addition, so that tax after tax after tax will be imposed and superimposed upon their wages.

That is a problem which Congress will have to face in the near future. In fairness, I appeal to the Senate not to prejudice its approach by the kind of bill which places a hallmark of approval by the Federal Government as an employer upon a practice which Congress will soon be compelled to stop or control, or at least define and clarify, if there is to be any piece of mind on the part of our citizens. That is the appeal I wish to make. I base my appeal on that fact.

I know there are Senators who have received messages from their Governors, their State tax commissioners, and other officials back home. I can understand that. I happen to be situated in a State which has been frugal, and therefore has no State income tax. I should like to take this opportunity to invite Senators, when they retire, to come to New Hampshire, because it is one State where an income tax is not imposed on its citizens. The reason is that we have tried to live frugally and keep the cost of our Government within bounds.

But we are completely surrounded, as are certain other States, by States which try to reach over into the pockets of our citizens. If this practice continues, every State in the Union may be whipped into imposing needless taxes, taxes they have so far refrained from levying. A State which does not now have an income tax may be forced in self-defense to levy one so that it can collect from the citizens of the adjoining States. When taxes are collected needlessly, the income is used for needless spending—

and we have heard all about that in the Senate.

I am concerned about the principle. This bill will not have immediate far reaching effect. It will not cure the situation we complain of in my State. But there is a principle involved, and all I ask is that the bill be passed in such form that it keeps the Federal Government neutral and does not put it on one side or the other in this contest.

I know that the Governors and State tax commissioners are perfectly sincere. They are apprehensive. They are fighting for the penny that is close to their eyes today, rather than the dollar that is far away tomorrow. But I predict that the day will come when this principle will rise up to haunt them, and they will rue the day bitterly when even an entering wedge was approved. I predict that the time will come when they will see that there are two sides to the coin, and when citizens who are working will not be able to count the number of places where they must pay income taxes. It will be pretty difficult to collect all the taxes which will be imposed, and the various governments will not have the cooperation and confidence of the taxpayer. When that time comes, the situation will be grave indeed.

Mr. KEATING. Mr. President, will the distinguished Senator from New Hampshire yield, provided he does not lose the floor?

Mr. COTTON. I yield.

Mr. KEATING. I have been a Member of the Senate for but a few months, but I have never heard a more vigorous argument made for the people whom a Senator represents than has been made today by the Senator from New Hampshire. I think his argument is wrong; but certainly a wrong argument was never advanced with more vigor, more sincerity, or a greater ability than was done by the distinguished Senator from New Hampshire.

Mr. COTTON. I simply want to thank the Senator from New York.

Mr. KEATING. Do not thank me yet. There is a "but."

Mr. COTTON. I know there is a "but"; but before the Senator gets to that, I wish to thank him for his generous and almost extravagant praise. Still, if he will analyze his words, he will find that they indicate that the Senator from New Hampshire was loud but not logical. Would the Senator just as soon say "vigorous and logical"?

Mr. KEATING. Logic refers in a way to the rightness of one's cause, and I do not want to imply that I agree with the Senator's position on this matter. I simply want to say that we all are aware of the fine work which the Senator from New Hampshire has been doing in this field. Certainly I would be the last one to say that any blame should be attached to him for this. But it is the very ability of the distinguished junior Senator from New Hampshire which makes his statement dangerous, because he has made it so complex that there is a danger that his fine oratory may possibly overcome our logic when we vote on this question.

It is a very simple question, as the Senator from Massachusetts [Mr. SALTONSTALL], of whose amendment I am a cosponsor, will agree. The people of New Hampshire happen to want to live there. Perhaps they want to live there because there is no income tax in that State. It is a fine and beautiful State. Perhaps the people of New Hampshire want to work in Massachusetts. Similarly, there are many people who live in New Jersey and work in New York. Both Massachusetts and New York impose income taxes on the earnings of persons who work in the State but who live in adjoining States.

There are a number of good reasons for the imposition of nonresident State income taxes. For example, persons from outside of New York who work in New York are protected by the New York police departments; they ride on New York highways; they rely upon the fire departments in New York State. In a word, they use all the facilities which are afforded by the State for the protection and comfort of citizens of the State. If they want to bring their own police force with them; if they want to bring their own fire departments with them; if they want to bring facilities for the handling of sewage with them; if they want to bring all the many facilities which are afforded by the State in which they work; then perhaps negotiations can be entered into so that they can be relieved of paying the income tax in that State. But if they are going to use these facilities, they must pay their fair share of the cost of these facilities. If they use these facilities, they must be treated in the same way as the fellow who works at the next desk and who happens to live in Manhattan or in one of the suburbs of New York City. All the employees of a given firm should be taxed on the same basis. This principle is accepted by every State which has an income tax. I believe it is a fair and just principle. That is all there is to this argument.

Having simplified the argument, Mr. President, I hope that I have made a contribution to the defeat of the proposal of the distinguished Senator from New Hampshire, no matter how vigorous or eloquent he may hereafter be.

Mr. COTTON. I am compelled to make this brief comment on the words of the distinguished junior Senator from New York. I served with him in the House of Representatives, and it is an honor to serve with him in the Senate. But when, with that sweet, dulcet manner of his, and with that genuine smile, and with those well chosen words, he starts to simplify something, beware.

Can there be anything more plain than this bill, with the perfecting amendment the Senator from New Hampshire has offered, which simply says, in effect, "Yes; it is all right for the Federal Government to enter into agreements with the States to withhold State income taxes from Federal employees, provided, first, that the employees' post of business shall be in the State, and, second, that his place of abode is within the State"? If the Internal Revenue Service sends an agent from New York to go out into Missouri or Wisconsin or somewhere else and stations him there to collect taxes and to do the work of the Department, his place of duty is there and his abode is there, and the Federal Government will withhold the State income tax. But the Federal Government should not make itself an agent or an arbiter to collect in advance a State tax on a Federal employee who does not live in the State, is not a resident of the State, or a voter in the State. That is perfectly simple. I am astounded at the claim that whenever I stop at La Guardia Airport, I use the New York sewers, and should pay for using them. Am I supposed to pay a portion of my taxes to New York? [Laughter.] How ridiculous can my friend, the Senator from New York, get?

Certainly a person who spends a few days at a New York hotel does not have to pay taxes in order to pay part of the expenses of the New York Fire Department, the New York Sewer Department, and so forth.

Mr. KEATING. But if such a person lives there day after day——

Mr. COTTON. If he lives there day after day, and stays there indefinitely, his taxes will be withheld. The Senator from New York should not make such a claim, and then criticize the logic—or, as he alleges, the lack of logic—of what I have stated.

Mr. KEATING. Mr. President, I am afraid that the Senator from New Hampshire and I do not see eye to eye in regard to this matter.

Mr. PROUTY. Mr. President, will the Senator from New Hampshire yield to me?

Mr. COTTON. I yield.

Mr. PROUTY. First, I wish to commend the distinguished junior Senator from New Hampshire for the very valiant and able fight he is making in behalf of his State. His State has every reason to be proud of his efforts in this respect and his efforts in other respects.

However, I am forced to disagree with his conclusions.

He has pointed to the fact that New Hampshire does not have a State income tax. However, as a result of the fact that New Hampshire has legalized gambling, a substantial proportion of the revenues of New Hampshire are paid by residents of Vermont and Massachusetts.

I believe the Senator from New Hampshire realizes that Vermont is perhaps more responsible than is any other State for the fact that the Federal Government is now withholding taxes for various States, from salaries earned by Federal employees within the respective States. He will remember that in 1952, I believe, Vermont refused to turn over to the Federal Government approximately $2 million worth of Federal taxes which Vermont had collected from State employees; Vermont took that position in order to persuade the Federal Government that it would be only just to have a reciprocal relationship entered into.

As I understand the amendment of the Senator from New Hampshire, if a Federal employee rents a home in New Hampshire, but earns all of his income

in Vermont, under the provisions of this amendment his salary would not be subject to withholding for taxes. Is that correct?

Mr. COTTON. Mr. President, in the very rare instances—and they are rare—in which a Federal employee resides, has his place of abode, has his home, on one side of the State line but is employed on the other side of that line, this bill provides that the Federal Government will not pass judgment on that matter in advance and withhold for the State in which he works.

Mr. PROUTY. The Senator from New Hampshire has clarified his amendment; and I am grateful to him for doing so.

Mr. BARTLETT. Mr. President, if the Senator from New Hampshire will yield to me, I merely wish to say—and in doing so I desire to join with my friend, the Senator from New York—that the eloquence and the persuasive abilities of our friend, the Senator from New Hampshire, have caused me, as a cosponsor of the Saltonstall amendment, to retire, from time to time, to the cloakroom, so I would not be overcome by the force of the Senator's arguments and be completely persuaded by them. It is with difficulty that I have come through unyielding and still a firm advocate of the Saltonstall amendment; but I have come through.

Mr. COTTON. I thank the Senator from Alaska for his statement.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I wish to be heard briefly on the pending motion.

I served as attorney general of my State. Although I appreciate the pleasant nature of the debate which has occurred in regard to this matter, I believe the problem involved is far more fundamental. I believe that the fundamental legal question involved is of such character that the Senate would make a great mistake if it failed to adopt the amendment of the Senator from Massachusetts [Mr. SALTONSTALL], which I have had the honor to cosponsor, and if it failed to reject the amendment of the Senator from New Hampshire [Mr. COTTON].

My reason for taking that position is that it is one thing to try to change the ground rules under which relations between nonresidents and the States in which they work shall be handled.

I wish to call the attention of the Senate to the fact that only recently the Senate did exactly that, in the case of businesses which operate interstate, but engage in some intrastate activities. A bill to that effect was recently passed by the Senate.

It is one thing to do that, and I think in that respect the Congress is proceeding on perfectly sound ground; but it is quite another thing to provide that, notwithstanding a lawful State tax law, the Federal Government shall not be a party to helping enforce that State law. If we were to take such a position, I believe we would get into many contradictions and many difficulties. Yet that is the fundamental purport of this proposal.

The Federal Government is seeking, by means of a withholding statute which relates to cooperation between the Federal Government and the State governments, to change the rules in regard to what a State will be allowed to do by way of taxation.

It will be argued that the fact that the Federal Government does not withhold, does not necessarily mean that the tax will not be collected. However, I think we know well enough, from the experience in connection with the collection of taxes, that if taxes are not withheld, to a great extent they will not be paid, somehow or other, to the taxing authority.

Therefore, I believe agreements should be made with respect to such compacts—which, incidentally, do not affect a great many States.

Of course New York has a very material problem on this score.

In a moment, I shall submit details in regard to how New York, New Jersey, and Connecticut are trying to attack this problem.

Another way to attack it would be for the Congress to pass a bill of the kind it passed the other day for the benefit of business firms which felt that under a Supreme Court decision, they were being unjustly penalized. Because of that situation, the Senate passed a bill which I believe could properly be described as a bracket bill; in other words, it provided for both a minimum and a maximum, so there would be some assurance that an interstate concern could proceed to do some intrastate business, without being subject to the tax. That arrangement would be perfectly legal; and I have no reason to say that Congress should not act in such a manner in such a situation, if it feels that it wishes to help solve that difficulty.

But I believe the approach made by means of this bill would inhibit the collection of the tax, without resulting in adjudication as to any of the equities as between the State government and the Federal Government. The necessity for taking action in that situation has been made clear by my colleague [Mr. KEATING].

Of course, one who earns his living in a certain State, receives various governmental services from that State, even though in a legal sense he does not actually live there, if he maintains his residence in another State.

I do not believe the Senator from New Hampshire is even satisfied with the definition of "resident" which is contained in the bill. He wishes to include an even tighter definition with respect to the abode or the actual place of residence of the person involved.

If the proposed statute were enacted, I believe we would be avoiding the assumption of our proper responsibility, which is to arrive at an adjudication in regard to how much a State is permitted to tax a nonresident. But at the same time we would be failing to exert our proper authority in regard to the question of withholding; and our failure to take that action would immediately mean that a State involved in such a situation would lose much of the taxes which it should receive.

Mr. COTTON. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. COTTON. I should like to ask a question of the Senator from New York, who has had a great deal of legal experience, and has great legal ability: Under existing law, the Federal Government does withhold for taxes, does it?

Mr. JAVITS. That is correct.

Mr. COTTON. If the proponents of this bill did not desire in any way, shape, or manner to change the ground rules, and if the sole purpose of the bill were to make sure that the Federal Government did not receive a commission in connection with this situation, why not simply say that in the bill? I could not understand, and so stated in the committee, why the bill had to set up a procedure for entering into compacts that is already perfectly clear. Why could we not say the Federal Government shall not accept the commission, and leave it where it is, and then we would not be changing the ground rules?

Mr. JAVITS. That is satisfactory to me. I hope the Senator from Massachusetts, who has examined into that phase of the question, will speak to that particular phase. If that is so, we shall not run across what it will be if it is left this way or if it is amended the way the Senator from New Hampshire wishes to change it, and change the substantive ground rules. The fact is that we are faced with a fact, and not a theory. We are faced with two amendments which seek to change the ground rules. Of the two amendments, I think the Saltonstall amendment leaves the matter in status quo, which I think is proper, more than does the amendment of the distinguished Senator from New Hampshire.

My home State of New York is making a great effort to agree with the States of Connecticut and New Jersey upon a formula which will be fair to the nonresident and at the same time be fair to the State of New York. For the aid of my colleagues, I would like to mention what that formula is. The formula proposes that every nonresident taxpayer shall get the same treatment as every resident taxpayer in terms of deduction, except both in terms of income on which he is taxed and the deduction to which he is entitled, it shall be prorated against total income. There shall be a rule of thumb that where a great deal of the income is derived from interest and dividends—the proposal is, for New York, when $1,000 is derived from dividends or interest on which he owes a tax only to his State of residence—he should get only 90 percent of the deduction, in order to give him some credit for the fact that he is not paying on a pro rata share of his whole income.

I mention that only by way of asserting that, in mutual self-interest, the States can and will get together. The three States of New York, Connecticut, and New Jersey are certainly trying to act on that score. I believe they will get together. I think that is the best way in which to settle these questions.

I hope the Senate—and I beg all Senators to listen to this—will not involve itself in a cul-de-sac of trying to determine any arrangement between the two parties by depriving one of the parties

of a remedy, rather than proceeding the way Congress should proceed, which is to adjudicate the equities between them.

Unless the amendment of the Senator from Massachusetts is adopted, we will be denying the State a tax which it justly and properly levies in the only way it can collect it, while Congress, at the same time, will not be taking the responsibility of deciding that State is not entitled to the tax. This is something we cannot do, because it is an example and a precedent which can go into other areas and hurt quite seriously the very people who are advocating it.

I hope the Senate will not put itself in that position, and will, therefore, vote for the Saltonstall amendment and against the Cotton amendment.

SIXTY-THIRD BIRTHDAY OF SENATOR KERR, OF OKLAHOMA

Mr. ANDERSON. Mr. President, we have been discussing a financial matter, but, for a moment, I should like to get out of a discussion of financial matters to remind the Senate that today is the birthday of Senator ROBERT KERR, ranking Democratic member of the Finance Committee.

I have been trying to get all four Members of the Senate who sit in this row, on which the Senator from Oklahoma is anchor man, to be present. We have finally gotten them here. We wanted to express the gratification to Senator KERR of all four of us who sit in this front segment.

Senator KERR was born in Ada, Okla., at the time it was Indian territory, but the State joined the sisterhood of the rest of the States, and he has been an active leader in that State. The people of that State know not only of his political record, but of his financial record, and recognize that he was certainly equipped with tremendous financial acumen and great ability, which he has translated into the welfare of the people of his State and the fine things that represent the dignity of that State.

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

Mr. ANDERSON. I am happy to yield to an interloper who has moved into this front row. The Senator from Florida sits next to the Senator from Oklahoma on the Finance Committee.

Mr. SMATHERS. I hope the Senator from New Mexico will not limit the expressions of gratitude and appreciation of the able Senator from Oklahoma to those who sit in the front row, but let others outside the front row express their congratulations to the Senator, and their appreciation of the contributions he has made not only to the Finance Committee, but to the Nation.

Mr. ANDERSON. It is all right. I only say those of us who have to live with him have a little deeper feeling than the rest of the Senators.

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

Mr. ANDERSON. I yield to the Senator from Minnesota. We allowed him to sit in this front row after three tie votes. Finally we agreed to let him sit in our particular segment.

Mr. HUMPHREY. I thank the Senator from New Mexico. Sitting in the front row here is an honor of which I am proud.

I merely wish to say that the Senator from Oklahoma is not only a great Senator and a fine gentleman, as shown by the record the Senator from New Mexico has recited, but he is a man of unusually good judgment. When he seeks rest and meditation, when he wants to refresh his spirit, his body, and again enrich his mind, he comes to the great State of Minnesota, where he has his summer home. It is only fair to say this in itself would have qualified him for any office in the land.

The first time I heard the Senator from Oklahoma give forth with his brilliant oratory, the kind of oratory that not only inspires those that are already with him, but devastates those who are foolish enough to stand against him, was in 1944, at the Democratic National Convention, when we listened to one of the truly great keynote speeches, by a great man and a great speaker.

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

Mr. ANDERSON. I yield to the Senator from Delaware.

Mr. FREAR. This is an unusual experience today, to be privileged to be in the Senate when the birthday of my colleague from Oklahoma comes around.

The remarks of the Senator from Minnesota reminded me of an occasion about 5 years ago, when my delightful colleague came to the State of Delaware to inspire a group of Democrats as to how to cast their votes in an election. The result was due to the vigor he put behind his speech, which may have been somewhat exaggerated, but which nevertheless proved most effective. I am sure that had he not come to Delaware on that occasion, he would have been without one of the four in this segment of the front row. So his arc of influence is not limited to any one place in the United States, but has extended to the State of Delaware.

I surely hope that he will not only live another 50 years, but that he will be a Senator another 50 years, if that is what he desires. He might even help to take along the Senator from Delaware for an additional time.

Mr. TALMADGE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I am happy to yield to the able Senator from Georgia.

Mr. TALMADGE. I desire, as a very junior member of the Senate Committee on Finance, to associate myself with the congratulatory remarks which have been made by my colleagues on the Committee on Finance regarding the distinguished Senator from Oklahoma. I have been a member of the Senate Committee on Finance since the beginning of this year. I was well acquainted with the distinguished Senator's marvelous capacity for oratory prior to that time.

Since I have been a member of the Committee on Finance I have never ceased to marvel at the quickness of the mind of the distinguished Senator from Oklahoma. No matter how complicated the proposed legislation before the Finance Committee may be, he seems to grasp it in its entirety in a minimum of time. When witnesses appear before the committee, if there is any evasion, any subterfuge, or any desire on the part of any witness to fail to tell all the truth, to tell the facts fully and completely, the devastating cross-examination of the distinguished senior Senator from Oklahoma is brought to bear and the full facts go into the record.

I congratulate the Senator. I hope he will be in the Senate for many years to come to continue his outstanding and useful service to our country.

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

Mr. ANDERSON. I am happy to yield to the able Senator from Oregon.

Mr. MORSE. I do not quite understand why my good friend from New Mexico discriminates so much in favor of the front bench, because I do not know what the Senators on the front bench would do if they did not have the back benchers to back them up time and time again.

I wish to say, as one of the back benchers, that one of the treasures I pride is my friendship with the Senator from Oklahoma, which has developed over the years of our service in the Senate. I am sure the Senator will not be the slightest embarrassed if I say that one of the great services he has rendered to many of us in the Senate has been his great moral leadership as we have met with him on many occasions at the breakfasts which he attends with us on Wednesday mornings, in which we seek to at least discuss the need for application of great moral principles and values to our work in the Senate. I doubt if all my colleagues in the Senate know the scholarship of the Senator from Oklahoma in the field of Biblical literature. I doubt if there is anyone else in the Senate who is as well versed on the history of the Bible or who can quote verbatim at such length from the Bible as the Senator from Oklahoma.

I wish to extend my birthday greetings to the Senator, and to thank him very much for the inspiration he has been time and time again as we have met on Wednesday mornings and tried to evaluate ourselves and our work in the Senate from the standpoint of the Good Book.

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

Mr. ANDERSON. I yield to the Senator from Wisconsin.

Mr. WILEY. Would the Senator permit a Republican Senator to get into this conversation? Are the Senators running BOB for office? If so, let me in on it. He would make a good President.

Mr. ANDERSON. No, indeed, I am happy to yield to the able Senator from Wisconsin.

The Biblical reference has been mad The old hymn says:

> And while the lamp holds out to burn,
> The vilest sinner may return.

I welcome the Senator from Wisconsin to this company.

Mr. WILEY. I am very happy to join in all the good things that have been

said about BOB. But to make it plain I am not joining up, I am only praising a friend.

I remember when he came to the Senate. He has had many experiences since then. I remember that last year he pretty nearly took the hide off me when he was presiding in the committee. This year he has mellowed. He was very sweet, so much so, I got suspicous. He was very much the proper presiding officer.

It has been said that he has barrels of what the Germans call 'das geld." A great many people who have simply accumulated money have not accumulated ideas, but BOB has ideas. I have heard him give some of the finest spiritual philosophy. He has a fine, reaching mind.

There were days when he was reaching for the oil, now he is reaching for understanding, and he has a lot of it. That is probably due in large measure to his wonderful wife. I am sure he has felt the influence of that fine woman.

Anyway, I wish to say it has been a privilege for me to know this distinguished Senator. He has added much to my understanding. We have a little breakfast meeting over which he presides at times. He never misses the mark. He shoots straight. He shoots high. He shoots nobly.

I join in saying, "May you have 63 more years of service on this globe and then, after that, I know you will be flying."

Mr. ANDERSON. Mr. President, in closing, I wish to say I think I understand one of the reasons for the success of the able Senator from Oklahoma. He came in once, as Governor of his State, to deal with the then Secretary of Agriculture. He wanted a lake which was then in the ownership of the Department of Agriculture devoted to the use of the people of Oklahoma. He discussed the matter with the then Secretary of Agriculture, and all the reasons were given to him why this could not be done. They were valid reasons. They had been worked up carefully by the General Counsel of the Department of Agriculture. The able then Governor of the State of Oklahoma listened to the reasons attentively and said, "That is fine. Those are all the reasons why you cannot do it. Now I want to tell you the reasons why you can do it." And the Department of Agriculture found it possible to do what the then Governor of Oklahoma wanted.

I salute the Senator on his 63d birthday.

Mr. KERR. Mr. President, there have been few times in my life I did not want to say something. Rarely have I ever been where I did not know what I wanted to say. Most usually, when I did not know what to say I did not try.

I find myself unable to resist the temptation to express not only my gratitude but also that of my State of Oklahoma, not only to the gentlemen who have spoken, but also to the many in this body whose wonderful friendship to me and to the State of Oklahoma has been of such great value.

As I sit here and look at this distinguished group of men who have been so kind to me—as I realize their significance, their standing, their ability, their prestige, and their influence—it warms my heart to know they have a feeling for me of which not only I am the beneficiary, but also Oklahoma is the beneficiary. To each and every one of them I am grateful beyond my ability to express.

And to that noble gentleman from the other side of the aisle, whose hand we clasp often at the meetings to which he referred, I am happy to say publicly, as I have said privately, we regard him as one of our leaders in that field. Not only to him, but to each of the gentlemen who have been so kind, I say, as did the poet:

And I would that my tongue could utter
The thoughts that arise in me.

In gratitude.

WITHHOLDING ON SALARIES OF FEDERAL EMPLOYEES FOR STATE INCOME TAX PURPOSES

The Senate resumed consideration of the bill, S. 2282, to amend the act of July 17, 1952.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. COTTON] to perfect the language proposed to be stricken out by the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Were the yeas and nays ordered on the Cotton amendment?

The PRESIDING OFFICER. They were not.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand for the yeas and nays sufficiently seconded?

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

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. COTTON] to perfect language proposed to be stricken out by the Senator from Massachusetts [Mr. SALTONSTALL].

The amendment was rejected.

The PRESIDING OFFICER. The question now recurs on the amendment of the Senator from Massachusetts to strike out certain language.

The amendment was agreed to.

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

The committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2282) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. SPARKMAN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. SALTONSTALL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SECRETARY OF THE TREASURY ROBERT B. ANDERSON

Mr. BRIDGES. Mr. President, the high regard which I hold for Robert B. Anderson, the Secretary of the Treasury, is fairly well known. He is a dedicated, competent servant of our Government and a valuable asset to the President's Cabinet.

This view is obviously shared by columnist William S. White whose glowing tribute to Secretary Anderson is outlined in a column entitled "Treasury Secretary Rating High," which appeared in the August 31 edition of the Washington Evening Star. This is a well-deserved testimonial to our able Treasury Secretary, and I ask unanimous consent that it be printed in the body of the RECORD as part of my remarks.

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

TREASURY SECRETARY RATING HIGH—ASSOCIATES CONSIDER ANDERSON KEYMAN IN OPINION OF PRESIDENT

(By William S. White)

Secretary of the Treasury Robert B. Anderson has become top boss of the home front and incomparably the most powerful man in the Cabinet.

President Eisenhower's increasing preoccupation with high foreign policy, as he prepares for historic meetings with Nikita Khrushchev of the Soviet Union, has left Anderson in all but sole charge of the administration's domestic tone.

The Secretary's conservative fiscal views have long since wholly captured the President's mind. The Anderson budget-balancing philosophy has dominated the administration's relations with the Democratic Congress. And this Anderson philosophy is, in the end, perhaps more responsible than any other factor for the President's newly tough line with the Capitol—including his vetoes of unwanted bills.

This, however, for all his enormous force in American affairs, is one of the least known of all the Eisenhower Cabinet ministers. Who, really, is this man of such large and little-appreciated power?

He is, first of all, an ex-Texas "Eisenhower Democrat" from 1952 who has gone the whole way in personal transformation. He has moved his official residence to Connecticut and is now a registered Republican. (Very few native Texans ever, in any circumstances, become officially ex-Texans.) He is tall, rangy, faintly stooped, quiet almost to the point of inaudibility except when he wishes it otherwise. His thin, academic face reflects a studious and sensitive private nature.

The ironical fact is that the most orthodox Republican now in the Cabinet was born and brought up in a Southern Democratic State.

Anderson's predecessor as Secretary of the Treasury, George M. Humphrey, is a member of that wing of the GOP which historically is the most teetotally old-fashioned Republican, the Ohio Republicans, as they have been called for two generations.

That Humphrey would to a large extent dominate the Cabinet was thus more or less inevitable from the day he entered it. For the Treasury post traditionally has lain close to the heart of nearly all GOP administrations, as the Secretaryship of State has done in nearly all Democratic administrations.

The fact that Anderson is likewise in a position of dominance is quite another thing. Indeed it is an improbable thing, for he is of a different breed altogether. He has not reached this point, according to fellow Cabinet members with whom this correspondent has talked, simply as Humphrey's heir. He has come forward on his own peculiar steam.

His qualities, as his Cabinet colleagues see them, are two: A special dedication to his work, and an ability to throw off a calm but strong impression of extraordinary competence. His strictly personal, social relations with the President are not so close as were Humphrey's, perhaps because Anderson at 49 is a generation younger than Mr. Eisenhower. But the ex-Texan actually takes a more decisive hand in all phases of the administration's work than even Humphrey ever did.

Humphrey, as one Cabinet informant puts it, would speak forcefully on the general fiscal issues closely touching the Treasury, but usually left matters there.

Anderson does not simply speak broadly for the Treasury. He also gets into the discussion—sometimes with a veto of his own—on every issue before the Cabinet that involves either major spending or major policy. This, of course, is another way of saying that he interests himself in everything of any consequence, no matter whose Cabinet department is especially involved.

This normally would be a good way to lose friends fast. The fact that Anderson has instead the respect and affection of the entire Cabinet thus must say a good deal about the kind of man he is. So does the fact that he retains the respect and friendship of the Democratic leaders of Congress—not excluding Speaker SAM RAYBURN, of Texas, who ordinarily speaks in smoky language of Democratic Party bolters.

Then there is this final point. Asked "what does the President really think of Anderson," another Cabinet officer told me: "Put it this way: If the President were a dictator, and wanted to act as one, he would surely make Anderson his successor as President."

REVIEW BY CONSTANTINE BROWN OF THE BOOK "STRATEGIC SURRENDER"

Mr. BRIDGES. Mr. President, last summer there was a book purported to be published at the request of the U.S. armed services called "Strategic Surrender." Unfortunately I have never had time to read this book. Recently there appeared in the press an article by Constantine Brown in which he quoted from this book with its rather un-American-like title. He also delves further into this new concept of our policy, that is, strategic surrender.

This column has been brought to my attention, and after having read it, I am profoundly shocked, if indeed anyone connected with our armed services is accepting the policy—as is written in the book—that there is a substitute for victory, and that, and I quote:

we shall have to revise some of our deeply rooted traditional attitudes, such as our rejection of compromise and our faith in extreme, ideal solutions.

I continue to quote:

In the future, they can only render us impotent to deal with political reality, and thus jeopardize our very survival.

I recommend this article of Constantine Brown's to every thinking American who is anxious about our present state of affairs, and ask unanimous consent to have it printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follow:

(By Constantine Brown)

"It has been regarded as not respectable to suggest that one's own country should not go to war if its dignity is affronted or its prestige is hurt or its honor questioned, or if somebody tries to grab some of its territory. It is only recently that we have been able to question the desirability of war without being called a traitor or subversive."

The above quotation is not taken from the pages of the Sunday Worker. On the contrary, it is a passage from a book written by a man holding responsible world positions. The book, published in 1957, is "Prescription for Survival," and its author is Brock Chisholm, president of the World Federation of Mental Health, vice president of the World Association of World Federalists, and until recently head of the United Nations World Health Organization.

Recently Soviet Premier Khrushchev has also been making absolute statements concerning our internal affairs. He has said that President Eisenhower's children will live in a Communist United States (and this was repeated by Deputy Premier Frol Koslov on his visit to this country). Khrushchev, on his recent visit to Poland, told the slaves of communism that we don't need war because the capitalist world is growing wiser.

What Moscow's headman has been saying to the enslaved peoples as well as to the still free peoples of the world who look to the United States for salvation, is that the old-fashioned, red-blooded, nationalistic pride of the American people finally has been cracked, and that a Communist version of state socialism will be sweeping soon over an anesthetized American public. Bearing in mind Dr. Chisholm's pronouncement above, Khrushchev had reason to be optimistic.

The last few years reveal the method used for this anesthetization of the majority of Americans—the actual change in everday morals, their un-American-like fear of the enemy, and their present difficulty in telling right from wrong. (It is accepting world responsibility to send billions of dollars to "backwards peoples" but it is "war mongering" to defend or rescue those being murdered and enslaved.)

Last summer a book written and published at the request of the U.S. Air Force caused a short-lived stir. Its startling title was "Strategic Surrender," a phrase never before considered by any American. Its some 250 pages were merely a conveyance for three important sentences. On page 20, author Paul Kecskemeti says quite simply, "One may safely say that the maxim that 'in war there is no substitute for victory' is totally erroneous." On the last page he declares: "We shall have to revise some of our deeply rooted traditional attitudes, such as our rejection of compromise and our faith in extreme, ideal solutions. In the future, they can only render us impotent to deal with political reality, and thus jeopardize our very survival."

This new concept for American thinking and morals was fomented during World War II by postwar planners, and in 1945 was presented by Dr. Chisholm to an interested and receptive group of psychiatrists and politicians (among them Henry Wallace).

The speech was delivered before the William Alanson White Memorial Lectures on "Psychiatry of Enduring Peace and Social Progress" in New York. Then Dr. Chisholm expressed the view that the cause of all wars is prejudice, isolationism, and believing in unreasonable things. These, he said, "are all well known and recognized as neurotic symptoms." He went on to say that the only "force capable of producing these perversions is morality. We have swallowed all manner of poisonous certainties fed us by our parents, our Sunday School teachers, our politicians, our priests." The only way to prevent war, he added is "to root out and destroy the oldest and most flourishing parasitical growth in the world, the tree of knowledge of good and evil."

Eleven years later, in his book previously mentioned, he wrote what is apparently the mother of the idea given the Air Force: "In the past, it was possible to win a war, as it isn't now, and never will be again." It is interesting to note, parenthetically, that this new "certainty" already had been expressed at the Dunbarton Oaks Conference in 1944.

In the light of these passages by Mr. Kecskemeti and Dr. Chisholm, it is more understandable why Americans languish in Communist prisons year after year; why only a "sharp note" is sent to Moscow whenever one of our unarmed planes is ruthlessly shot down; why we only express "shock and dismay" when enslaved peoples are being slaughtered by Soviet hordes; why we rush diplomatic recognition of murdering brigands who have massacred governments friendly to America in countries who have always looked to us for selfless assistance; why we cower in fear of Russian nuclear weapons; why we rush to sub-summit and summit meetings whenever Moscow threatens us with dire consequences if we do not "negotiate."

Dr. Chisholm says, "we are now under the necessity, the absolute necessity, of functioning as world citizens." Are we being conditioned to accept "strategic surrender" and eventually to share world citizenship with Comrade Khrushchev? If so, it is only fair, and an act of humanity, that we so inform our allies as well as the slaves behind the Iron Curtain so they will no longer live in false hope.

AMERICAN POLITICAL SCIENCE ASSOCIATION AWARDS FOR DISTINGUISHED CONGRESSIONAL SERVICE

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed as a part of my remarks a statement issued by the American Political Science Association relating to the fact that two Senators and two Representatives have been chosen for the American Political Science Association congressional distinguished service awards.

Those selected are my distinguished colleague from New York [Mr. KEATING] the distinguished senior Senator from Minnesota [Mr. HUMPHREY] and the distinguished senior Senator from Delaware [Mr. WILLIAMS]; and from the other body, the well known Representative CARL VINSON.

I think it is a matter of great pride for all of us when colleagues from our States earn high awards by a body noted for its understanding of the American political scene, the American Political Science Association, which made these awards in the name of a former Member of this body, Senator William Benton, who first suggested them in 1955, and who now sponsors them.

It gives me great pleasure to compliment my colleague, the distinguished junior Senator from New York [Mr. KEATING], and the other Senators who are complimented in this way.

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

TWO SENATORS AND TWO CONGRESSMEN CHOSEN FOR AMERICAN POLITICAL SCIENCE ASSOCIATION "CONGRESSIONAL DISTINGUISHED SERVICE AWARDS"

WASHINGTON, D.C.—Senators HUBERT H. HUMPHREY, Democrat of Minnesota, and JOHN J. WILLIAMS, Republican of Delaware, and former Congressman and now Senator KENNETH B. KEATING, Republican of New York, and Congressman CARL VINSON, Democrat of Georgia, were chosen today by the American Political Science Association to receive the first Congressional Distinguished Service Awards. The Awards were made to the legislators at luncheon ceremonies in the Mayflower Hotel in Washington, D.C.

The two Republicans and two Democrats who were honored were given the awards by Dr. Pendleton Herring, president of the Social Science Research Council, and a member of the nominating committee. The awards were designed by Dr. Herring, and executed by Ralph Menconi, the sculptor. Dr. Herring said, "In making the awards, factors that weighed heavily were: (1) devotion to the public welfare joined with a firm grasp of the skills required of a lawmaker; (2) high competence measured in terms of effectiveness and concrete accomplishment; (3) constructive imagination, hardheaded acumen and a capacity to formulate and advance objectives of national policy and yet be mindful of the welfare of constituents back home, and finally (4) the respect of colleagues based on the day-to-day contacts that reveal the true worth of the individual.

"Both Houses of Congress have many members who meet these qualifications. It is hoped that the awards presented today will call attention to the important and dedicated service rendered not only by those to whom these awards are given but also the many Members of Congress who share the qualities for which the awards are made."

Former Senator William Benton, of Connecticut, who first suggested these awards in an article in 1955 and whose William Benton Foundation has underwritten the program, also addressed the members of the American Political Science Association and distinguished Washington officials. Senator Benton said: "Einstein once remarked that the world was more likely to die of bad politics than bad physics. It would seem to follow that good politics should be duly honored if we can find a way to do it.

"The Members of Congress are the most remarkable group that I have ever met anywhere. In integrity, intelligence, and hard work they rank above any other group with which I have ever worked. Yet many of the greatest congressional heroes are relatively unsung and unappreciated. Legislators who are willing to raise phony or futile issues simply for the sake of publicity, and who hunt headlines cynically, all too often receive disproportionate news attention—while those who perform the nonglamorous drudgery which is the heart of effective work by Congress too often remain virtually unknown. Indeed, since the founding of the Republic, disparaging Congress has been a popular American sport. Yet Congress is the very center of our democratic way of life. I am hopeful that these awards will enhance the prestige of Congress—and of those Members such as our winners today who contribute most to making it the great and effective body it is."

Presiding at the luncheon was John A. Vieg, of Pomona College, Calif., vice president of the American Political Science Association. Principal speaker was Hugh Elsbree, director of the Legislative Reference Service for the Library of Congress. Speaking of political science research on Congress, Dr. Elsbree said that while this research had shed much new light on the role of Congress in the governmental process, "It is to be hoped that political scientists will in the future pay more attention than they so far have to the substantive aspects of the hundreds of important issues of public policy with which the Congress must deal."

Dr. Evron Kirkpatrick, executive director of the American Political Science Association, stated that the committee of judges consisted of: Grayson Kirk, president, Columbia University, New York, chairman; A. Hollis Edens, president, Duke University, Durham, N.C.; Ernest S. Griffith, dean, School of International Service, American University, Washington, D.C.; Pendleton Herring, president, Social Science Research Council, New York; Harold D. Lasswell, professor of law and political science, Yale University, New Haven, Conn.; Edward H. Litchfield, chancellor, University of Pittsburgh, Pittsburgh, Pa.; John D. Millett, president, Miami University, Oxford, Ohio; Harold W. Stoke, president, Queens College, New York.

Dr. Kirkpatrick announced that the awards will be granted every 2 years, for each biennial session of the Congress. Nominations for the next set of awards should be submitted to the association members by May 30, 1960.

THE GROWING MENACE OF FILTH AND OBSCENITY

Mr. SCHOEPPEL. Mr. President, to save the time of the Senate, I ask unanimous consent to have printed in the RECORD, a statement I have prepared on the subject "The Growing Menace of Filth and Obscenity."

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

STATEMENT BY SENATOR SCHOEPPEL

REPORT TO THE SENATE ON THE GROWING MENACE OF FILTH AND OBSCENITY

I am shocked, as every decent-minded American should be, by the flagrant use of the U.S. mails to put obscene materials into the homes of America.

Much of this dirt is addressed to teenagers or to children even younger. Much of it is unordered, unsolicited, and unwanted.

The extent of this racket is unbelievable. Its operation insults every American parent who has an interest in how his children grow up or what they will become.

I am astonished to learn from Postmaster General Arthur E. Summerfield, who is leading the campaign against this filth, that the merchants of muck are reaping a flourishing and profitable harvest of more than half a billion dollars a year from mail-order operations alone.

Unless we stop this blight by creating a united public concern and militant action, it may become a billion-dollar business in the next 4 years.

The Postmaster General believes that this traffic in obscenity, with all its profitable ramifications, is being eyed greedily by organized crime in this country. There are many very real indications that organized criminals plan to "move in" on such a well-paying operation. If that happens, we will see a cunning, well-organized promotion of the filth racket such as we have not known even in its present development.

Naturally, the easiest victims—the biggest market—at which all this will be aimed are our children. In them, the czars of corruption will seek young and immature minds to pollute. And these same minds and morals must be the basis for America's strength in only another 10 to 15 years.

Recently, at the invitation of the Postmaster General, I stopped by the Post Office Department to see some samples of obscene materials, all of it carried by the U.S. mails. There is a room filled with a collection of pornography so repugnant it is beyond description. I do not consider myself an unworldly man, but I was first shocked and then embarrassed, even in the company of other grown men.

This exhibit must be seen to be believed.

I therefore urge every member of this Senate to take the time to go to the Post Office Department to see it. I want each of you to study the filth on display there, and to feel the surge of shame and anger.

Even more important, as you look at it, try to conceive of this material in the hands of your children or grandchildren, and imagine its effect upon them.

The examples of immorality and perversion which I saw could have but one purpose—the desecration and debilitation of the immature citizens into whose hands they were meant to fall. The primitive character of the words and pictures I saw in that exhibit can produce nothing but more sex violations, more perversion, and more crime among our children.

There are inescapable consequences of this traffic in degradation, and if they go unchecked they will inevitably lead to the breakdown of public morals and the degeneration of the keystone of civilized society, the family unit.

The Postmaster General, I know, will welcome your interest in learning firsthand the evil of this traffic. And I am sure that, after you see this exhibit, he will win your wholehearted support in his fight to stop the passage of such trash through the U.S. mails.

This is such a menace that I feel called upon to make a formal statement of the situation to my colleagues in the Senate and to the American public.

After pointing out the dangers and offering proof of my charges, I shall presume to suggest means whereby concerned parents, conscientious lawmakers, and patriotic citizens everywhere can help their Government in its determination to stamp out this racket.

Because I firmly believe that an informed public will be a concerned public, and that a concerned public will act in the best interests of the Nation, I offer this report:

First, of course, we must know the extent of this vile racket. We must ask how it has grown big enough to be a menace to the welfare of this Nation. And we must ask why it has sprung up and where it found fertile ground in which to flourish.

Pornography has become big business for three reasons: First, unheard-of profits; second, its printers and distributors have found protection in legal technicalities and lax law enforcement; and, three, our people have been too much occupied with other problems to take notice of this situation, or to suspect its size and seriousness.

Profits of 1,000 percent are nominal. Clever operators have been known to make a 5,000-percent return on their investment. One small basement, or a back-alley shack, can house enough printing machinery to turn out hundreds of thousands of pieces

of obscenity. That done, they attach a postage stamp and they are in business.

Last year, 1958, the Postal Inspection Service investigated 14,000 complaints from American citizens about obscene material received through the mails. Nearly two-thirds of these complaints were from outraged parents objecting to the receipt through the mails of lewd publications addressed to adolescents.

Think of it. More than 14,000 formal complaints made and investigated—can you imagine how many cases were never reported?

After the mailing of just one shipment by a single profiteer, the Post Office Department received more than 5,000 complaints, most of them from parents whose children had received obscene material.

In the fiscal year 1959, the Department received more than 70,000 complaints. No wonder our Postmaster General is up in arms about this dangerous traffic. Arthur Summerfield would be distressed and disturbed were he a private citizen. As the Postmaster General he is ready to do battle, and it is up to this Congress to arm him with the authority to wage that battle to the finish.

Nature itself works against the forces of good in this matter. The furtive curiosity of even a perfectly normal youngster is pandered to by men whose own moral fiber may have been eroded in their youth.

This evil may affect us all. Who can estimate the damage one piece of smut can do? One pornographic picture, article, or film in the hands of an immature or a maladjusted addressee, and the possibilities for tragedy are numberless.

If any of you are saying it could not happen to your family, or your friends' families, do not deceive yourself. Your child, your grandchild, or your niece or god-child could be on somebody's filth list today.

The mailing lists grow daily—as fast as the merchants of muck can add to them. No victim or possible victim is ignored. Obscene mail finds its way into all neighborhoods, to both sexes and to every age group. It has been received in orphanages and in the finest homes. It has been addressed to boys and girls as young and malleable as 8 years of age.

Unlike a scraped knee or a cut finger, the scars of this filth can last forever. Some things once seen, we can never wipe from our consciences. We are permitting smut to tempt our children beyond their youthful strength to resist—to make them old before their time and wise beyond their years.

Although Americans talk a great deal about our growing juvenile delinquency problem, I fear we have done little more about it than to try to place blame, and occasionally fine a negligent parent. It is most significant that the rise in juvenile delinquency percentages is in direct ratio to the increase in the volume mailing of obscene material.

If you have not read up on the delinquency figures lately, here are a few that make one's blood run cold.

One out of every five boys in this country between 10 and 17 has a court record.

Armed robbery, extortion, and sex crimes involving the very young have been carefully investigated and over and over, like a pitiful broken record, we find the offenders have been addicted to obscene and pornographic materials.

Children who are not in this class are still not safe.

You cannot put healthy American children in a vacuum and leave them there until they are mature enough to resist temptation. They must live in this world, in our country, in their State, town, and neighborhood, and these places are only what we, their parents and guardians, make them. Just because a piece of pornographic literature or an obscene picture did not come to your mail box, does not mean it did not come to your neighbor's box.

I know the Senate has been aware of this dangerous business, and I point with sincere admiration to the interim report of the Subcommittee on Juvenile Delinquency of the Senate Judiciary Committee, completed in March 1955. I commend the work done by the senior Senator from Tennessee and his committee.

They unanimously reported to the Senate that the damage done by pornography was incalculable. If it was incalculable in 1955, and this traffic has doubled since then, I do not think we are concerning ourselves a whit too soon with this problem.

Another problem, which I referred to earlier, is the laxity and looseness of our laws, and some of our law enforcement procedures, in dealing with these vicious criminals.

The trials of too many offenders had been removed from home town jurisdiction, to the so-called sophisticated atmosphere of larger cities. Light penalties or fines, which were mere slaps on the wrist, were handed down. Considering the staggering profits which are possible from this ugly operation, it is quite conceivable that offenders laughed at the fines, paid them and speeded up their printing presses to make it all back before noon of the same day.

With the vast profits that these racketeers could reap from their operations, they were able to hire shrewd, unscrupulous lawyers to plead their cases, and to wriggle through every hole that the antiquated laws permitted to exist.

We all know the high standards of ethics which prevail among the overwhelming majority of those who are members of the American bar. I am proud to be one of them myself.

But we must hold those spokesmen, who sell their professional skills to protect the merchants of filth from punishment, equally guilty with those whose vile interests they defend.

The courts of law in certain jurisdictions, too, must face their share of blame. Far too often we have seen the ultra-liberal views of a Los Angeles or New York judge give the peddler of obscenity a green light, or let him off with nothing more than token punishment.

This encourages the civil liberties smokescreen that every one of these racketeers tries to throw up to disguise his vicious operations. No sooner is there a mention of possible legislation to wipe out this traffic that corrupts our children than is heard anguished screams about alleged "civil rights" and "individual freedom."

This subject has no more to do with civil rights than does the smuggling of narcotics. This is not a problem that can be left solely to control by the parents in the home, or by the school. Too often material is addressed directly to the children, or is dispensed surreptitiously on the street corner, passing from childish hand to hand, and inflicting a scar in every mind it touches.

Those who profess to be overly concerned with freedom from censorship may not have heard that "freedom is fire on the hearth, but license is fire on the floor."

The fire on our floor has gotten quite a start, but unless we permit a lot of smoke to confuse us, we can stamp it out.

Last year we took a major step forward, and passed an excellent piece of legislation which overturned earlier decisions by some of our liberal courts, and made it possible to prosecute the mailers of obscenity at the point where the filth is received. Thanks to this legislation we can now send a proven offender to prison for as much as 10 years.

I am proud of this beginning and of my support of last year's bill, but we need more corrective legislation. Present laws are rife with legal loopholes, and the racketeers we are dealing with can inch through the smallest crack in a law designed to stop their profits.

On July 31 of this year, members of the Post Office Department testified before the Granahan subcommittee of the House Post Office and Civil Service Committee in support of House Resolution 7379. This measure would strengthen the Administrative Procedure Act, making it illegal and punishable to use the U.S. mails for fraudulent schemes and the trafficking in obscenity.

House Resolution 7379 was reported by the committee and was passed by the House on September 2, 1959.

Hearings on similar legislation are now being held by the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee. It is most important legislation, and should be the concern of every Member of this body.

Postmaster General Summerfield has addressed himself squarely to this problem, and I would like to quote a statement he made recently, taking a position to which we all can subscribe:

"We recognize that there is urgent need for positive action now. We are therefore, in effect, declaring war on these purveyors of filth, big and little, high and low.

"We are launching an intense and unrelenting effort to stop this monstrous assault on the Nation's children in every way possible."

We need the help and aid of all persons in this fight.

I do not have all the answers to this threat, but I have interested myself, and armed myself, with some suggestions and examples which I hope will serve as a point of beginning for every Kansan and every American who is sick at the stench of obscenity hanging over every home in America today.

Owners of local drugstores, soda and ice cream hangouts, and public place where young people gather—and especially any institution with a newsstand from which this dirt can be bought—must increase their vigilance.

They must know what the youth of America is hearing and reading, and they must take the profit out of this whole operation by refusing to stock their shelves with filth. Once the hot-dollar incentive is removed, organized crime groups and individual criminals will lose interest.

Indiana has blazed a commendable trail which should help us. Reports from that State show that on June 17, 1959, deputies from the office of the Marion County sheriff arrested 19 retailers on charges of violating Indiana's laws against the displaying or selling of obscene literature. The arrests were made after the Indianapolis Citizens Committee for Decent Literature had made a list of 72 magazines which they unanimously agreed were obscene and objectionable.

In Anderson, Ind., police authorities served notice on news dealers and distributors, who handled 108 obscene publications, that unless these publications were removed from public display the dealers were liable to arrest.

Indiana's Governor, Harold Handley, has launched a campaign to drive obscene publications off Indiana's newsstands. He had asked a local youth council to organize drives in each of Indiana's 92 counties to stop the distribution of such material. He knows pornography is a prime contributor to juvenile delinquency.

I take hope that this public awareness is but the beginning of a militant public attitude which will demand the clean-up we have put off much too long.

And I repeat that we must make it profitless and dangerous to traffic in trash. We must brand by public exposure and severe penalty all men or women whose evil is so

great they would touch a dollar or a dime sucked from the moral vitality of a child.

This is not a matter we can set aside. We need not ponder the remedy, or defeat it by delay or disinterest. Every hour, even while I have been speaking to you, thousands of young people have looked upon pictures, read words or been exposed to the evil influence of pornographic material.

We need some organization in this crusade. I can assure you that those who profit from the continuance of this vile flood are organized, and hard at work.

I suggest:

We must mobilize our resources: Parents, teachers, law-enforcement officers, ministers, Scout leaders, choir directors, school athletic sponsors, and all those whose daily life touches that of a child should take an active part in alerting every civic group to which they belong to the menace of this racket. If existing groups are not prepared to meet the threat, these decent-minded citizens must join hands to form new ones ready to take action.

We must publicize the problem:

The press of America, which has been of inestimable aid at every step so far, must be encouraged to continue and to expand the exposure of this racket and all who profit from it.

Radio and television outlets must be enlisted. Local civic clubs, fraternal organizations, P.T.A.'s and other civic groups must work together.

Public discussions must be encouraged. Speakers, with facts and figures, must be given audience.

We must fix responsibility where it belongs:

I regret to say that too much of it belongs to the parents who have been too busy to know what their children get in the daily mail, or who, in apathy, cannot believe that such evil is so widespread.

Parents must shoulder the responsibility for checking mail received by their youngsters and they must accept the necessity for reporting every violation of the laws against mailing obscene materials.

We must inform all parents of the means of bringing these racketeers to justice:

The procedure any parent can follow to bring these criminals to account is a simple one.

Every decent-minded citizen should become familiar with it:

Save all the material, including the envelope.

Put it in the hands of your local postmaster, either personally or by mail.

He will take appropriate action.

We have been warned, Mr. President.

If we reap more tragedy from the circulation of pornography we cannot say that "we did not know" or "we were not told." I hope I have emphasized to you and the Members of this House the need for immediate action.

I appeal to each Member of the Senate, and to every decent-minded citizen, to continue to press for stronger legislation which will drive those vicious racketeers out of business. We must provide the legal basis for our Government to use in its relentless crusade against these criminals.

This is not a minor disease we are attacking, but a social cancer that can destroy our society. Only the most drastic surgery will eliminate it.

We must give our country the laws needed to deal with this problem.

We must help in the campaign to alert our citizenry and to develop public cooperation to drive these criminals out of business.

We must each of us demand the most rigorous and merciless prosecution of these criminals by the law enforcement officials and by the courts.

Only through such concerted action can we thoroughly cleanse our Nation of this malicious cancer, and leave no seed of it to grow again.

PROTECTION OF SAVINGS AND LOAN ASSOCIATIONS FROM ENCROACHMENT BY HOLDING COMPANIES

Mr. SPARKMAN. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 820, H.R. 7244.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 7244) to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment on page 6, after line 16, to insert:

(g)(1) This section shall terminate 2 years after the date of its enactment.

(2) The Federal Home Loan Bank Board shall make a full and complete survey of all aspects of savings and loan holding companies, and shall submit a report to the Committees on Banking and Currency of the Senate and the House of Representatives not later than one year after the date of enactment of this section. This survey shall include studies of the nature, growth, effects and future prospects of savings and loan holding companies, including particularly the extent to which they may have become, or may in the future become, injurious or detrimental to free competition in the field of mortgage lending or in any related field. The report on this survey shall contain a full statement on these matters, together with recommendations for further legislation on this subject. In particular, the report shall review and make recommendations on the legislative proposals submitted at the hearings of the Committees on Banking and Currency on H.R. 7244, 86th Congress, including particularly the need for and feasibility of requiring divestment of part or all of the savings and loan associations already acquired or part or all of the other interests of such holding companies, the need for and feasibility of requiring such holding companies to limit their activities or their future acquisitions to a specified distance from their principal offices, and the desirability and feasibility of regulating and controlling further acquisitions of such holding companies, as compared with prohibiting further acquisitions by such holding companies.

Mr. SPARKMAN. Mr. President, the bill under consideration, H.R. 7244, relates to savings and loan holding companies. As it was passed by the House, it would prohibit any future acquisitions of savings and loan associations by savings and loan holding companies. It would not require that existing savings and loan holding companies divest themselves either of their savings and loan associations or their other subsidiaries.

Hearings were held by the Committee on Banking and Currency on this measure. It was the judgment of the committee that this is a matter which should not be completed finally at this time, so the committee reported the bill with an amendment, which, in effect, provides that a study of the matter be made, and that the proposed legislation have a life of 2 years. Substantially, that is the measure which is before the Senate now.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared on the bill.

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

STATEMENT OF SENATOR SPARKMAN

H.R. 7244, as it was passed by the House, would prohibit any future acquisitions of savings and loan associations by savings and loan holding companies. It would not require that existing savings and loan holding companies divest themselves either of their savings and loan institutions or their other subsidiaries. The bill would prohibit certain upstream and cross stream financial transactions between savings and loan institutions on the one hand, and the savings and loan holding companies which control them and the other affiliates of such savings and loan companies on the other hand.

At the committee hearings on this bill, 12 witnesses were heard and letters and other statements were received from 11 other organizations and agencies.

Considerable disagreement was expressed by these witnesses. Many different and conflicting amendments were proposed, and a number of witnesses testified in opposition to any legislation.

The committee was deeply impressed by the changes which have taken place in this field, and by the rapid acceleration of those changes, since hearings were held on similar legislation 2 years ago which did not become law. In 1957 only two savings and loan holding companies were known, one controlling four associations in California, the other controlling one association in Utah and one in Idaho. At the hearing on August 18, the Federal Home Loan Bank Board stated that, according to the latest information available to it, there were at least a dozen holding companies in existence or definitely projected which controlled or expected to control some 40 associations located in at least 6 States. The Savings and Loan Commissioner of California filed a statement in support of the bill. He listed as of June 1959, 11 savings and loan holding companies having 96 offices and total assets of over $1.7 billion. He added that by August 17, there were three additional savings and loan holding companies with assets of approximately $180 million. The committee also noted the increasing rate at which public offerings of savings and loan holding company securities are being filed with SEC.

This development has continued since the hearings. According to an article in the Wall Street Journal for August 27, one savings and loan holding company acquired an additional association, with assets of more than $83 million, boosting the total assets of the holding company to more than $600 million. This article also reported that another holding company had bought all of the stock of a Kansas association and "something less than 100 percent" of the stock of another California association. The holding company was reported to have said that it now holds controlling interest in 12 savings and loan associations in 4 States, with total assets of over $300 million. Two months before, this holding company was reported by the California commissioner as controlling 6 associations with $129 million of assets; now it claims control of 12 associations with $300 million of assets.

The committee was aware of the problems which this wave of holding companies might create. Holding company control is difficult to reconcile with the local management and local activities which have been so important in the sound growth of the savings and loan industry. Holding company control in some fields, notably in public utilities, has in the past led to financial manipulation and unsound practices. It has also led in some fields to monopolies and restraints on competition.

The evidence presented to the committee with respect to these problems did not make it clear that any of them has yet seriously affected the savings and loan industry. In other words, there was no evidence that there has been financial manipulation or bad fiscal practices, no evidence of monopoly or restraints on competition, and no evidence that the loss of local ownership and control had interfered with the sound management of the savings and loan institutions in holding company systems.

The committee felt that it should not wait until the harm had been done. The savings and loan industry is too important to savers, to homeowners, to the building industry, and to the economy of the Nation, for us to sit by while this fast spreading wave of holding company acquisitions goes on and on. If we wait until financial manipulators have taken over most of the assets of the stock savings and loan companies, if we wait until most of these companies are no longer under local control and management, if we wait until many of these associations have been badly weakened or wrecked, if we wait until monopoly is firmly established, we may be forced to take drastic action, such as divestment, which will be costly to all concerned.

The committee was convinced that immediate action is necessary. At the same time the committee felt that, in the light of the many amendments proposed, it would not be desirable to enact H.R. 7244 in its present form as permanent legislation. Accordingly, the committee amended the bill so it will terminate in 2 years, and so the Federal Home Loan Bank Board will make a full report within 1 year, giving its considered recommendations for permanent legislation.

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

Mr. SPARKMAN. I yield.

Mr. DOUGLAS. Is it not true that unless action is taken at this session to check the growing concentration some of the big holding companies in California, which have already taken over the controlling shares of stock savings and loan companies, will take over additional companies, and that, therefore, time is of the essence in this matter. Should we not prevent more mischief from being done while the matter is being studied, and is not that the purpose of the present bill?

Mr. SPARKMAN. I agree with the Senator from Illinois. That was the feeling of the membership of the committee. That is the reason why we reported the bill, even though we felt we should have the benefit of further study.

Mr. ENGLE. Mr. President, will the Senator from Alabama yield, so that I may offer an amendment?

Mr. SPARKMAN. I yield for that purpose.

Mr. ENGLE. Mr. President, I offer an amendment which I ask to have reported.

Mr. SPARKMAN. Mr. President, I call attention to the fact that there are committee amendments which should be adopted.

The PRESIDING OFFICER. The amendment of the Senator from California will be stated for the information of the Senate.

The CHIEF CLERK. On page 6, line 17, it is proposed to strike out "2 years" and insert in lieu thereof "1 year."

On page 6, line 26, strike out "1 year," and insert in lieu thereof "4 months."

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

Mr. ENGLE. Mr. President, I desire to speak on the amendment.

Mr. SPARKMAN. Mr. President, the distinguished junior Senator from California has been most diligent with respect to this matter. It is a matter which probably pertains more to the State of California than it does to any other area of the country.

As a matter of fact, I believe the testimony before the committee was that the great majority of the stock companies and the holding companies which have been set up are to be found in California and Texas. I believe they are the two leading States, if I remember correctly.

I observe the distinguished senior Senator from California [Mr. KUCHEL] on the floor now. Both Senators from California have shown great interest in the bill. The junior Senator from California [Mr. ENGLE], after many consultations and considerable discussion, agreed, because of the time element mentioned by the Senator from Illinois [Mr. DOUGLAS], to go along with the bill if the period were limited to 1 year.

It may be recalled that when the bill was before the committee, it was actually my motion to set the time for 1 year. However, the Senator from Illinois pointed out that it would be pushing things rather hard to expect a study to be made and to have legislation enacted within a year's time. That was the reason why we set the period at 2 years.

I am in sympathy with the objective of the junior Senator from California. I suggest a change to provide that the legislation run until May 31, 1961, but to require the study to be completed by May 31, 1960. That would enable the committee to hold hearings next year and, at the same time, would give us until May 31, 1961, to complete final action on the proposed legislation.

The chairman of the committee, the distinguished Senator from Virginia [Mr. ROBERTSON], had intended to be here, but he had to leave the floor just before the bill was called up. He asked me if I would handle the bill on the floor and to state to the Senate that he, as chairman of the committee, would assure us that he would hold hearings next year as soon as the study was completed.

It is entirely possible that we may complete the legislation next year. But we thought it better to provide this longer period of time.

Mr. DOUGLAS. I appreciate this assurance by the chairman of the committee. But if we waited to hold hearings until after the preliminary study had been completed, we would have, in effect, only June, because—in view of the fact that next year is a presidential election year—we hope Congress will end its session before the nominating conventions; in other words, we hope the session next year will end around the 1st of July.

Therefore, I wonder whether the hearings could be held prior to May 31, and thus take the testimony of the witnesses before that time. Then, when the report comes in, I hope we will obtain action.

Mr. SPARKMAN. I agree with the Senator from Illinois about that. I see no reason why we should not hold most of the hearings before the report, and then let the report finalize the matter.

Mr. ENGLE. Mr. President, will the Senator from Alabama yield to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Alabama yield to the Senator from California?

Mr. SPARKMAN. I yield.

Mr. ENGLE. With reference to the hearing or the study by the Home Loan Bank Board, I should like to say, as the junior Senator from the State most concerned with this proposed legislation, that I am not very anxious about having the study made by the Home Loan Bank Board; that would be like having a grand jury that had indicted a man make a study of his case. So far as I am concerned, I am not very much interested in whether the Home Loan Bank Board makes the study of this matter or not. I am interested in having the Senate committee study this situation.

The report clearly shows that this matter relates to a complicated field, and that prohibition against having holding companies go into the savings and loan field is not necessarily the answer.

Personally, I believe it would be possible to arrive at a fair holding company regulation act, rather than an out-and-out prohibition.

I understand that it is the purpose of the Senator from Alabama to submit an amendment in the nature of a substitute for the amendment I have submitted. My amendment reduces the period from 2 years to 1 year. I understand that the Senator from Alabama proposes to split the difference, and to provide for a year and one-half. From my point of view, there is not much difference between one year and one year and a half. I understand there would be some complications in connection with allowing only one year, because the next session of Congress will certainly end by July 1, and thus there might not be sufficient time to assemble the material. On the other hand, if one year and a half is allowed, sufficient time for that purpose will be provided. One year and a half will end approximately on May 31, 1961. As I understand the position of the Senator from Alabama and the position of the distinguished chairman of the Senate Committee on Banking and Currency [Mr. ROBERTSON], it is the intention of the committee to commence the hearings on this matter early in the next session of the Congress, so as to determine whether it will be possible to arrive at

fair holding company regulatory legislation, rather than a complete, across-the-board prohibition, as now provided in the bill, which is a stopgap provision to prevent what is feared would be an acceleration of holding company activity that would be detrimental to the public interest.

I am also impressed by the fact that the Senator from Alabama and the Senator from Illinois have made plain that if the study can be completed and if the proposed legislation can be formulated and passed prior to the time when this complete prohibition will expire, then the new legislation will take the place of the proposed legislation presently before the Senate.

With those considerations in mind, and having confidence in the statements made here on the floor by the Senator from Alabama, and in the assurances given to me personally—which have been repeated here on the floor by the Senator from Alabama—with reference to the intention of the Banking and Currency Committee of the Senate to give prompt consideration to the matter at the next session, and to study the problem, and to determine whether fair regulatory legislation is possible, I shall not object to the amendment in the nature of a substitute when it is submitted—as I understand the Senator from Alabama proposes to do—to the amendment which I have sent to the desk, and which has been reported.

Mr. SPARKMAN. Mr. President, I now send to the desk an amendment in the nature of a substitute for the pending amendment; and I ask that my substitute amendment be stated.

The PRESIDING OFFICER. The substituted amendment will be stated.

The CHIEF CLERK. In the amendment on page 6, in line 17, it is proposed to strike out "two years after the date of its enactment" and insert in lieu thereof "May 31, 1961."

On page 6, in lines 23 and 24, it is proposed to strike out "one year after the date of enactment of this section" and insert in lieu thereof "May 31, 1960."

Mr. SALTONSTALL. Mr. President, will the Senator from Alabama yield for a question?

Mr. SPARKMAN. I yield.

Mr. SALTONSTALL. In Massachusetts there are a great number of State mutually owned savings banks. Would this bill affect them in any way?

Mr. SPARKMAN. Not at all; the bill relates only to savings and loan associations.

Mr. SALTONSTALL. Those chartered by the Federal Government?

Mr. ENGLE. No; by the State government.

Mr. SALTONSTALL. Those chartered by the State government?

Mr. ENGLE. That is correct.

Mr. SALTONSTALL. How do they differ from the others?

Mr. SPARKMAN. They are stock companies, whereas we are talking about mutual companies.

Mr. KUCHEL. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. KUCHEL. The amendment offered by the able Senator from Alabama would suspend the right of acquisition for a year and one-half from the date of enactment of the measure, which presumably will be in this month of September. Is that correct?

Mr. SPARKMAN. Under my amendment, the date is to be May 31, 1961.

Mr. KUCHEL. I see. I did not entirely understand the substitute amendment which the Senator from Alabama submitted, and which was read by the clerk.

Mr. SPARKMAN. It provides that the study shall be completed by May 31, 1960.

Mr. KUCHEL. That is to say, toward the end of the next session of Congress?

Mr. SPARKMAN. Yes; and that is the final date. The study might be completed by April 1; I do not know. If the bill is passed, certainly there will be an obligation to start the study; and we shall expect the study to start at once, and we shall hope to have something ready by the time we return in January.

Mr. Kuchel. So the Senator from Alabama would be hopeful, would he——

Mr. SPARKMAN. It is my hope that the legislation itself would be finalized next year.

Mr. KUCHEL. Before we adjourn sine die next year?

Mr. SPARKMAN. Yes; that is my hope.

Mr. KUCHEL. I thank the Senator from Alabama.

Mr. DOUGLAS. Mr. President, in order to make the issue completely clear, let me ask whether it is true that until either this law expires or until contrary action is taken, there will be a complete freeze in regard to the further extension of holding companies among stock savings and loan associations. Is that correct?

Mr. SPARKMAN. That is correct; and I thought that was the purpose of the question asked by the Senator from California.

Mr. DOUGLAS. So during this time, the holding companies are not to buy up other stock building and loan companies; is that correct? I hope it is. If it is not, I would favor a law dissolving the existing holding companies. But am I correct in my understanding?

Mr. SPARKMAN. That is correct.

Mr. ALLOTT. Mr. President, will the Senator from Alabama yield to me?

Mr. SPARKMAN. I yield.

Mr. ALLOTT. I thank the Senator from Alabama very much for yielding to me.

In preface to some questions which I wish to ask, I desire to say that I have found that the people of my State are very much confused about this situation. As a matter of fact, until the last few days, all of the mutual associations have adopted a sort of hands-off attitude in regard to this matter, whereas the stock associations feel that such action should not be taken.

Let me ask—because I cannot seem to fit the Senator's amendment into the copy I have of House bill 7244—what the amendment would do.

Mr. SPARKMAN. This amendment would set the termination date of this legislation at May 31, 1961; and it would require completion of the study not later than May 31, 1960. In other words, this is temporary legislation; it provides for a freeze for about 1½ years.

Mr. ALLOTT. But not longer than that?

Mr. SPARKMAN. Not longer than that. In other words, at the end of that time, either we must let the legislation die or we must take other action to finalize it, or we must arrive at some other solution.

Mr. ALLOTT. The measure now before us would not conclude the matter, then, would it?

Mr. SPARKMAN. Not at all.

Mr. ALLOTT. Is there any reason or any definite abuse which the committee found which is the basis for applying such a piece of legislation to private stock companies, and not to mutual associations? For example, last month, I believe, or a very short time ago, two very large mutuals formed in California one of the largest mutual associations in the world. Why differentiate between the two?

Mr. SPARKMAN. The principal difference is that most mutuals are controlled by the Federal Home Loan Bank Board. The stock companies in each instance, I believe, are State companies. Over the last few years there has been a decided trend toward forming holding companies, which we feel is not helpful to the savings and loan business.

Mr. ALLOTT. I am perfectly aware of the difference between those companies. As a lawyer, I have participated in the activities of both kinds. Yet it cannot be said there is less danger in the combination of mutual companies than there is in a combination of private companies, in my opinion.

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

Mr. ALLOTT. May I finish with one or two more questions?

What is the differentiation between the dangers resulting from a combination of mutual companies and that of private companies?

Mr. SPARKMAN. Most mutuals are under Federal control and cannot go into these combinations; nor can they make any change without getting permission from the Home Loan Bank Board.

Mr. ALLOTT. These mutual companies are formed into savings and loan companies under the Federal Home Loan Bank of 1933. Is that not correct?

Mr. SPARKMAN. That is correct.

Mr. ALLOTT. There is not much actual difference. Let me point out that if a private company wants to qualify for Government insurance of its loans, it must, so far as the way it makes its loans is concerned, conform in almost every respect to certain standards which the Federal Government provides in its insurance program. Why should there be a difference simply because a few people wish to put their money together to form a company, and a group of people——

Mr. SPARKMAN. It is not the individual company; it is the holding com-

pany, the superstructure they go into, that is of concern. May I say to the Senator from Colorado that one of the very able witnesses before our committee was Mr. Frank J. Mackin, savings and loan commissioner for the State of California. He gave a very clear statement on this matter. I shall not read all of the statement, but just part of it:

Recent activities of holding companies in California have assumed enormous proportions. The size and scope of these operations have reached such a point as to constitute a major change in the character of savings and loan business. The alleged benefits of such holding companies are meager and are far outweighed by the underlying fact that holding companies destroy the basic concept of the savings and loan business as a local thrift and home-financing operation.

He goes further, but, to my way of thinking, that is the gist of the whole question.

Mr. President, I ask unanimous consent to have printed in the RECORD the excerpt from the statement of the savings and loan commissioner of the State of California, from which I read.

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

EXCERPT FROM THE STATEMENT OF FRANK J. MACKIN, SAVINGS AND LOAN COMMISSIONER, STATE OF CALIFORNIA

In the main, California has one of the best and most comprehensive State laws governing savings and loan associations. Many of these provisions can be successfully evaded by the use of the holding company device. This is the area of our major concern.

Recent activities of holding companies in California have assumed enormous proportions. The size and scope of these operations have reached such a point as to constitute a major change in the character of the savings and loan business. The alleged benefits of such holding companies are meager and are far outweighed by the underlying fact that holding companies destroy the basic concept of the savings and loan business as a local thrift and home financing operation.

At present many of these holding companies are being organized in the State of Delaware. It is impossible for the State of California, either through the office for which I have statutory responsibility or the office of the corporations commissioner of the State, to stop or even impede the rapid spread of holding companies over State associations. As the savings and loan commissioner of the State of California, I therefore earnestly request the Congress of the United States to enact legislation embodying provisions of this bill, for the problem is beyond the jurisdiction of the State, national in its scope, and can result only in a basic revision in both the public's conception of and the operations of the savings and loan business.

Mr. SPARKMAN. In my conception, a savings and loan association is an organization operated at the grassroots. First of all, it is limited as to those with whom it may do business. Ordinarily it is established for the benefit of neighbors in an area. I presume a stock company would be formed in the same way. There is no objection to individual stock companies, but the movement that has developed in the last few years has changed the organization and has destroyed the basic concept of it as a community affair operating in a relatively small area.

Mr. ALLOTT. Were there any specific abuses developed at the hearings?

Mr. SPARKMAN. No; there were not. I said in my opening statement, a few minutes ago, that instead of passing permanent legislation, we decided the matter was something that needed attention. What we said in effect was, "Stop where you are. Do not go any further until we can study the subject and reach a determination as to whether or not the threat a good many of the people feel exists is real."

If I remember correctly, the representatives of two major savings and loan leagues testified before our committee. The Home Loan Bank Board representative testified. The California Savings and Loan League, a majority of which is made up of Federalized institutions, testified as to their needs. We worked with them. There was a group of California stock company representatives present, who gave their story. We listened to them. We said to them, in effect, "We are impressed with what you have said. Therefore, we are not willing to accept wholeheartedly the story that has been told to us. We do not say we ought to propose that you give up what you have already acquired, but what we do say is that you should stop for the time being, until we can look into this."

Mr. ALLOTT. A report is called for by what date?

Mr. SPARKMAN. A study is called for by May 31, 1960, next spring.

Mr. ALLOTT. I desire only to point to this situation in my own State, and I presume it may be true in others. For a while the mutual organizations took a completely hands-off attitude. In the last few days they have reversed themselves and have said they were fearful what this proposal might bring forth.

I should like to point out that since there have been no actual abuses shown, as the Senator has said, it is a rather unusual thing to legislate against something we fear might happen in the future. The fact that the savings and loan institutions themselves, and even some mutual associations are so confused as to whether they want it done or not, convinces me we should go very slowly.

Mr. SPARKMAN. I contend that we are going slowly, carefully and cautiously.

Mr. ALLOTT. I hope we will do so. I thank the Senator for his courtesy.

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

Mr. SPARKMAN. I yield.

Mr. CANNON. I note that on page 5 of the committee report it is stated:

The problem of monopoly and restraint of competition must be considered in this connection. However, this does not appear to have occurred as yet, according to the testimony presented to the committee.

In other words, the committee will attempt to develop by the hearings what the situation may be?

Mr. SPARKMAN. The Senator is correct. As I said to the Senator from Colorado, I feel that we have taken a conservative, cautious attitude. We have thrown up the signals, but we have said, in effect, "This is only a signal to hold where you are."

Mr. CANNON. I believe the committee states elsewhere in the report that the committee does not feel there has been sufficient experience with the holding companies in the field at this time.

Mr. SPARKMAN. Certainly there was not a sufficient volume of information before us.

Mr. CANNON. It is possible, is it not, in connection with what the distinguished Senator from Colorado has said, that the hearings may develop the fact that legislation is needed relating to the stock companies as well as to the mutual companies? This could be developed by the hearings which will be held by the committee?

Mr. SPARKMAN. That is entirely possible. Of course, I invite attention to the fact that our committee has jurisdiction over the Home Loan Bank Board and the various regional banks and savings and loan institutions throughout the country. Hardly a year goes by that we do not come up with some proposed legislation affecting some of them. I think we could say that this will be a study which will be specialized and especially directed toward the complaints which have come in and the fear, as I said, that the Savings and Loan Commissioner of California pointed out to us.

Mr. CANNON. Am I correct in my understanding that the study will relate to stock companies as well as mutual companies in this particular field?

Mr. SPARKMAN. There is nothing in the bill which specifically calls for that, but, on the other hand, there is nothing to exclude it. Our jurisdiction covers the whole field. Certainly we would receive testimony offered to us covering either field.

Mr. CANNON. My inquiry in that regard was prompted by the question of the distinguished Senator from Colorado.

Mr. SPARKMAN. I will say that this deals primarily with holding companies, and there are no holding companies with mutuals.

Mr. CANNON. I understand. My inquiry is prompted by the question of the Senator from Colorado, who pointed out to the distinguished Senator from Alabama that the mutuals in his State had merged in a number of instances.

According to the committee report, it would appear that in many instances mutuals are much greater in size than the stock companies. Perhaps there may be some tendency directed toward a monopoly in restraint of competition in the mutuals themselves.

Mr. SPARKMAN. I am certain when we receive the testimony from the Home Loan Bank Board we are going to ask for all the information regarding the whole field of savings and loan associations.

Mr. CANNON. If the Senator will yield further, I should like to ask whether the committee determined that the experience in connection with bank holding companies would not apply to this particular field and that it would be necessary to hold hearings to develop

and draw up a legislative formula to fit that particular situation?

Mr. SPARKMAN. First, I will say we have not had a great deal of experience under the Bank Holding Act. Secondly, this does not follow the same pattern. It would not be applicable. There is a considerable difference between studying banks and studying savings and loan associations. We feel that much good will come from the projected study.

Mr. CANNON. I understand that the committee is going to hold the hearings as expeditiously as possible.

Mr. SPARKMAN. The chairman asked that I reassure the Senate to that effect.

Mr. CANNON. I thank the distinguished Senator from Alabama.

Mr. SPARKMAN. I thank the Senator.

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

Mr. SPARKMAN. I yield to the Senator from Colorado.

Mr. CARROLL. I want to commend the Senator from Alabama for offering the amendment, and I want to commend the Senator from California for accepting it. I understand the Senator is going to accept it. I have had several conferences on this bill with the Senator from California.

Mr. ENGLE. Mr. President, will the Senator yield? I should like to correct the record. I am not going to accept the amendment. I am simply not going to oppose the amendment.

Mr. SPARKMAN. I offered the amendment as a substitute.

Mr. ENGLE. If the Senator will yield further, I would be more happy with my amendment. What I object to is the suspending of this operation in midair longer than is necessary.

Mr. SPARKMAN. This really amounts to a compromise between the two views.

Mr. ENGLE. The Senator has said that the committee will proceed as fast as it can and that if any new legislation is enacted prior to the expiration date of the act, it will take the place of this bill, even if the approximately 1 year and 6 months, or whatever the external limit is, has not been terminated.

Mr. SPARKMAN. That is correct.

Mr. ENGLE. That will be of help in the situation. I do not have any objection to saying to everybody, "Let us stop and look at this matter." However, I do not think we ought to stop too long, because it will upset and suspend the whole industry. Not only that, but we may put the situation out of balance, as the Senator from Colorado [Mr. ALLOTT] pointed out. I do not know whether there is a "knifing job" going on between the mutuals and the stock companies. I am not saying there is, but I am suspicious about it. I think we ought to move expeditiously and get this matter settled once and for all.

I would prefer the 1-year provision, but, with the assurances which have been given by the chairman, we can do as well with the substitute amendment, because we have been promised prompt hearings and early action. I prefer this to 1 year and no assurance of hearings at all.

Mr. SPARKMAN. I understand the position of the Senator from California.

I yield to the Senator from Colorado.

Mr. CARROLL. Mr. President, I want to commend the Senator from California for his vision and statesmanship in giving us a chance to conduct hearings in this very important field.

I observe the statement on page 4 of the report:

> Evidence was presented at the hearing that some of these holding companies have acquired control of associations in Texas, Colorado, and Ohio.

I had some interest in what was happening in Colorado, so I checked a bit and I found the statement to be true. One big Colorado savings and loan stock company was purchased by a holding company in California. That would not necessarily mean much to me, because I am not an expert in this field, but when the Colorado Federal Savings and Loan League is on record as supporting this bill with its 2-year provision, I know that something is wrong in the picture. I had a message only a few hours ago from the Colorado Federal Savings and Loan League telling me that they wholeheartedly endorsed the objectives of this bill.

I commend the Senator from Alabama and I commend the Senator from California. We should have a chance to find out what are the facts surrounding the recent wave of acquisitions of savings and loan associations by holding companies. We should know what is going on. We should determine why our associations at home are so alarmed.

I have one further question to ask the Senator from Alabama. When there is a merger of mutuals, is approval required?

Mr. SPARKMAN. Of course, this would apply to most of the mutuals. If the company involved is a Federal association, approval would be required by the Home Loan Bank Board.

Mr. CARROLL. That is my understanding. In other words, they are already regulated.

Mr. SPARKMAN. I think the Senator will find that the holding company operations have all been with stock companies.

Mr. CARROLL. I understand that is true.

Mr. SPARKMAN. They are subject to the provision.

Mr. CARROLL. The holding company acquisitions pose a threat to local associations, to local investors, to the local people. If it is true that a California holding company has moved in and acquired one of the big savings and loan stock companies in Colorado, then that is a matter which deserves to be investigated. We should determine the effect of such acquisition on the smaller Colorado locally owned companies and decide whether we need such operations controlled by Federal law with Federal approval. It would seem to me this would be a proper subject of the hearings and a proper aspect of the hearings.

Mr. SPARKMAN. I will say that my idea of hearings would be that we would cover the field.

Mr. CARROLL. I thank the Senator from Alabama.

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Chair is compelled to rule the amendment offered by the Senator is not in order.

Mr. SPARKMAN. Mr. President, I understand that because the amendment which the Senator from California offered was to the committee amendment, my amendment would become an amendment in the third degree.

The PRESIDING OFFICER. The Senator is correct.

Mr. SPARKMAN. And therefore the amendment is not in order. I withdraw the amendment for the time being.

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

Mr. SPARKMAN. I yield.

Mr. HOLLAND. Has the Senator thought of following the course we frequently follow, of having the committee amendments agreed to and the bill considered as an original text for the purpose of amendment, in which case the amendment would be in order?

Mr. SPARKMAN. That would be fine, but it happens that the Senator from California has already offered his amendment. If the Senator from California will withdraw his amendment, we can proceed in that way.

Mr. ENGLE. Mr. President, I ask unanimous consent that the committee amendment be considered as adopted and the text of the bill considered as a new bill.

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

Mr. ENGLE. Mr. President, I reoffer my amendment.

Mr. SPARKMAN. Mr. President, I reoffer my substitute and ask for a vote.

The PRESIDING OFFICER. The second part of the Sparkman amendment, the Chair is advised by the Parliamentarian, contains more language than is contained in the Engle amendment, and therefore is out of order.

Mr. MANSFIELD. Did anyone raise a point of order?

Mr. SPARKMAN. It contains more language? Would the Chair repeat the ruling please?

The PRESIDING OFFICER. The Chair is advised that the substitute amendment is not in order because the latter part strikes out more language than is contained in the Engle amendment.

Mr. SPARKMAN. May I see it?

Mr. ALLOTT. May I be recognized while the Senator is looking at this? I should just like to make one or two observations about this matter.

I have had an interest all my life, not too much financially but as a lawyer, in both types of these organizations. I helped to form a mutual organization back in 1934. I have been connected with them for many years.

I believe we ought to go very slowly in this matter, and the solution offered by the Senator from Alabama seems to me to be the most acceptable one which we can arrive at at this time. Since we do not have a clear case of abuse, it seems

very dangerous to me to upset an entire industry, by legislating in this area, particularly since the bill does not provide any restrictions against the combinations of mutual companies which, as we have seen in the case of two California companies, can be just as large as the others.

I should like to ask the Senator from Alabama if the investigation will also go to the effect of mergers of mutual companies.

Mr. SPARKMAN. Undoubtedly that question will be raised, and we certainly will be seeking information along that line. There is this difference, though. When it comes to mergers of mutual companies which are already controlled by the Home Loan Bank, they will have the pertinent information in their files. They do not have the information on stock companies. They do not know that themselves.

Mr. ALLOTT. May I differ with the Senator and point out that they do have this information? I recall specifically one private organization which pretty well went through the wringer back in the depression, and when it reorganized as a private organization, a private stock company under State law, and secured Federal insurance——

Mr. SPARKMAN. Oh, yes; if it came in and got Federal insurance.

Mr. ALLOTT. Very, very few of them do not have the insurance.

Mr. SPARKMAN. I do not understand that to be true. I understand that a great many of them have their own insurance plans.

Mr. ALLOTT. But as to those which do have Federal insurance——

Mr. SPARKMAN. That information would be available.

Mr. ALLOTT. That information would be available?

Mr. SPARKMAN. The Senate committee has it.

Mr. President, I withdraw the amendment I offered, and I send forward an amendment to the Engle amendment and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, line 17, it is proposed to strike out the words "two years after the date of its enactment", and insert, in lieu thereof, "May 31, 1961."

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

The amendment to the amendment was agreed to.

Mr. SPARKMAN. Mr. President, I offer a second amendment to the Engle amendment, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, lines 23 and 24, it is proposed to strike out "one year after the date of enactment of this section", and insert, in lieu thereof, "May 31, 1960."

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

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the amendment, as amended, offered by the Senator from California [Mr. ENGLE].

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 7244) was read the third time and passed.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ADDITIONAL CIVILIAN EMPLOYEES FOR DEPARTMENT OF DEFENSE

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 909, H.R. 6059.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6059) to provide additional civilian employees for the Department of Defense for purposes of scientific research and development, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with amendments, on page 1, line 10, after the word "Schedule", to strike out the comma and "as follows:

"'(1) Not more than three hundred twenty-six such positions shall be in such grades during the period beginning on the date of enactment of this subsection and ending on June 30, 1960;

"'(2) Not more than three hundred forty-nine such positions shall be in such grades during the period beginning on July 1, 1960, and ending on June 30, 1961; and

"'(3) Not more than three hundred seventy-two such positions shall be in such grades on and after July 1, 1961.'"; on page 3, line 20, after the word "personnel", to strike out the comma and "except that—

"'(1) Not more than three hundred forty-six such positions shall be established during the period beginning on the date of enactment of the Act by which this amendment is made and ending on June 30, 1960;

"'(2) Not more than four hundred such positions shall be established during the period beginning on July 1, 1960, and ending on June 30, 1961; and

"'(3) Not more than four hundred fifty such positions shall be established on and after July 1, 1961'" and on page 4, after line 11, to insert a new section, as follows:

SEC. 4. (a) Section 3(d) of the Federal Employees' Group Life Insurance Act of 1954 is repealed.

(b) Section 5(a) of such Act is amended by striking out the words "under age "sixty-five".

(c) Section 6 of such Act is amended to read as follows:

"SEC. 6. (a) Each policy purchased under this Act shall contain a provision, in terms approved by the Commission, to the effect that any insurance thereunder on any employee shall cease upon his separation from the service or twelve months after discontinuance of his salary payments, whichever first occurs, subject to a provision which shall be contained in the policy for temporary extension of coverage and for conversion to an individual policy of life insurance under conditions approved by the Commission.

"(b) If upon such date as the insurance otherwise cease the employee retires on an immediate annuity and (1) his retirement is for disability or (2) he has completed twelve years of creditable service as determined by the Commission, his life insurance only may, under conditions determined by the Commission, be continued without cost to him, but the amount of such insurance shall be reduced by 1 per centum thereof at the end of each full calendar month following the date the employee attains age sixty-five or retires, whichever is later, subject to minimum amounts prescribed by the Commission, but not less than 50 per centum of the insurance in force preceding the first such reduction. Periods of honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States shall be credited toward the required twelve years provided the employee has completed at least five years of civilian service.

"(c) If upon such date as the insurance would otherwise cease the employee is receiving benefits under the Federal Employees' Compensation Act because of disease or injury to himself, his life insurance may, as provided in subsection (b), be continued during the period he is in receipt of such benefits and held by the United States Department of Labor to be unable to return to duty."

(d) Section 5(a) of such Act is amended by striking out "25 cents" and inserting in lieu thereof "32 cents".

(e) (1) The amendments made by subsections (a), (b), and (c) shall take effect as of August 17, 1954, except that (1) they shall not be applicable in any case in which the employee's death or retirement occurred prior to the date of enactment of this Act, and (2) nothing therein shall be construed to require salary withholdings for any period prior to the first day of the first pay period which begins after the date of enactment of this Act.

(2) The amendments made by subsection (d) shall take effect as of the first day of the first pay period which begins after the date of enactment of this Act.

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of H.R. 6059 is twofold. First, it authorizes the establishment of certain additional supergrade and scientific positions in the Department of Defense; and, second, liberalizes the Federal Employees Group Life Insurance Act.

Mr. President, presently, the Department of Defense has 303 supergrade positions. This measure would authorize 372 such positions or an increase of 69.

Currently, the Department has 292 so-called Public Law 313 scientific positions. This measure authorizes the establishment of 450 such positions or an increase of 158.

Public hearings on this portion of the bill were held July 23, 1959. The Department of Defense and the Civil Service Commission testified concerning the

need for these additional positions. No adverse testimony was received from any source. The committee was unanimous in approving this portion of the bill.

Mr. President, the Federal Employees Group Life Insurance Act provides that the amount of group life insurance in force at age 65 be reduced by 2 percent per month until the policy has been reduced to 25 percent of its original face value. The bill as reported would have changed this reduction formula in two respects. First, the reduction would not necessarily start at age 65 but would begin at age 65 or on retirement whichever might occur later. In other words, if an employee retired on or before reaching age 65, the reduction would start when he reached age 65, but if he continued in the service no reduction would take place so long as he remained in the service.

Secondly, the reported bill cut the rate of reduction from 2 percent to 1 percent per month and provided that it would continue only until the policy had been cut in half instead of by three-fourths as provided under present law.

Mr. President, the amendments I now send to the desk have the effect of doing away with the second change proposed in the reported bill. In other words under these amendments the reduction formula will continue in the future as it has in the past. However, no reduction will occur so long as the employee continues in the service. In other words, the first objective of the reported bill will remain intact.

These amendments are offered quite reluctantly on my part in order to assure approval of the bill by the administration.

The reported bill called for an increase in premiums. Due to the curtailment in the liberalization of benefits under the amendments I have offered, the increase in premiums is taken out of the bill.

I believe that all Senators on this side of the aisle, as well as on the other side of the aisle, are in agreement. We have sufficient funds. We believe that with the amendments proposed, the situation can be taken care of with the money that is paid in at the present time.

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

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. We have had 4 years' experience with government life insurance. We have made several proposals, and after working out the problem with the Civil Service Commission and others, I sincerely hope the Senate will approve the amendments which the Senator from South Carolina is offering, and that the Senate will approve the bill.

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

Mr. JOHNSTON of South Carolina. Mr. President, I ask that the committee amendments be considered and agreed to en bloc.

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

Mr. JOHNSTON of South Carolina. Mr. President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments offered by the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. On page 5, line 7, after the word "by", to strike out "1" and insert "2".

On page 5, line 11, after the word "than", to strike out "50" and insert "25".

On page 5, after line 23, to strike out:

(d) Section 5(a) of such Act is amended by striking out "25 cents" and inserting in lieu thereof "32 cents".

On page 6, line 1, after "(e)", to strike out "(1)".

On page 6, after line 8, to strike out:

(2) The amendments made by subsection (d) shall take effect as of the first day of the first pay period which begins after the date of enactment of this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from South Carolina [Mr. JOHNSTON].

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6059) was read the third time and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. CARLSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

OCEANOGRAPHIC STUDIES

Mr. MAGNUSON. Mr. President, on behalf of the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Florida [Mr. SMATHERS], the Senator from California [Mr. ENGLE], the Senator from Texas [Mr. YARBOROUGH], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. HART], the Senator from New Jersey [Mr. CASE], the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BUTLER], and myself, I send to the desk a bill and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2692) to advance the marine sciences, to establish a comprehensive 10-year program of oceanographic research and surveys; to promote commerce and navigation; to secure the national defense; to expand ocean resources; to authorize the construction of research and survey ships and facilities; to assure systematic studies of effects of radioactive materials in marine environments; to enhance the general welfare and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

Mr. MAGNUSON. Mr. President, I have today introduced a bill to suggest a 10-year program of intensive ocean research and to authorize the ships and facilities required to conduct this scientific effort which I consider vital to our commerce, economy, and security.

The purpose of this bill is to carry out the objectives expressed in Senate Resolution 136, adopted by the Senate without dissent on July 15.

Previous to Senate action the resolution had been unanimously approved by the Senate Committee on Interstate and Foreign Commerce and cosponsored by each of its members and my colleague from the State of Washington, Senator JACKSON.

The bill I am introducing today is designed to forward the plans and program endorsed in that resolution. It is titled "The Marine Sciences and Research Act of 1959."

When the bill is considered in committee early in the coming session I anticipate that the date will be changed from 1959 to 1960, but this program must be launched in 1960 at the very latest if we are to keep pace with Soviet Russia in the marine sciences.

We are not keeping pace with Soviet Russia now—in ships for deep-sea scientific studies, in marine laboratories, in oceanwide hydrographic surveys, in fisheries research and utilization of our ocean resources, in studies of the relationship of the seas to our changing climate, and, of very great importance, in the training of young and enthusiastic oceanographers.

We have lagged, and we are lagging, principally I think because we have been remiss in providing facilities for such research. And we have been remiss, I believe, because we have taken the oceans for granted and have grown accustomed to looking on them as a protective barrier against aggression.

They are that no longer.

The Committee on Oceanography of the National Academy of Sciences recently reported:

> The submarine armed with long range missiles is probably the most potent weapon system threatening our security today.

And Rear Adm. John T. Hayward has told Congress:

> It goes without saying that a complete understanding of oceans and ocean bottoms and the atmosphere above must be obtained if the Navy is to wage modern war successfully.

The Russians are attempting to gain that complete understanding and are providing the ships, facilities, and manpower to obtain it.

We can and must match this Soviet effort.

That is what the bill we have introduced today proposes to do.

We cannot afford to yield either the freedom or the secrets of the seas to Soviet Russia by default. To do so would menace our peace and security.

Nor am I prepared to yield adjacent fisheries to the Russians as we are presently doing. To do so would jeopardize

the economy of tens of thousands of our industrious coastal citizens. We must match the Russians also in our fisheries research and exploration.

This also the bill introduced today proposes to accomplish.

One of the reasons that the bill is being introduced at this late hour in the present session is to give all Members of the 86th Congress, officials of departments and agencies which would direct the program, and scientists, educators, and others throughout the country who would participate in or benefit from the proposed research, opportunity to give it thorough study and to express their views and offer their comments, criticism, or suggestions when Congress assembles.

It is also timely that we introduce this bill now because this is the closing week of the first International Oceanographic Congress, which is being held in New York City, and in which scientists of 38 nations are participating.

As the host nation it is natural that the United States should have the largest number of delegates to this conference.

Most of our oceanographic scientists are participating, five from the University of Washington.

But of the 37 foreign countries represented, Soviet Russia has by far the greatest number of delegates.

A total of 87 Russian scientists are listed on the program as presenting lectures or papers. That is more than twice as many scientists as there are in the second largest foreign delegation, that of Japan; three times as many as came over from the United Kindom, and more than the combined representation from continental European countries this side of the Iron Curtain.

Many if not all of these Russian scientists arrived in the United States on the *Mikhail Lomonosov*, the largest and most modern of all ships constructed for ocean research, and completed only 2 years ago.

This 6,000-ton vessel is berthed in New York, at the same pier as America's two largest and most recent research ships, the 2,700-ton *Gibbs* and 2,100-ton *Chain*, both reconverted small seaplane tenders, and three other American research ships, the 298-ton *Atlantis*, the 280-ton *Crawford*, and the 34-ton *Maury*. The *Gibbs* is a brand new addition to our research fleet and the *Chain* was added about a year ago, and represents an urgent effort by our Navy to catch up with the Russians in this field.

Most of the oceanographers from all countries attending the New York sessions, I am told, have been visiting these research ships and also the 300-ton French ship *Calypso*.

It has been a bit discouraging to some of these oceanographers to learn that not only does the Russian ship displace more tonnage than the five American ships there, combined, but that also it has more laboratories, more equipment, and accommodations for more scientists than all five of the American ships.

But the *Lomonosov* is only slightly larger than the Soviet scientific vessel *Vitiaz* which last December visited San Francisco.

The *Lomonosov* sails for Dakar on the West African coast following the New York conference, making studies of the mid-Atlantic en route. The *Vitiaz*, Moscow reports, is being transferred to another and undesignated ocean, and is being replaced in the Pacific by two new research ships of which we have no details.

This is only a small segment of the Soviet research fleet. At the conclusion of my remarks I shall ask unanimous consent to have printed in the RECORD an account of Russian oceanographic research ships and studies published in the August issue of Naval Research Reviews, an official publication of the Navy Department.

Mr. President, to match this Soviet effort requires a big program, a long-range, progressive program designed to give us at the end of 10 years unchallenged supremacy in the marine sciences, an eminence we cannot claim now.

It is such a program that the bill introduced today will, when enacted, provide.

A Navy report approved and recommended by our Chief of Naval Operations, Adm. Arleigh Burke, states tersely that "there has been no effort to improve research ships in this country for the last 15 years."

For that reason, in proposing a 10-year program of research ship construction, we actually have 25 years of shipbuilding to accomplish within the limited period of 10 years.

That is one reason that the program proposed in this bill may seem large; we are making up for many years of lost time.

It is not a cheap program, but I do not know any way we can obtain security from attack by enemy missile-bearing submarines in the event of war more cheaply, or more economically reap the benefits of the vast resources of the oceans.

Costs of the combined programs of all Government departments and agencies in this field would average about $67 million a year.

Four departments and eight agencies would actively participate.

The Departments designated are Commerce, Interior, Health, Education, and Welfare, and the Navy.

Agencies which would have administrative or operating functions are the Coast and Geodetic Survey, Maritime Administration, Weather Bureau, Bureau of Commercial Fisheries. Bureau of Mines, Office of Education, the National Science Foundation, and the Atomic Energy Commission.

This bill provides for not only an aggressive program but a coordinated program, which must be pursued with equal vigilance by all of the agencies and departments, and with the full backing of both Congress and the administration.

In my opinion, it is an imperative program.

Russia has taken a lead in oceanographic research activity, as I have already indicated, and this activity is worldwide, ranging from polar region to polar region and covering the world ocean to our very shores.

Russia is operating more larger and newer research ships.

Several other nations also are operating larger and newer research ships than ours, but not as large or numerous as those of the Russians.

Russia has more trained oceanographic scientists than we have, and she has more of her trained scientists probing the deep seas.

She is combining meteorology with her oceanography, and one of her research ships has successfully launched more than a score of rockets into the upper layers of the atmosphere in a space of less than 5 months.

Russia is operating the first submarine converted for deep-sea scientific studies and fisheries exploration below the surface, the first nonmagnetic research ship, and the first oceanographic ship with helicopter space.

She has two 12,000-ton icebreakers specially equipped for scientific research, and it is one of these ships, I may add, that has varied its deep-ocean and polar studies by launching rockets into space.

Mr. President, I am not willing to let this massive Soviet effort go unchallenged.

We have been told in an official Navy publication that "because of the threat of the Russian submarine, the possession of a suitable research fleet by the United States is of burning importance."

The bill introduced today would provide us with such a fleet.

We also have been told by the Navy that it has a vital need for more oceanographic information in antisubmarine warfare, mine warfare, and amphibious warfare.

The bill introduced today would provide us with facilities for obtaining this needed information.

We have been told that we need more oceanographic scientists.

This bill would provide means for encouraging more of our young men and women to pursue studies and advanced studies in this vital field.

We have been told that we are lagging behind many other countries, including Russia, in research enabling our fishermen to locate large schools of commercialy valuable fish.

This bill would provide the ships and laboratory facilities for such research.

We have been told that much more scientific data is required on the effect of artificial radiation on the oceans and on life within the oceans.

This bill contemplates such expanded research.

We have been told that much more knowledge is necessary about the interchange of energy between the oceans and the atmosphere, a phenomena that has a vital bearing on weather and climate.

This is a field that the Russians are pursuing with great vigor. At a session on this subject in New York four of the seven lectures were given by Russians, one by Americans.

This bill provides for active and extensive research in this particular field.

We are living in a scientific age.

We have pioneered to our great gain in the electronic and the nuclear sciences.

We are making great strides now in the space sciences.

We must make equal advances in the marine sciences, the last frontier in the physical science field.

I now ask unanimous consent, Mr. President, to have printed in the RECORD an article titled "Soviet Oceanographic Studies Under the IGY," by Victor P. Petrov, published in the August 1959, issue of Naval Research Reviews.

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

SOVIET OCEANOGRAPHIC STUDIES UNDER THE IGY

(By Victor P. Petrov, professor, Language Division, U.S. Naval Postgraduate System)

A very interesting report was issued last February by the Special Committee on Oceanography of the National Academy of Sciences. It included, in addition to recommendations for a program of research in oceanography for the next 10 years, a survey of what has been done in this field in the past. The report says that facilities for ocean research are to "the oceanographer what cyclotrons or reactors are to the nuclear physicist. He simply cannot undertake adequate research without them." Furthermore, the report states that "our oceanographic research ships are inadequate for the job which must be done. Most of the ships are old and outdated. Many are obsolete and should be replaced by ships of modern design." ("Oceanography 1960 to 1970: A Report of the Committee on Oceanography of the National Academy of Sciences," Feb. 1959, p. 7.)

The above statement is especially important in the light of what the Soviet Union is and has been doing in oceanographic research. If we do not step up our own efforts in this field, the Soviet Union may soon become the world leader in oceanographic research, judging by the amount of money and manpower that country is putting into the field. Not long ago, it was reported in Research Reviews that at least seven Soviet oceanographic ships ranging in size from 1,500 to 6,000 tons are in operation. In addition to these ships are two 12,000-ton icebreakers, which are conducting oceanographic research on the side. Our own oceanographic fleet, on the other hand, consists of ships that are small by comparison. (Research Reviews, January 1959, p. 3.)

What has actually been done and what facilities have been used by the Soviet Government in oceanography under the IGY program? For the answer to this question, let us turn to Soviet literature, which gives a clear picture of Russian activities in this field.

The Soviet Union undertook, under the IGY program, to conduct a vast range of oceanographic studies. For this purpose it assigned more than 30 special vessels to roam the oceans and seas and certain of the inland seas, lakes, and rivers. Of particular interest to American oceanographers is the role of 14 large oceangoing vessels—virtual floating oceanographic laboratories—which were given the task of studying the Atlantic, Pacific, Arctic, and Antarctic Oceans, together with all the seas adjacent to them. Furthermore, at the close of the IGY, the Soviet Navy transferred one of its submarines to a scientific institution, which has the impressive name All-Union Scientific Research Institute of Sea Fishing and Oceanography. This submarine is to be used principally for the study of regions in which Soviet fishing fleets are operating. (Izvestia, August 14, 1958.) Among these large Soviet oceanographic vessels three are of more than 2,000 tons water displacement, and three of more than 5,000 tons. (Sovetsky Flot, Dec. 9, 1958.)

The Pacific Ocean was assigned to the *Vitiaz*, the flagship of the Soviet oceanographic vessels, and the *Okean*. The *Vitiaz* was to cover most of the western Pacific from north to south, and the *Okean* was to study the northwestern part of the Pacific. Three large oceanographic ships—the *Sevastopol, Ekvator* (Equator), and the brand-new *Mikhail Lomonosov* were given the task of studying the Atlantic Ocean. The *Ob* was to explore the Antarctic; in addition to investigating its waters, scientists aboard the *Ob* were to launch rockets from the ship's deck to study the upper layers of the atmosphere. Several smaller ships were assigned to other waters. For example, the *Professor Mesiatzev* and the *Poliarnik* were assigned to the Norwegian and Greenland Seas, and the *Prevenetz* was sent to the Bering Sea. (The USSR Academy of Sciences IGY Information Bulletin, No. 2, 1957, p. 41.) Other Russian ships that took part in the IGY were the *Akademik Kovalevsky* and the *Professor Deriugin*. The former, a vessel of the USSR Academy of Sciences Sevastopol Biological Station, was utilized in a study of the Rumanian and Bulgarian coastlines of the Black Sea, and the latter, of the Murmansk Biological Station, was used in an investigation of the fish resources of the Barents Sea. (Izvestia, May 1, 1958.)

STUDY OF THE PACIFIC

The *Vitiaz* is a formidable vessel of 5,500-ton displacement. Originally a cargo dieselship with passenger cabins for 12 people, it was completely overhauled and now can accommodate 137 people, that is, a crew of 64 men and a scientific staff of 73. The cabins are for one, two, or four persons. The ship has been formally a part of the oceanographic fleet since 1949.

This specially reconstructed vessel has a number of unusual technical features. It has a fuel capacity sufficient for 18,000 nautical miles or 66 days at full speed. Fuel is conserved while many oceanographic studies are being conducted, because during these periods the ship usually rides at anchor. This allows the vessel to spend from 120 to 130 days at sea without entering a port. The *Vitiaz* has 13 scientific laboratories, such as hydrological, meteorological, microbiological, plankton, hydrochemical, and others. (Morskoy Flot, No. 5, May 1955, p. 20.) Of its many other special features, the following should be mentioned: a deepwater anchor, which allows the ship to anchor at maximum depths of 32,810 feet; a special trawling installation with a 52,496-foot steel cable, permitting trawling at any depth; and eight hydrological deck winches, of which five can be used for studies at depths as great as 32,810 feet. (Morskoy Flot, No. 5, May 1955, p. 21.)

Before the IGY started, the *Vitiaz* was conducting its regular oceanographic studies, most of which have been made in the northwestern part of the Pacific. One of the discoveries made by its scientists was that the maximum depth of the Kurilo-Kamchatka Deep is 34,057 feet instead of 27,928 feet as previously reported. (Ogonyok, No. 22, May 30, 1954.) Another was that the southwestern section of the Bering Sea is divided into two parts by an underwater range, which was given the name "Academician Shirshov Range." (Vodnyi Transport, No. 108, Sept. 9 1955). During one of its regular trips in 1955, the *Vitiaz* scientists discovered that the Hawaiian underwater range continues much farther north than was reported previously. In fact, this range joins the Obruchev underwater elevation at the spot where the Aleutian and Kurilo-Kamchatka Deeps meet. (Vodnyi Transport, No. 123, Oct, 13, 1955.)

Oceanographic studies have been greatly spurred by the international agreements which concentrated them as a joint effort under the IGY. The IGY officially started on July 1, 1957, and was terminated on December 31, 1958, thus lasting 18 months. According to the IGY program, the *Vitiaz* was to make five trips in the Pacific, each lasting from 3 to 4 months. The purpose of the first trip was to study the area between New Guinea, the Philippines, and Japan. The next assignment was a study of the latitudinal zones of the Pacific (approximately between the 40th parallels). This was to be followed by an investigation of the western part of the ocean to determine the seasonal changes in hydrological conditions. The two last trips were to cover the northwestern part of the Pacific Ocean. (Sovetsky Flot, No. 246, Oct. 17, 1957.)

Even the *Vitiaz*' first voyage in 1957 brought some new significant discoveries. For example, an undersea mountain peak, about 16,405 feet high, was found to the north of Marcus Island. It was given the name "Makarov Peak." Some very rare cephalopod mollusks of the genus nautilus were trawled in the region of the Molucca Islands. For the first time, according to Soviet scientists, samples of diatomic soil were obtained in southern waters at a depth of 19,686 feet. Previously, these soils were believed to occur only in the Arctic zones. (Sovetsky Flot, No. 246, Oct. 17, 1957.)

The second voyage of the *Vitiaz*, covering a distance of over 10,000 miles, took the ship from Vladivostock south along the 174th meridian west longitude and back north from New Zealand along the 172d meridian east longitude. Many specimens of fishes and mollusks were obtained, the ocean bottom at depths of 29,529 feet was photographed, and a new trough was discovered north of the New Hebrides Islands. The trough, which is 20,342 feet deep, was named "Vitiaz." (Pravda, Feb. 28, 1958.) Soviet hydrographers aboard the *Vitiaz* also discovered that the warm Kuroshio Current in the Pacific has shifted 185 to 250 miles northward. In addition, a new record ocean depth of 35,960 feet was discovered in the region of the Mariana Islands. (Izvestia, Apr. 2, 1958.) The deepest point of the Tonga Deep was corrected by the *Vitiaz*' scientists. They found the correct depth to be 35,568 feet. Furthermore, they found a number of strong currents at a depth of 3,280 feet. Up to the present time these depths were considered to be very quiet. (Sovetsky Flot, No. 152, July 1, 1958.)

In addition to discovering another deep in the Pacific (the Vitiaz, mentioned above), the ship's scientists made corrective measurements of some of the other 17 known deeps in this ocean. As pointed out above, three of these corrections were made before the IGY began—of the Kurilo-Kamchatka, Tonga, and Marianna Deeps. During the IGY they determined the correct depths of two others: the Philippine Deep, 33,680 feet; and the Kermadek, 32,908 feet. (Pravda, Aug. 3, 1958). Another *Vitiaz* discovery was a submarine mountain peak in the Carolines, 797 feet under the surface. This peak rises 13,124 feet above the ocean floor. Apparently it is of atoll origin. The *Vitiaz* expedition gave this peak the name "Miklukho-Maklay" for a Russian explorer of the area in the last century. (Izvestia, Aug. 3, 1958.) All in all, the *Vitiaz* covered more than 62,000 miles of ocean expanse during the 18 months of the IGY. In addition, it visited many foreign ports in the basin, stopping in Japan, Canada, the United States, New Zealand, New Guinea, New Britain, Fiji, New Caledonia, and in other lands. (Izvestia, Jan. 6, 1959.)

Scientists aboard other ships of the Soviet oceanographic fleet working in the Pacific were concerned with the waters adjacent to Russian shores. The *Okean* was given the northwestern part of the Pacific to explore. In addition, several smaller vessels of the Soviet Coast Guard and fishing fleet had scientists aboard. Work conducted on these ships was devoted to the Bering Sea, Chukchee Sea, and other bodies of water in the region.

STUDY OF THE ATLANTIC

Several oceanographic ships were assigned to the study of the Atlantic Ocean. They included the *Mikhail Lomonosov*, newest of the Soviet oceanographic vessels; the *Ekvator* and the *Sevastopol*, assigned to the North Atlantic; the *Professor Mesiatzev*, the *Poliarnik*, and several fishing vessels, which were sent to the Norwegian and Greenland Sea; and the *Lena* (of Antarctic fame), assigned to study the water and ice exchange in the strait between Greenland and Spitzbergen. (The U.S.S.R. Illustrated magazine, No. 8, 1958, p. 49.)

Perhaps most of our attention should be given to the *Mikhail Lomonosov*, for of all the ships in the world constructed specially for research, it is the most modern. The vessel was built in the Neptun shipyard at Rostok in East Germany according to specifications supplied by the U.S.S.R. Academy of Sciences, and upon completion in August 1957, was transferred to the Marine Geophysical Institute. The ship has 16 scientific laboratories and accommodations for 65 scientists. Its complicated equipment includes nine deep-sea oceanographic winches; trawling equipment suitable for use at any depth in the Atlantic basin, an anchor system which permits the vessel to stand at anchor in any depth, and a sounding device that can measure depths up to 40,000 feet. The *Mikhail Lomonosov* has been conducting studies of the North Atlantic between England, the Azores, North America, and Iceland. (Morskoy Flot, No. 10, 1958, pp. 20–21.)

More information on the technical details of the vessel is given in the Annals of the U.S.S.R. Academy of Sciences. Its displacement is about 6,000 tons. The boat deck has space for one helicopter. One of its depth-sounding devices can be used both for vertical and horizontal soundings, a combination which is useful for locating schools of fish. The range of the ship is 11,000 nautical miles at an average speed of 13 knots. (Vestnik of the U.S.S.R. Academy of Sciences, Nov. 4, 1958.) Another source has stated that, in addition to its helicopter, the vessel has a motorboat suitable for several days of independent sailing in the ocean. (Novoye Vremia, No. 12, Mar. 21, 1957.) The *Mikhail Lomonosov*, which is more than 335 feet long and has a beam of 47 feet, was given the task of studying the relief of the Atlantic Ocean floor and the geological structure of its sediments. Furthermore, it has been studying the currents at various depths and their characteristics, the magnetic fields, the salinity of waters, the distribution of zoo- and phyto-plankton, and other features. (Priroda, No. 19, October 1957.)

Two other large oceanographic vessels have been assisting the *Mikhail Lomonosov* in the study of hydrological cross sections of the North Atlantic. They are the *Ekvator* and the *Sevastopol* (Sovetsky Flot, No. 283, Dec. 3, 1957). During a month and a half cruise in the stormy Atlantic, the *Ekvator* completed 49 drifting station studies and anchored 13 times in the open ocean. (Sovetsky Flot, No. 121, May 25, 1958.)

OCEANOGRAPHIC STUDIES BY SAILING SHIPS

Besides the modern dieselships mentioned above, Soviet scientists have two specially constructed sailing vessels (with auxiliary engines) which have been conducting extensive oceanographic studies during the IGY. They are the *Sedov* and the more famous, nonmagnetic vessel *Zaria*.

The *Sedov* left the Kronstadt base in the Baltic Sea on September 25, 1957, and after a 3-month voyage across the Baltic and North Seas, the Atlantic Ocean, the Mediterranean, and the Black Sea, berthed at the Soviet Black Sea naval base at Sevastopol. (Sovetsky Flot, No. 9, January 11, 1958.) The oceanographic sailing vessel started on its return trip from Sevastopol to Kronstadt on February 27, 1958, with plans to conduct oceanographic studies for a period of 5 months on the way. The program provided for the vessel to pass through the Straits of Gibraltar and set its course for Madeira, the Canary Islands, and the Cape Verde Islands. The ship visited Dakar, crossed the Atlantic to Recife in Brazil, sailed north to the English Channel, and then back to Kronstadt. (Sovetsky Flot, No. 50, February 28, 1958.) The scientists made oceanographic observations at selected stations in the Atlantic every 60 or 70 miles. Extensive scientific material was collected during this trip, such as data on the distribution of temperatures and salinity of water at various depths and the speeds and directions of currents; also, samples of soils were collected from various floor depths, and more than 400 plankton specimens were taken. (Izvestia, March 2, 1958.) The ship returned to Kronstadt on June 9, 1958, having covered a distance of 8,700 miles (Sovetsky Flot, No. 135, July 11, 1958).

More interesting and exciting was the voyage of the *Zaria*, which, according to Soviet claims, is the only nonmagnetic vessel in the world. This three-masted schooner of 580-ton displacement was built with a minimum amount of metal. It was constructed mainly of wood and such nonmagnetic metals as bronze and copper. The main purpose of the ship has been to facilitate the study of the magnetic field of the oceans. The *Zaria* started its voyage on August 3, 1957, and since that time has sailed more than 40,000 nautical miles. It visited ports in England, Canada, the Azores, Spain, Albania, the Union of South Africa, Puerto Rico, Brazil, Argentina, Uruguay, Australia, Indonesia, Ceylon, and many others. During the IGY, it crossed the Atlantic six times. The scientific value of the work of the *Zaria* is very significant, for its scientists discovered a considerable number of magnetic anomalies in the Atlantic. (Vechernaia Moskva, Sept. 25, 1958.)

In addition to its sails, which cover an area of more than 830 square yards, the *Zaria* has a 300-horsepower auxiliary engine. It can attain a speed of 6.5 knots under sails, and 9 knots with its engine. The ship is 131 feet long and has a beam of 32.5 feet. With its supply of water and fuel it can sail 3,500 miles without entering a port. The vessel is virtually nonmagnetic because she carries only about 2 tons of iron and steel, an amount which, compared with the 200 tons of other metals with which she was constructed, can have little, if any, influence on the performance of the scientific instruments. (Sovetsky Flot, No. 178, Aug. 3, 1956.) The submerged part of the vessel is sheathed in brass. Its anchor and anchor chains are made of brass and bronze. The propeller shaft is made of nonmagnetic steel, while the propeller itself and the rudder are made of bronze. (Zoanie-Sila, No. 6, June 1957, p. 15.)

The *Zaria* is supposed to conduct a study of ocean magnetism and then complete its voyage in Vladivostok (Priroda, No. 8, 1958, p. 55). The precise measurements made on the *Zaria* will be used to correct magnetic charts (U.S.S.R. Illustrated Magazine, No. 8, 1958, p. 48).

STUDIES IN THE ANTARCTIC AND ARCTIC

Russian oceanographic studies in the Antarctic have been conducted chiefly by scientists abroad the *Ob*, a ship that regularly sails to the Soviet Antarctic bases, and also by investigators aboard vessels of the Slava sailing fleet. At the same time, oceanographic observations have been made in the Arctic from two drifting-ice stations—the North Pole–6 and the North Pole–7. Scientists on these two ice islands have been aided in their work by several oceanographic vessels, such as the *Toros* and *Poliarnik*. Some sources indicated that the *Lomonosov* (not the *Mikhail Lomonosov*, but a smaller, older Russian vessel) was to join these two vessels for a study of the hydrological and ice regimens of the Chukchee Sea, East Siberian Sea, Laptev Sea, Kara Sea, and Barents Sea. (Priroda, No. 8, 1958.)

The *Ob* has been especially active in oceanographic work, having spent 757 days in the oceans, and having made one trip around the world. It has studied, in addition to the Antarctic regions, the Atlantic and Indian Oceans. It has also made investigations of the upper layers of the atmosphere. For example, from December 31, 1957, to May 7, 1958, 22 meteorological rockets were launched from the ship in the southern latitudes. (Sovetsky Flot, No. 286, Dec. 8, 1958.) On February 9, 1959, the *Ob* approached the forbidding shores of Queen Maud Land and landed parties there entrusted with the task of establishing a new Soviet Antarctic base, named the "Lazarev." The Lazarev base was to consist of two buildings, which were to be occupied by six members of the expedition this winter. (Pravda, Feb. 16, 1959.) Recent reports indicate that the Lazarev base (Sovetsky Flot, No. 59, Mar. 12, 1959) was officially opened on March 10, 1959.

SUBMARINE FOR OCEANOGRAPHIC STUDIES

According to the Sovetsky Flot, an official newspaper of the Soviet Defense Ministry, the Soviet Navy transferred one of its submarines to the All-Union Research Institute for the Study of Fisheries and Oceanography. This navy submarine, named the *Severianka* (*Northern Maiden*), has been completely overhauled and specially rebuilt to suit the needs of oceanographic studies. The submarine is equipped mainly for the study of fish movements in the oceans for the purpose of assisting fishing fleets in locating schools of fish. However, the ship will be used for making other oceanographic observations as well. Portholes with thick glass panes, able to withstand high pressures, were placed in the hull; searchlights were mounted in such a way that scientists sitting in chairs in front of the windows could switch them on and observe underwater life; and movie and still cameras were installed by each porthole to enable observers to take pictures at will. Schools of fish are first located by the sounding devices, then observed through the portholes. The sounding devices operate both downward and upward to locate schools of fish either below or above the submarine. In addition, scientists are able to obtain soil samples from the sea floors while the submarine is at anchor or while it is lying at depth. (Sovetsky Flot, No. 19, Jan. 23, 1958.)

A TV camera was installed in the bow of the *Severianka* to give the observers a view of marine life ahead, the picture being projected onto a screen inside the ship. The reequipment of the submarine was completed in 1958, and it joined the active fishing and oceanographic fleets at the end of that year. (Izvestia, Aug. 14, 1958.) The submarine has already made three experimental voyages, the first in the Barents Sea and the other two in the Atlantic. During these three trial trips all scientific instruments were tested, such as those used to measure temperatures at various depths, salinity, radioactivity of water, and speed of underwater currents. (Ogonyok, No. 5, Jan. 25, 1959.)

The second trip of the *Severianka* was much longer than the first one. It started on New Year's Eve and lasted 24 days, 22 of which were exceptionally stormy. The results apparently were satisfactory. According to the Soviet press, the scientific material already gathered is very valuable. It was observed that at night the fish were very passive, almost lethargic, and were not frightened by the submarine. In the morning, however, they became much livelier and quickly disappeared from the field of observation of scientists aboard the undersea

laboratory. (Pravda, Jan. 26, 1959; Izvestia, Jan. 27, 1959.)

What, briefly, does this summary of Soviet oceanographic activity during the IGY tell us? For one thing, it leaves little doubt that Russia has a first-rate research fleet, and for another, it makes clear that she is rapidly increasing her knowledge of the seas.

This intensive activity by Russia should spur U.S. efforts to build up its own ocean research forces. The report by the Committee on Oceanography of the National Academy of Sciences, mentioned at the beginning of this article, recommends that our present survey fleet of 45 ships, which are mostly of smaller size than the Russian ships, be increased in number to 85 ships by 1970. To achieve this goal it will be necessary for the United States to construct 70 new ships, since 30 ships of the present fleet will no longer be serviceable by 1970 and will thus have to be replaced.

With the expanded ocean-research facilities which the United States is expected to have in the years to come, and with Russia's research fleet, which will undoubtedly expand also, and with the oceanographic forces of other nations vitally interested in the oceans—Great Britain and Japan, for example—we can look forward to a period of intensive exploration of the vast ocean frontier. It is to be hoped, of course, that the acquired knowledge will be used by the participants in the same spirit as was that gathered during the IGY—for the benefit of all mankind.

Mr. MAGNUSON. I add, in conclusion, that we know more about the moon than we know about three-fourths of the earth. I hope the Congress, come January, will hold extensive hearings on this subject.

I wish also to place in the RECORD a notice that the representatives of 34 countries are now meeting in New York City in a National Oceanographic Congress, in which papers are to be read on all the many problems being studied, and on much of the unknown three-fourths of the surface of the earth.

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

NATIONAL OCEANOGRAPHIC CONGRESS—THIRTY-FOUR COUNTRIES OR DEPENDENCIES REPRESENTED

Of the 29 major morning lectures to be presented, U.S. scientists will present 7, Britain 4, U.S.S.R. 3, Scotland 3, Germany, Denmark and Sweden 2 each, and Italy, Norway, Belgium, Canada, and Holland 1 each.

Of the papers to be read and discussed the national breakdown is: United States, 202; U.S.S.R., 82; Japan, 35; France, 16; United Kingdom, 12; Germany, 12; India, 12; Sweden, 11; Italy, 10; Canada, 9; Scotland, 6 (they have separate oceanographic institution); Holland, 7; Brazil, 6; Argentina, 5; Formosa, 5; Norway, 5; Poland, 4; Denmark, 4; Egypt, 3; Switzerland, 3; Finland, 3; Mexico, 2; Australia, 2; South Korea, 2; Hong Kong, 2; Union of South Africa, 2; Yugoslavia, 1; Nigeria, 1; Chile, 1; Panama, 1; Belgium, 1; and Ireland, 1.

Mr. MAGNUSON. Mr. President, I also ask unanimous consent to have printed in the RECORD an article entitled "Soviet Science Vessel Wins Praise in New York," written by William Hines, Star scientific writer, and published in a recent issue of the Washington Evening Star.

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

SOVIET SCIENCE VESSEL WINS PRAISE IN NEW YORK

(By William Hines)

NEW YORK, September 9.—"We'd be swamped with students of the marine sciences if we had a vessel like this one."

"This one" was the Soviet oceanographic ship *Mikhail Lomonosov*, and the man who made the comment was an American oceanographer who had just toured the vessel. The *Lomonosov* is tied up at a Hudson River pier during a 2-week meeting of marine scientists at the United Nations.

The *Mikhail Lomonosov* is the biggest and probably the most lavishly equipped scientific ship in the world. The 6,000-ton vessel, as long as a football field, cannot be compared with anything in the American oceanographic fleet. It is only 2 years old and, according to its first officer, Konstantin Bannov, was built from the keel up for the purpose for which it is now being used.

Mr. Bannov said the ship's complement normally numbers 132, with scientists slightly outnumbering mariners, 67 to 65. Its chief scientists, Prof. Arkady Kolesnikov, is an expert on ocean currents, while others among the scientists specialize in one or another of a total of 16 disciplines. Each scientific specialty has it own laboratory.

ACCURACY QUESTIONED

One American scientist said the instruments displayed aboard the Soviet vessel "certainly indicate that these people know what they are doing." But he questioned the accuracies the Russians claimed for some of their instruments, for example, an electrical thermometer that supposedly can take the temperature of sea water to an accuracy of one one-thousandth of a degree. Similar American instruments are good to one one-hundredth.

First Officer Bannov claimed, and American scientists agreed, that the ship had great stability and is an excellent "platform" for precise measurements even in heavy seas.

However, one scientist who termed the ship "beautifully equipped," said he did not believe the Russians got the maximum out of their instruments. "There are some engineering limitations," he explained, citing a procedure under which a highly accurate temperature-recorder is lowered over the side so close to the hull that the ship's temperature can affect the reading.

American scientists who had talked with their opposite numbers on the *Lomonosov* were unanimous in the opinion that the Russian scientists "look very competent," as one American put it. Whether these competent people were getting an opportunity to do much creative work was a big question, however. From the way the ship and its laboratories are organized, the vessel is in business principally to accumulate vast masses of data, in the opinion of one oceanographer.

VACUUM CLEANER PROCESS

Nevertheless, another scientist said, the Russians "are getting some good measurements we aren't getting" simply because they approach the data-gathering problem in this vacuum-cleaner fashion. However, he noted, even with its size and equipment, the *Lomonosov* is not geared to do geophysical work.

The *Lomonosov* is one of two large oceanographic ships operated by the Soviet Union, according to Mr. Bannov. The other, a remodeled cargo ship named *Vityas*, operates in the Pacific and the *Lomonosov* plies the Atlantic, he said. The first officer professed to know nothing about arctic oceanography, although it is known generally the Russians are extremely active scientifically in the polar regions.

Physically the ship is an impressive sight. Its hull is white and its superstructure is topped by a single streamlined funnel. A red and blue sputnik-round-the-world design is painted on its bow, and from the foremast flies a white flag bearing the words "Akademia Nauk" in blue. These are the Russian words for "Academy of Sciences," to which both the *Lomonosov* and the *Vityas* are assigned.

The *Lomonosov* gave evidence of thorough and frequent sweepdowns, and traces of unshipshape conditions reported by visitors to some Soviet ships were completely lacking. One scientist suggested that "they may have made a special effort to police it up while it was in port," but it was this writer's opinion that conditions aboard the vessel reflected constant maintenance rather than an occasional spring cleaning.

ON THE BRIDGE

The bridge, which is normally locked, was opened to this writer, who was shown the navigation and control equipment. The *Lomonosov* has good radar equipment of apparently advanced design, elaborate radio communications facilities and the sort of depth, speed, and navigational instruments common to middle-sized ships. It also has a British-built loran (long-range navigation) aboard, the only piece of equipment that appeared to have been built outside the Soviet bloc.

Living quarters were comfortable in appearance and no more crowded than in American ships. Because oceanographic vessels go out for long periods, roominess is considered essential.

The officers' wardroom, like the rest of officers' country, is carpeted in red and reflects the decorative style admired by Russians, which usually strikes Americans as slightly outdated.

Although the scientific complement of the *Lomonosov* changes from voyage to voyage according to what missions are to be performed, it apparently is usual for about a dozen of the scientists to be women. A number of women have participated in the oceanographic meeting here.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the comprehensive bill on oceanographic studies which I have just introduced lie on the desk for 4 days, to permit additional cosponsors to attach their names.

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

ADDITIONAL APPROPRIATION FOR SENATE SELECT COMMITTEE ON SMALL BUSINESS

Mr. SPARKMAN. Mr. President, in order that there may be no ambiguity about the purposes of Senate Resolution 177, 86th Congress, 1st session, I wish to state for the record that it is the intent of the resolution and of the Senate Select Committee on Small Business that the $10,000 provided therein be added to the $100,000 authorized by Senate Resolution 16, 86th Congress, 1st session, agreed to February 2, 1959. The additional $10,000 is to be used for the same purposes. It is expected that the additional funds will be commingled with the moneys provided by Senate Resolution 16.

PREVENTION OF MONOPOLISTIC AND UNFAIR TRADE PRACTICES

Mr. SPARKMAN. Mr. President, in 1914 the Congress established the Fed-

eral Trade Commission as an instrument to prevent monopolistic and unfair trade practices. It was intended at the time that the Commission should act promptly to prevent these monopolistic, illegal trade practices. Through the years, the Commission has halted many flagrantly monopolistic activities, but its enforcement procedures often have been found so slow and cumbersome that it has frequently been able to stop those practices only after their small business victims were destroyed or severely injured.

For years it has been apparent to the Commission and to many Members of Congress that the Federal Trade Act must be amended to enable the Commission to act with more dispatch in these matters.

For that reason, Mr. President, I am delighted to introduce a bill that will give the FTC power to issue temporary cease-and-desist orders when the Commission finds they are needed. This is proposed legislation of significance to every small business in this country.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2693) to strengthen the antitrust laws by amending the Clayton Act and related acts to provide for the issuance of temporary cease and desist orders to prevent certain acts and practices pending completion of proceedings, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. SPARKMAN. I also ask unanimous consent that a letter from the National Association of Independent Dairies in support of this legislation be printed at this point in the RECORD.

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

NATIONAL INDEPENDENT
DAIRIES ASSOCIATION,
Washington, D.C., September 3, 1959.

HON. JOHN SPARKMAN,
Chairman, Senate Small Business Committee,
Old Senate Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN: We are delighted to learn that you are going to introduce a bill which would give the Federal Trade Commission power to issue temporary cease and desist orders to prevent certain acts and practices pending completion of Federal Trade Commission proceedings.

The power which this bill would afford is a vital necessity if the FTC work is to be fully effective. Under the present laws adversary proceedings before the FTC often are in progress for many years before any relief can be afforded the victims of the offenders. During that time many of these victims are destroyed. The small businessmen in the dairy business prefer the services of the doctor to those of the undertaker.

We are sure that the Alabama independent dairymen, as well as the independent dairymen throughout the nation and all other small businessmen, will strongly applaud your action in introducing this important bill.

As a former trial attorney, Secretary and Executive Director of the FTC I can truly appreciate the urgent need for such legislation.

Again we salute you for championing the cause of small business.

With all good wishes, I am,
Sincerely,

D. C. DANIEL.

THE CALENDAR

Mr. HART. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection.

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

The clerk will state the first measure on the calendar.

BILLS PASSED OVER

The bill (S. 1075) to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior was announced as first in order.

Mr. HART. Mr. President, I ask that the items beginning with Calendar No. 95 and extending through Calendar No. 331, inclusive, be passed over.

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

The bills passed over are as follows:

S. 1075, a bill to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior, $5,197.56.

S. 91, a bill to amend the act of Sept. 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and employees of the United States, to clarify the operations of such act, and for other purposes.

H.R. 4601, a bill to amend the act of Sept. 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes.

S. 1474, a bill to make permanent the provision of the Reorganization Act of 1949.

Senate Joint Resolution 69, a Joint resolution proposing an amendment to the Constitution of the United States relative to the equal rights for men and women.

H.R. 4012, a bill to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes.

H.R. 5140, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1961.

RESOLUTION PASSED OVER

The resolution (S. Res. 131) referring S. 882, a bill for the relief of the heirs of J. B. White, to the Court of Claims, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

Mr. MORSE. 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. MORSE. 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. MORSE. Mr. President, a parliamentary inquiry: What bill is under consideration?

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

BILLS AND RESOLUTIONS PASSED OVER

Mr. HART. Mr. President, I ask unanimous consent that all bills beginning with Calendar No. 397, S. 1617, on page 8 of the calendar, and extending through Calendar No. 720, H.R. 5888, at the bottom of page 9, go over.

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

Mr. McCLELLAN. Mr. President, reserving the right to object, was that a unanimous-consent request?

Mr. HART. Yes. We are proceeding with a call of the calendar of bills to which there is no objection. All the bills to which I have referred have been objected to.

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

The bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act, 1936, as amended, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 883) to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law, was announced as next in order.

Mr. HART. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2402) to clarify the authority of the Postmaster General to provide for the expeditious, efficient, and economical transportation of mail, and for other purposes, was announced as next in order.

Mr. HART. Mr. President, I ask that this bill go over; and additionally, I ask that Calendar No. 819, S. 694; and Calendar No. 825, Senate Resolution 174, go over.

The PRESIDING OFFICER. Without objection, the bill and resolution will be passed over.

The resolution (S. Res. 169) concerning the desirability of holding an international exposition in the United States was announced as next in order.

Mr. KEATING. Mr. President, emphatically, over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2481) to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CECIL E. FINLEY

The bill (H.R. 2946) for the relief of Cecil E. Finley was considered, ordered to a third reading, read the third time, and passed.

REFERENCE OF SENATE BILL 2496 TO THE COURT OF CLAIMS

The resolution (S. Res. 182) referring S. 2496 to the Court of Claims, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the resolution?

Mr. HART. The resolution provides that the resolution which was submitted for the direct relief of a mill be referred to the Court of Claims for a report to Congress. The resolution authorizes the disbursement of no money.

Mr. MORSE. I have no objection.

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

The resolution (S. Res. 182) was considered and agreed to, as follows:

Resolved, That the bill (S. 2496) entitled "A bill for the relief of Kraemer Mills, Incorporated", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amounts, if any, legally or equitably due from the United States to the claimant.

BILLS PASSED OVER

The bill (S. 910) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2168) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEASING A PORTION OF TWIN CITIES ARSENAL, MINN.—BILL PASSED OVER

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, Minnesota, was announced as next in order.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from New York. The two Senators from Minnesota have agreed to accept an amendment, which is at the desk, to the bill. If the amendment is accepted, the Senator from Oregon will have no objection to the bill. I think I am the one who objected to the bill the last time it was called on the calendar, although a Senator on the other side of the aisle may also have objected; I do not know.

Mr. KEATING. I do have an objection from the distinguished Senator from Vermont [Mr. PROUTY], at least temporarily.

Mr. MORSE. I simply want the RECORD to show that the House Members who were interested in the bill have been to see me, as have also the two Senators from Minnesota. Both Senators have agreed to accept the amendment I offered, which would provide for the payment by the school district of 50 percent of the fair market value of the lease. That is acceptable to me. So far as I am concerned, if the amendment is adopted, my objection to the bill will be withdrawn.

Mr. KEATING. I ask that the bill go over, by request.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

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, was announced as next in order.

Mr. HART. Over.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

The bill (H.R. 8437) to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500 was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER (Mr. MCGEE in the chair). The bill will be passed over.

The bill (S. 793) to amend title 23 of the United States Code in order to increase the amount authorized for bridges over Federal dams was announced as next in order.

Mr. KEATING. Over.

Mr. HART. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2653) to amend the Communications Act of 1934 to establish jurisdiction in the Federal Communications Commission over community antenna systems was announced as next in order.

Mr. HART. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1447) to amend section 161, title 35, United States Code, with respect to patents for plants, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes, was announced as next in order.

Mr. KEATING. Over.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 3254) for the relief of Thomas Foreman Screven, Julia Screven Daniels, and Mary Bond Screven Rhodes was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 5733) for the relief of Park National Bank was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

EFFECTS OF DECEASED SEAMEN—BILL PLACED AT FOOT OF CALENDAR

The bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman, was announced as next in order.

Mr. MORSE. Mr. President, I should like to inquire what bill we have now reached on the calendar.

The PRESIDING OFFICER. Calendar No. 1022, House bill 6067.

Mr. HOLLAND. Mr. President, what happened to the measures which immediately precede this one on the calendar?

The PRESIDING OFFICER. They were passed earlier in the day.

Mr. HOLLAND. I thank the Chair.

Mr. MORSE. Mr. President, reserving the right to object to Calendar No. 1022, House bill 6067, let me state that the counsel of the committee is working out an amendment which we discussed earlier in the day. I have not seen the amendment. When it is offered, I shall have no objection to consideration of the bill. But until the amendment is offered, the bill must go over.

I suggest that the bill be placed at the foot of the calendar, until we get in touch with the counsel.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

INTER-AMERICAN CHILDREN'S INSTITUTE FOR THE PROTECTION OF CHILDHOOD

The Senate proceeded to consider the bill (S. 2231) to amend the joint resolution providing for membership and participating by the United States in the Inter-American Children's Institute, formerly known as the American International Institute for the Protection of Childhood, as amended, which had been reported from the Committee on Foreign Relations, with amendments, on page 2, line 2, after the word "appropriated", to strike out "annually"; in line 3, after the word "State", to insert "for the fiscal years 1961 and 1962, and in line 4, after the word "sums", to insert "not to exceed $50,000 per fiscal year"; 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 Public Resolution 31, approved May 3, 1928 (45 Stat. 487), as revised by section 1(a) of Public Law 806, approved September 21, 1950 (64 Stat. 902), as amended by Public Law 816, approved July 27, 1956 (70 Stat. 696), is hereby amended to read as follows:

"That in order to meet the obligations of the United States as a member of the Inter-American Children's Institute, there is hereby authorized to be appropriated to the Department of State for the fiscal years 1961 and 1962 such sums not to exceed $50,000 per fiscal year, as may be necessary for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute."

The amendments were agreed to.

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

GEN. EDGAR JADWIN DAM AND RESERVOIR

The bill (H.R. 8035) to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pennsylvania, as the Gen. Edgar Jadwin Dam and Reservoir was considered, ordered to a third reading, read the third time, and passed.

STILLHOUSE HOLLOW DAM

The bill (H.R. 616) to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam was considered, ordered to a third reading, read the third time, and passed.

MEMORIAL TABLET IN HONOR OF DR. SAMUEL ALEXANDER MUDD

The Senate proceeded to consider the joint resolution (H.J. Res. 80) providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd.

Mr. HART. Mr. President, I ask unanimous consent that a statement on the joint resolution be printed at this point in the RECORD.

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

STATEMENT BY SENATOR HART SEPTEMBER 11, 1959

It gives me great pleasure to speak in behalf of House Joint Resolution 80, which would authorize a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel A. Mudd.

Most schoolboys know that Dr. Mudd was the man who set John Wilkes Booth's broken leg as he escaped down Maryland's western shore toward Virginia. To me this was a clear example of a physician doing his duty and fulfilling his physician's oath, particularly since in those preradio days there is every reason to believe he had not heard of the assassination of the President. Almost every schoolboy knows that Dr. Mudd was sentenced to life imprisonment on an island off the Florida coast for this "crime." But very few schoolboys know that in 1867, during the great yellow fever epidemic, Dr. Mudd performed an act of heroism in taking charge of the prison hospital after the death of the prison doctor and saving the lives of many of the island garrison and prison inmates. It is for this act that the proposed legislation would honor him.

I ask for passage of this bill as an act of simple justice to the memory of Dr. Mudd and to his living descendents. One of them, Richard Mudd, of Saginaw, Mich., is also a doctor and has performed outstanding service in the field of industrial medicine.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 80) was ordered to a third reading, read the third time, and passed.

PRINTING OF PROCEEDINGS OF THE 39TH BIENNIAL MEETING OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF

The resolution (S. Res. 190) for printing of the proceedings of the 39th biennial meeting of the Convention of American Instructors of the Deaf with illustrations as a Senate document was considered and agreed to, as follows:

Resolved, That the report of the proceedings of the thirty-ninth biennial meeting of the Convention of American Instructors of the Deaf, held at Colorado Springs, Colorado, June 28, to July 3, 1959, be printed with illustrations as a Senate document, and that one thousand additional copies be printed for the use of the Joint Committee on Printing.

PRINTING OF STUDY "TENSIONS IN COMMUNIST CHINA"

The resolution (S. Res. 186) to print the study, "Tensions in Communist China," as a Senate document was considered and agreed to, as follows:

Resolved, That "Tensions in Communist China", prepared at the request of Senator ALEXANDER WILEY by the Legislative Reference Service of the Library of Congress, be printed as a Senate document, and that one thousand additional copies be printed for the use of the Committee on Foreign Relations.

PRINTING OF ADDITIONAL COPIES OF PART 4 OF THE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

The resolution (S. Res. 184) authorizing the printing of additional copies of part 4 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field three thousand three hundred additional copies of part 4 of the second interim report made by that committee pursuant to S. Res. 44.

PRINTING OF ADDITIONAL COPIES OF PART 3 OF SECOND INTERIM REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

The resolution (S. Res. 183) authorizing the printing of additional copies of part 3 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field was announced as next in order.

RETIREMENT OF ROBERT F. KENNEDY AS COUNSEL OF THE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. MORSE. Mr. President, reserving the right to object to the consideration of Senate Resolution 183—although I shall not object—I believe it fitting, in view of the news of today that the counsel of the select committee has announced his resignation from the committee, to say a few words.

Mr. President, I have not always agreed with every course of action which the committee counsel, Mr. Robert F. Kennedy, has taken. But I want the RECORD to show that I believe he has given not only the committee but also the United States a very fine example of dedicated public service. If anyone had a difficult role to perform as a servant of a Senate committee, it was the role which Robert F. Kennedy performed as counsel for the Select Committee headed by the senior Senator from Arkansas [Mr. MCCLELLAN].

I am sure Mr. Kennedy will be perfectly willing to let his record of distinguished legal service for the committee be judged by time and by future events.

I wish to say that I would that I could be sure that we would always have in the public service men of such outstanding competence, great courage, dedication of purpose, and refusal to yield to any pressure at any time in connection with the performance of his work.

Mr. President, in spite of those who have criticized some of the positions Mr. Kennedy has taken as counsel for the committee, I salute him for his legal competence; I salute him for his courage; I salute him for his wonderful character; and I salute him for his record of service to that committee.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate Resolution 183?

There being no objection, the resolution (S. Res. 183) authorizing the printing of additional copies of part 3 of the second interim report of the Select Committee on Improper Activities in the Labor or Management Field was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field three

thousand three hundred additional copies of part 3 of the second interim report made by that committee pursuant to S. Res. 44.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "HOSPITAL, NURSING HOME, AND SURGICAL BENEFITS OF OASI BENEFICIARIES"

The concurrent resolution (H. Con. Res. 405) providing for printing additional copies of the hearings entitled "Hospital, Nursing Home, and Surgical Benefits of OASI Beneficiaries" was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF PAPERS ENTITLED "COMPENDIUM OF PAPERS SUBMITTED ON REVISION OF THE FEDERAL INCOME TAX LAWS

The concurrent resolution (H. Con. Res. 404) providing for printing additional copies of the compendium of papers entitled "Compendium of Papers Submitted on Revision of the Federal Income Tax Laws" was considered and agreed to.

MEMORIAL IN HONOR OF REAR ADM. RICHARD E. BYRD

The joint resolution (S. J. Res. 103) authorizing the National Geographic Society to erect a memorial on public grounds in the State of Virginia to honor Rear Adm. Richard E. Byrd was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Geographic Society is authorized to erect a memorial on public grounds along Memorial Avenue, Arlington County, Virginia (such grounds being now owned by the United States), the purpose of which will be to honor Rear Adm. Richard E. Byrd.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the Commission on Fine Arts and the National Capital Planning Commission, a suitable site on public grounds along Memorial Avenue, Arlington County, Virginia, upon which may be erected the memorial authorized in the first section.

(b) The design and materials for such memorial shall be subject to the approval of the Secretary of the Interior, the Commission on Fine Arts, and the National Capital Planning Commission. Such memorial shall be erected without expense to the United States.

SEC. 3. The authority granted in the first section of this joint resolution shall cease to exist unless (1) the erection of the memorial authorized by such section is commenced within five years from the date of the enactment of this joint resolution, and (2) the Secretary of the Interior finds that, prior to the commencement of the erection of such memorial, sufficient funds are available to insure its completion.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this joint resolution shall be the responsibility of the Secretary of the Interior.

BILL PASSED OVER

The bill (S. 743) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

COMMENDATION OF NATIONAL JAYCEE COMMUNITY PROGRAM

The resolution (S. Res. 173) commending the National Jaycee Community Program was considered and agreed to, as follows:

Resolved, That the Senate hereby recognizes as a fitting and patriotic endeavor the national Jaycee community development program, a program established for the purpose of providing leadership training through community improvement; and the Senate hereby commends and encourages the efforts of those joining in the undertaking of such program.

NATIONAL OLYMPIC WEEK

The joint resolution (H.J. Res. 310) to authorize the designation of the period of October 17 to October 24, 1959, as National Olympic Week was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

HOWARD F. KNIPP

The bill (H.R. 2068) for the relief of Howard F. Knipp was considered, ordered to a third reading, read the third time, and passed.

FATHER KENNETH M. RIZER

The bill (H.R. 7935) for the relief of Father Kenneth M. Rizer was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 609) for the relief of the estate of Gregory J. Kessenich was announced as next in order.

Mr. HART. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

JAMES F. CONROY

The bill (H.R. 7640) for the relief of James F. Conroy was considered, ordered to a third reading, read the third time, and passed.

LT. (JG.) JAMES W. LITTLE

The bill (H.R. 6809) for the relief of Lt. (jg.) James W. Little was considered, ordered to a third reading, read the third time, and passed.

OFFICIAL STATION OF RETIRED JUDGES ASSIGNED TO ACTIVE DUTY

The bill (H.R. 2982) to fix the official station of retired judges assigned to active duty was considered, ordered to a third reading, read the third time, and passed.

CHANGE THE DESIGNATION OF CHILD HEALTH DAY

The joint resolution (H.J. Res. 317) to change the designation of Child Health Day from May 1 to the first Monday in October in each year was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2673) to provide for the appointment of additional circuit and district judges, and for other purposes, was announced as next in order.

Mr. HART. Mr. President, for the reason that this measure is not proper calendar business, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

EFFECTS OF DECEASED SEAMEN BILL PASSED OVER

The PRESIDING OFFICER. Calendar No. 1022, House bill 6067, has been ordered to be placed at the foot of the calendar.

The bill will be read by title.

The LEGISLATIVE CLERK. A bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the dead seaman.

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

Mr. MORSE. Mr. President, I am sure we can handle this bill at the next call of the calendar. As the record shows, all we are seeking to do is include language which will insure that the Federal district court will have to hold the property of the deceased seamen for at least 60 days, if the property amounts to more than $1,500, without a probate.

As I stated earlier today, under present circumstances the property would be disposed of within a week, if someone represented himself to be the brother of the deceased seaman. If the authorities thought he was the brother, and therefore let the property go, they might discover, a few days later, that the deceased seaman had a widow and child living in Hong Kong, even though until that time no one in this country had known of their existence. One thousand five hundred dollars would mean a great deal to them. If the property has been dissipated in the meantime, there is nothing we shall be able to do about it. We ought to get language in the bill to take care of the situation. I am going to object to the bill until that language is put in. It was agreed the committee counsel would draft the amendment. The difficulty was, they said, they would have to rewrite the bill. I am sure it has been done, but it has not been supplied me. In the absence of the necessary language, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

CONVEYANCE OF ARMY AND NAVY GENERAL HOSPITAL, HOT SPRINGS NATIONAL PARK, TO THE STATE OF ARKANSAS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 398, H.R. 6190.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 6190) to direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Ark., to the State of Arkansas, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. McCLELLAN. Mr. President, this is a House bill conveying some 21 acres of land now in the National Park Service jurisdiction to the State of Arkansas. On this property is situated what is known as the Army and Navy Hospital. The hospital and all of the facilities are owned by the Army. The land is owned by the Department of the Interior.

Mr. MORSE. Mr. President, will the Senator from Arkansas permit me to ask that the Senator from New Jersey [Mr. CASE] be requested by someone on the Republican side to come on the floor, because he asked me to be notified when this bill comes up so he can be present on the floor?

Mr. MANSFIELD. Mr. President, if the Senator will yield, I may inform him that the Senator from New Jersey has been notified, he is on his way over, and will arrive in plenty of time.

Mr. McCLELLAN. Mr. President, this hospital was originally constructed under an authorization enacted in 1882. I note that about $100,000 was appropriated at that time. Later, in 1929, the hospital was expanded into a 500-bed institution, at a cost of about one million and a half dollars.

In 1949, some $750,000 was expended on it for renovation and for the construction of certain quarters.

Mr. President, this hospital has serviced approximately 100,000 patients during its existence. It reached its peak in about 1945, I believe, when it had a total of 1,777 patients.

In 1953, without warning, without previous notice, the Army announced it was going to deactivate the hospital. However, we prevailed on the Army at that time not to do so. But in 1955 it again announced that the patient load did not warrant or justify the hospital, and that it was not economic to keep it.

Since that time, 1955, Mr. President, the hospital has been operated by direction of the Congress, by rider being placed on an appropriation bill each year, directing the Army to continue to operate it.

At the time it was closed this year, it had a patient load of only 34 patients a day. The Army has declared it has no further use for it. I may state that during the period from 1953 down to the present time, my distinguished colleague [Mr. FULBRIGHT] and our distinguished colleagues in the House of Representatives have undertaken to prevail upon every Government agency we could think of to find some use for this institution. We have gone to the Veterans' Administration, we have gone to the Air Force, we have gone to the Public Health Service, we have gone to every agency of Government, undertaking to find some governmental service that it would be suitable for, and find some agency that had a need for it and could use it.

I am confident, Mr. President, that a diligent effort has been made. We have not found any agency that can use it or that is willing to use it. So we have these physical facilities, estimated now to be worth $3 million. I may say, by way of parenthesis, that if the building were to be constructed today anew, I am sure it would cost far in excess of that sum.

The facilities are being declared surplus to the needs of the services. The land does not belong to the Army. The land on which the facilities are located belongs to the National Park Service or to the Department of the Interior.

Therefore this bill has been introduced to deed the property to the State of Arkansas. Why? As I pointed out, we tried to find a use for these facilities. If it is declared surplus and sold, it will bring nothing. There is no prospect, so far as we can see, that private enterprise would pay anything like the value of it. It would be very hard to find private interests that would have a need for it or could make use of it.

In our efforts to find some service it could render, instead of being closed and being a loss to the taxpayers of this country, we have interested the State of Arkansas in providing at this place a rehabilitation center which would be in the nature of a regional service for that area in that section of our Nation.

Arkansas has been interested in this. This was not done upon the spur of the moment. A commission or a board was selected to make a survey to ascertain whether the property would be suitable for the purpose to be used. At the head of that board or commission which made the survey and which made recommendations was a prominent physician connected with the Mayo Institute. The hospital has been recommended as suitable for the purpose.

The Legislature of the State of Arkansas in good faith, having the desire to establish a regional rehabilitation center, at its last meeting, passed an act authorizing acceptance of the facility and appropriating $200,000 to get the work started.

I believe there is one such facility in the country now, somewhere in Virginia.

Mr. President, I can see no good reason for opposition to the bill. Arkansas, it seems, has made a rather exceptional record in this particular field. Today I believe we are expending, according to the information I have, about $1 or $1.10 per capita for the rehabilitation program, whereas the national average is about 50 cents per capita.

Judging from the reports of the agencies under the Department of Health, Education, and Welfare, Arkansas has an outstanding record.

We have a choice, Mr. President. This facility can be closed. We have opposed that in the Congress. The Senate particularly has gone along with my colleague and me in our urging to keep it open, in the hope that it would never be closed but that some good use and good service could be found to which it could be applied. We have now found the use.

Mr. President, according to the information given to us, if the hospital is closed, if no use is found for it, and if it is simply declared to be surplus to the needs of the Government, then it will cost a minimum of $130,000 a year to maintain it in some kind of condition. Of course, we all know that, while the hospital is being so maintained, if it is not occupied it will deteriorate in spite of maintenance.

The alternative, if we do not want to do that, is to declare the hospital surplus under the regular surplus program. When it is so declared it will be available for sale or donation. We spent 5 years of searching, trying to find some Government agency which could use it. We know there are none which will take it, none which say they can use it or need it. The hospital then would be subject to sale or subject to donation to a State or for some governmental purpose.

That is the situation. I hope the bill will be passed.

If the hospital is not operated as a rehabilitation center, for public health or educational services, Mr. President, ownership will revert to the Federal Government. In the bill which was reported by the committee and in the bill which passed the House, there is a 20-year reversionary period. In other words, after 20 years the hospital would not revert to the Government if the use for which conveyed were not continued. I will say that this provision was inserted in the bill not by the author of the bill either in the House or in the Senate, when the bill was originally introduced, but by the agencies of Government. The Bureau of the Budget says that is the policy. That is our policy with reference to the regular surplus disposal program. So that provision has been inserted in the bill.

I think it could be safely assumed, without any apprehension of disappointment, that if the hospital is operated by the State for 20 years as a rehabilitation center, if the project survives that long, we will have no doubt it will be firmly established. If it does not survive that long, before that time ownership will have reverted to the Federal Government.

That is the situation. I sincerely hope, Mr. President, that the bill will be passed.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the statement I have prepared on this subject.

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

STATEMENT BY SENATOR FULBRIGHT

The purpose of this bill is very simple. It would authorize the conveyance of the Army-Navy Hospital, and related personal property, to the State of Arkansas for operation as a regional rehabilitation center. Many Members of this body are familiar with this institution and the controversy surrounding it during the last few years. For those who are not, I wish to review the situation briefly. A thorough understanding of the background of this legislation is necessary to proper consideration of the bill.

The Army-Navy Hospital has been in existence for over 75 years. This installation has served the Nation long and well. The hospital today consists of 36 buildings on approximately 25 acres of land, although only about 21 acres would be conveyed under this bill. The principal building is a nine-story brick, fire resistant structure. The bed capacity is approximately 500 but during World War II the patient load increased to as high as 1,777 persons. I understand that about $8 million has been spent by the Army on modernization of the facility since construction of the main building in 1929.

Unfortunately, the Army has tried for several years to close the hospital. The Army contends that reduction in strength of the armed services and the off-post location of the hospital has made continued operation of the facility uneconomical. The members of the Arkansas congressional delegation have contested the Army's position, and for the past 4 years specific language has been included in the Department of Defense appropriation bill requiring the Army to continue operation of the hospital. We had hoped that the Army would accept the congressional mandate in good faith but the patient load has been kept at such a low level that it became apparent that further operation in such a manner was hopeless.

Since the Army announced its intention to close the hospital, the Arkansas delegation has explored every possibility for putting the hospital to good use. We have on many occasions approached other Government agencies such as the Veterans' Administration, the Public Health Service and the Air Force in hopes that the hospital could somehow be properly utilized. All of our efforts have been fruitless and it is apparent that no agency in the Government has any desire to assume operation of the facility for hospital or for other purposes. And I might add that during this time some of these same agencies have continued to construct new hospitals throughout the country.

About 2 years ago it was suggested that the hospital might be suitable for conversion to a comprehensive regional rehabilitation center designed to serve the disabled of the South and the Southwest. In order to explore this possibility fully, the Office of Vocational Rehabilitation provided a grant to finance a study to determine its suitability for that purpose. A committee of eminent specialists in the field of rehabilitation conducted an on-the-spot survey of the hospital, in addition to study of background data, and late last year issued a report of their findings. The committee was favorably impressed with the plant and equipment at the hospital and strongly recommended that the facility be conveyed to the State of Arkansas for operation as a rehabilitation center. Following this recommendation the General Assembly of Arkansas passed legislation enabling the State to assume operation of such a center. The general assembly also appropriated $200,000 of additional State funds to match Federal funds for the establishment and operation of the proposed facility. I want to point out that the assembly took this action before there was any assurance that the property would be conveyed to the State by the Federal Government. This indicates the State's good-faith efforts to find a way to make proper use of the hospital.

The pending bill will enable Arkansas to implement the already formulated plans to convert the hospital to a much needed rehabilitation center. Arkansas has one of the best rehabilitation programs in the Nation. The State ranks at, or near, the top in the country in per capita expenditures for rehabilitation. The center, which would be operated pursuant to this bill, would fill a vital need in our section of the Nation. At the present time there is no comprehensive center in the south-central part of the United States which provides all rehabilitation services, including vocational training. I might mention that the proposed project has the full support of rehabilitation officials from all of the States bordering Arkansas. The proposed center at the Army-Navy Hospital would have a normal operating capacity of 550 to 600 disabled persons. In addition, as many as 100 more would be regularly employed in the workshops, earning a wage and living outside the center. The estimated length of stay of 6 months would result in serving approximately 1,300 persons annually. I emphasize that the center would be available to disabled persons throughout the Nation, not just those from Arkansas.

The question will be raised as to the application of the Morse formula to this conveyance. It is conceded that the transfer of the real and personal property at the hospital is to be made without cost to the State. If the State of Arkansas were required to pay 50 percent of the fair value, as required by the Morse formula, I doubt very seriously that it would be interested in taking over the facility. Our State is faced with the same financial difficulties confronting practically all States today and the operation of the rehabilitation center on the basis proposed will add to the State's fiscal burden. The simple fact is that the Government is confronted with the choice of deeding the property to the State for this worthy project gratuitously or having the property stand idle with no benefit to anyone. It now costs the taxpayers about $1,500,000 to operate the hospital with an average patient load of less than 50 per day. The estimated total annual costs of operating a rehabilitation center at capacity would be less than this amount.

As the committee report points out, more than 25 Federal departments and agencies have said they had no use for the hospital for any purpose. If the Morse formula is imposed the Government will be saddled with a facility which nobody wants—and the rehabilitation needs of the South will continue to go unmet. This is a situation where there is no alternative for the Government. This is clearly shown by the unanimously favorable reports on the bill from the Bureau of the Budget and the other agencies concerned. I sincerely hope that an exception will be made in this unusual situation in application of the Morse formula.

I urge all Senators to consider carefully the alternative to passage of this bill. Passage of this legislation will result in saving the million and a half dollars now required to keep the hospital open and it will go far toward filling the need for additional rehabilitation services in the South and Southwest. The hospital is surplus to the needs of the Government and is not susceptible to sale for commercial purposes. If this bill is not approved and the hospital is eventually closed the taxpayers will be burdened with a $100,000 maintenance bill on a facility which is of no possible use to the Government. The simple economics of the situation require that the property be conveyed to the State of Arkansas in accordance with the provisions of the pending bill.

Mr. FULBRIGHT. I shall not read the statement, Mr. President, because it contains much the same information the senior Senator has already given. I do not want to take the time of the Senate at this late hour to discuss the same items further.

I wish to associate myself with the remarks of the senior Senator from Arkansas about this project. I have visited the hospital on several occasions. I have not been a patient in it, but I do know it thoroughly. It is so situated that I think it would be very difficult to put it to commercial use, since it is on top of a hill. I am confident that it would be difficult to find a commercial use for the institution.

There is one point which I do not believe the senior Senator mentioned. The hospital will be operated under the Federal vocational rehabilitation program which provides matching funds. I do not think the State of Arkansas either could or would undertake the program without the assistance of the Federal Government. In that respect, the hospital would receive no assistance unless it abided by the regulations issued by the Department of Health, Education, and Welfare, which are quite complete and detailed.

I have no doubt that such a situation will prevail and that there will be no difficulty in the administration of the program in a manner satisfactory to all concerned. The reputation of the administration of the rehabilitation program in Arkansas is very good. There has never been any difficulty or any complaint on the part of the Department of Health, Education, and Welfare with regard to the program.

The present director of the program, Mr. Russell, has been directing the program, I believe, for some 15 or 17 years and is extremely well qualified with an excellent reputation in this field.

I join my senior colleague in urging the Senate to pass the bill, so that this long controversy, which has gone on since 1953, can be concluded. The Army has wished to close the institution, and the local citizens have felt that some use could surely be made of it. Now a good use has been found.

I point out that during the period of the controversy some $1 million or $1¼ million per year has been spent in keeping the hospital in operation. It has not been a very economical operation. I think that to continue the institution on a standby basis would likewise be a waste of public funds.

I hope the Senate will pass the proposed legislation.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CASE of New Jersey. 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 for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed to strike out all of section 3 and insert a new section 3 as follows:

SEC. 3. The conveyance of the property authorized by this Act shall be upon condition that such property shall be used by the State of Arkansas as a vocational re-

habilitation center, or for other public health or educational purposes, and upon the further condition that the State of Arkansas shall not, in such use, segregate, discriminate against or otherwise treat unequally any person because of race, color, religion or national origin, and if the property so conveyed shall cease to be used for such purposes or upon such conditions, title thereto shall immediately revert to the United States, and in addition all improvements made by the State of Arkansas during its occupancy shall vest in the United States without payment of compensation therefor.

Mr. CASE of New Jersey. Mr. President, the amendment, I believe, is self-explanatory. I favor the bill, its purposes, and the result which would be accomplished by it. I think that in two respects, however, it should be changed. Both are embodied in this amendment.

The amendment would strike out the provision for a 20-year requirement or condition as to the use of the property. It would require that the property be used by the State of Arkansas as a vocational rehabilitation center or for other public health or other educational purpose without time limit, and provides for a reverter in the event that that condition is breached. The other part of the amendment, a breach of which also would result in reverter, is to require the State of Arkansas to operate the facility without discrimination, segregation, or unequal treatment to any person because of race, color, religion, or national origin.

I do not intend to wave the flag about this or to attempt to be oratorical at all. I think the facts, the history, and all the rest of the surrounding circumstances are clear evidence without any more words by me that the amendment is necessary if we intend to achieve our desired result; and I have no doubt whatever that all the Members of the Senate would want to have this result reached.

So I urge that the amendment which I have offered be adopted.

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

Mr. CASE of New Jersey. Before I yield the floor, I understand the Senator from Michigan wishes me to yield to him briefly, and I request that I may do so.

Mr. HART. Mr. President, I believe that one of the distinguished Senators from Arkansas mentioned that the operation of this activity would be subject to the regulations governing the vocational rehabilitation program of the Federal Department of Health, Education, and Welfare.

Mr. FULBRIGHT. That is correct. I do not think that as a practical matter they could undertake this program without participation in the program of the Department of Health, Education, and Welfare, which is on a matching basis. I am confident they would not. I do not believe the State could afford such a program, and of course if they participate, those regulations which the Senator holds in his hands control.

Mr. HART. It was this point which I wished to develop. I wonder whether the Senator from New Jersey is familiar with the regulations entitled "Regulations Governing the Vocational Rehabilitation Program" dated May 1958, issued by the Department of Health, Education, and Welfare.

Mr. CASE of New Jersey. I am not familiar with them in detail. I would be glad to yield the floor if the Senator wishes to discuss them.

Mr. HART. That would be satisfactory. However, I should like to get the reaction of the Senator from New Jersey, in view of the amendment which he has offered and which is now pending, and to inquire whether this particular section, in view of the explanation offered by the junior Senator from Arkansas [Mr. FULBRIGHT], resolves the problem which the Senator from New Jersey, I, and others have on this matter. On page 10 of the regulations which I have just identified, in section 401–14 (a) (2), I find the following language:

> The State plan shall provide that eligibility requirements for vocational rehabilitation will be applied by a State agency or local rehabilitation agency without regard to sex, race, creed, color, or national origin of the individual.

In the view of the Senator from New Jersey, would this regulation, and explicitly the language which I have read, insure against a situation which he and I fear and to which we have aimed the amendment the Senator has offered?

Mr. CASE of New Jersey. Without greater familiarity with the regulations, I would not wish to make any final judgment. It does seem to me quite clear, however, at first blush, that the regulation would have application for not longer than the 20-year period for which the bill provides that the property shall be operated as a rehabilitation center. Even during that 20-year period I believe it would be necessary to rely on the implication that the authority of the Federal agency, including the details of the regulation, would be applicable to the property. I see no reason, if it is intended that this be done, why we should not say so in specific terms as an express condition of the grant. I believe the condition should be not for 20 years, but forever.

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

Mr. CASE of New Jersey. I am glad to yield to the Senator from New York.

Mr. KEATING. Would the Senator from Michigan point out where in the bill the reference is contained to the rules and regulations of HEW?

Mr. HART. Is the question addressed to me?

Mr. KEATING. Yes.

Mr. FULBRIGHT. If the Senator will yield for a moment I should like to say there is nothing in the bill on that point. The program cannot presently—and I do not see how it can in the foreseeable future—be carried on without the participation and aid of the Federal Government. It is not possible to get the participation of the Federal Government without abiding by the regulations which the Senator from Michigan has read. There is nothing in the bill on that point. However, it would be impossible to operate the center on $200,000. We must get some assistance from the Federal Government. That is a part of the understanding.

Mr. KEATING. Then I certainly share the view of the Senator from New Jersey that, except for the provision about the 20-year period, the amendment should be accepted.

Mr. CASE of New Jersey. If no Senator wishes me to yield to him, I shall yield the floor.

Mr. HART. Mr. President, may I respond to the Senator from New Jersey?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Michigan, or does the Senator yield the floor?

Mr. CASE of New Jersey. I am glad to yield to the Senator from Michigan.

Mr. HART. In view of the response made by the Senator from New Jersey, I indicate my intention to support his amendment, because I believe he, the junior Senator from New York, I and others share this concern.

Perhaps on this I should speak for myself. Without this provision in the bill, which would achieve a desirable end, there are those who fear that uncertainty would attach to the question whether this property, which at the moment is owned by all Americans and which we propose to give away for an otherwise worthy purpose, will not thereafter continue to be available to all those Americans who reside in the area. Unless that can be assured, there are those of us who feel under obligation to protest.

I did not desire that this matter reach the floor, as I am sure the Senator from New Jersey did not, but on August 7, 1959, I addressed a letter to the Secretary of the Army raising the question whether it might not be possible to include in the deed conveying the property, a condition upon the use, which would have achieved the purpose the Senator from New Jersey proposes be now achieved by legislative amendment of the bill. I submit a copy of the letter for the record. To date there has been no response on the part of the Army, although on several occasions my office has inquired of them whether we may have an answer.

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

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

AUGUST 7, 1959.

Hon. WILBER M. BRUCKER,
Secretary of the Army,
Department of Defense,
Washington, D.C.

MY DEAR MR. SECRETARY: There is presently pending in the Senate H.R. 6190 which would authorize the transfer from the Army to the State of Arkansas of the Army and Navy General Hospital at Hot Springs National Park. Under the provisions of section (5) of the pending measure, it is stated that "the Secretary of the Army shall include such other reservations and conditions as he and the Secretary of the Interior shall determine to be required in the public interest."

A question has now been raised as to the guarantees that should be provided once the property has been transferred to the State of Arkansas that the facilities be operated in a manner that would preclude the possibility of discrimination against any person because

of his race. It has occurred to me that such a clause might be quite properly included in the deed as a matter of public interest, if authorization for the transfer is enacted into law. It is my understanding that similar action is followed by the Department of the Army in placing a nondiscriminatory clause in leases and licenses entered into under provisions of 16 U.S.C. 460(d).

An assurance from you that such a reservation would be included in any such conveyance of this property under the proposed authorization of H.R. 6190, if you are granted this authority to proceed with the transfer, would seem to me to be particularly important in expediting favorable action on this legislation. This would have important bearing on my own action on the bill.

Thank you for your assistance in this matter.

Sincerely,

PHILIP A. HART.

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

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Ohio?

Mr. CASE of New Jersey. For a question?

Mr. LAUSCHE. For a question, yes.

Mr. CASE of New Jersey. I yield.

Mr. LAUSCHE. I am reading section 3 on page 3. Am I correct in my understanding that under this section the property mandatorily must be used for a rehabilitation center, and that if at any time during the period of 20 years the Secretary of the Army determines, upon advice received from the Secretary of the Department of Health, Education, and Welfare, that the property so conveyed is not used for such purpose—that is, as a rehabilitation center—then the title thereto shall immediately revert to the United States?

Mr. CASE of New Jersey. I think the Senator has stated only a part of the objections. It must be used either as a rehabilitation center or for other purposes, such as health or educational purposes. If the objection were that it should be used only as a vocational center, and if that meant a vocational center of the kind that could only be operated with the assistance of the Federal Government, I think there would be considerable point in the suggestion that has been made that the regulations of the Department of Health, Education, and Welfare might govern and avoid any problem of segregation, but it need not even be operated as a rehabilitation center. Any public health or recreational service is sufficient to avoid a revester during the 20-year period; and after the 20 years there is no condition whatsoever.

Mr. LAUSCHE. There is not only the condition with respect to the operation of the property to be conveyed as a vocational center, but there is also the condition that it may be used for public health or educational purposes.

Mr. CASE of New Jersey. The Senator is correct.

Mr. LAUSCHE. Is that the point?

Mr. CASE of New Jersey. That is exactly the point.

Mr. LAUSCHE. Is the Senator able to state whether the condition which has been proposed by him has at any time in the past been included in a conveyance of this type?

Mr. CASE of New Jersey. No specific condition to that effect is in my mind at the moment, but I am not prepared to state that one has not been made.

Mr. HART. I think a note should be made of the fact that the Army Engineers, beginning in January 1958, with respect to all leases and licenses entered into by the Corps of Army Engineers under the water recreation program, included language as follows:

The lessee shall not discriminate against any person or persons because of race, religion, color or national origin in the conduct of its operations hereunder.

In my inquiry of the Secretary of the Army I cited this practice of the Corps of Engineers, and expressed the hope that the practice adopted in the case of the reclamation program would be applied in the deed to be issued pursuant to the legislative grant of hospital we are discussing. To this inquiry I have received no reply.

Mr. CASE of New Jersey. I thank the Senator from Michigan [Mr. HART] and I agree that the case he cites is in the nature of a precedent. I am sorry the suggestion has not been adopted by the Department of the Army.

I yield the floor.

Mr. McCLELLAN. Mr. President, I can understand the great concern of some regarding this matter, and can appreciate that this is a good opportunity to make a record for all the foes of discrimination. But I also think it is significant that Senators have singled out this bill and have sought to place it in language or conditions applying to only one State. If we want to apply the principle to all States and to all buildings in which rehabilitation is undertaken, if we are not trying to discriminate against one State in the Union, then why not introduce a bill to amend the original act?

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CASE of New Jersey. I assume, of course, it is a serious question which the Senator asks.

Mr. McCLELLAN. Does not the Senator from New Jersey think it is serious?

Mr. CASE of New Jersey. I think it is very important. As did the Senator from Michigan, so did I, endeavor to have the desired objective accomplished without the enactment of a law and without any public fuss about it. This was apparently not possible for reasons I do not yet understand. I see no reason why we should not approach this problem on both fronts, the general and the specific. But when a facility has been used by the Federal Government under conditions which require nonsegregation, to put the same facility to the same use by many of the same people, where it may be used with segregation and under discriminating practices seems to me absolutely intolerable. That is my answer.

Mr. McCLELLAN. Of course, it is intolerable to the Senator, but I suggest to the Senator that Arkansas has a better record in this program than has the State which the Senator represents. Does the Senator dispute that?

Mr. CASE of New Jersey. Yes, I dispute that, of course; but it is not my purpose to indulge in any name calling with respect to States.

Mr. McCLELLAN. The Senator is calling the name of a State. He is singling out one State and putting into this program a condition applicable to it which is not applied to all the other States in the Union.

Mr. CASE of New Jersey. If the same kind of conveyance for the same purpose were to come before us involving another State, I would be the first to insist that such conditions should go into all deeds of conveyance to any State or public agency in the Union. I would be happy to have it done.

Mr. McCLELLAN. Mr. President, I call for the record. I just want to put in the RECORD at this point the record of Arkansas with respect to this program.

In 1947 and 1948, as I recall, the ratio of white to colored population in the State of Arkansas was about 22 percent colored. This is the ratio of Negro patients who have been treated in Arkansas since 1948 down to the present year. The percentage of Negro patients in the beginning of the program in 1948 was 14.88 percent as against 85.12 percent white. In 1957 and 1958 the percentage or ratio of Negro patients who were treated and taken into the rehabilitation program was 23 percent Negro and 77 percent white.

It hardly appears that there has been any discrimination. There has never been any complaint about this program. We have had to operate it under rules and regulations. It has been operated that way, and now we come to a situation in which we have a choice of either making a bat roost out of it, spending $130,000 to $150,000 a year for maintenance and getting no benefit from it, or selling it at a giveaway price to private industry. If that is the objective of the Senator, his real purpose, then I suggest that the basic law be amended. That is the way to do it.

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

Mr. McCLELLAN. When it is done that way, then there can be no question about discrimination. But when it is sought to do it this way, then there is a singling out of one State in the Nation by saying, "We will discriminate against a State which has the best record in this field"—a record which I think is not exceeded by any State in the Union. If that is what is desired to be done, I do not think the cause which is sought to be helped is served.

Mr. FULBRIGHT. Mr. President, I, too, regret that the director of the Washington office of the National Association for the Advancement of Colored People raised the question of discrimination with respect to H.R. 6190. The basis for the objection is completely without foundation. This could have been demonstrated clearly if the NAACP had presented its views either to the Senate or the House committee, both of which held open hearings, and invited all who were interested in the subject to come before

the committee, rather than to raise the question after the proposed legislation had passed the House and had been reported to the Senate. I am sure the question could have been cleared up in either the House or the Senate committee.

Following the letter which was written on July 1 to the majority leader by Clarence Mitchell, of the Washington office of the NAACP, Mr. Don W. Russell, director of the Arkansas Rehabilitation Service, submitted to the policy committee complete information regarding the policies and procedures of the rehabilitation program in Arkansas. Because Mr. Russell's letter and memorandum answered the objections raised by Mr. Mitchell, I ask unanimous consent that they be printed at this point in the RECORD, to make very clear what the situation is.

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

STATE OF ARKANSAS REHABILITATION SERVICE,
Little Rock, Ark., July 24, 1959.

Hon. LYNDON JOHNSON,
Democrat Policy Committee,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JOHNSON: On June 18, 1959, the Senate Government Operations Committee reported favorably on H.R. 6190 which authorizes the transfer of the Army-Navy Hospital, Hot Springs, Ark., to the State of Arkansas for use as a vocational rehabilitation center, or for other public health and educational purposes. H.R. 6190 had previously been passed on the Consent Calendar by the House of Representatives on June 15, 1959.

I understand that Mr. Clarence Mitchell, director, Washington bureau of the National Association for the Advancement of Colored People, wrote you a letter on July 1, 1959, objecting to the bill on the basis that it would make possible enforcement of Arkansas segregation laws and policies, including its recently enacted blood labeling law, and that they were not given an opportunity to present their views at a hearing.

It seems evident that Mr. Mitchell is not familiar with the purpose and intent of H.R. 6190 (and its identical Senate bill S. 1616) nor with the law, purpose, scope, policy, and procedures of the rehabilitation program—either at the State or Federal level. I am taking this opportunity to give you information relative to the objections raised by Mr. Mitchell and a brief interpretation of the State-Federal rehabilitation program.

I regret that H.R. 6190 was not permitted to remain on the Consent Calendar of the Senate. The objections raised by Mr. Mitchell are not applicable to this legislation or the Arkansas Rehabilitation Service—or, for that matter, the rehabilitation program of any State. Rehabilitation is interested in and involved only in assisting a disabled individual achieve his maximum potential and the services needed are obtained where it is most advantageous to the disabled person and within the financial resources of the agency—a group, a class, or a race, does not become involved.

It has been my privilege to be an employee of the Arkansas Rehabilitation Service for 17 years. I do not know of a single instance in which the Arkansas agency has discriminated against an eligible disabled individual. We have failed to serve many disabled persons due to lack of funds, staff, and facilities, but we have served the disabled as they were referred and as long as funds were available for each year. The entire purpose of converting an unused hospital facility into a rehabilitation center is to enable us to serve more disabled of Arkansas, the reigon, and the Nation, than have ever been served before.

It is unfortunate for it to be presumed that the State has or will discriminate against a single disabled individual when the record of the Arkansas Rehabilitation Service speaks so clearly for itself. There is no State in the Union which can match the record of achievement of Arkansas in the development of an adequate rehabilitation program during the past 4 years.

I sincerely hope that the objection interposed will amount to no more than a temporary delay in the enactment of the bill.

Very sincerely yours,

DON W. RUSSELL,
Director.

STATEMENT BY DON W. RUSSELL, DIRECTOR, ARKANSAS REHABILITATION SERVICE, RELATIVE TO S. 1616 AND H.R. 6190, JULY 24, 1959

S. 1616, by Senator JOHN L. MCCLELLAN, Arkansas, and H.R. 6190, by Congressman W. F. NORRELL, Arkansas, are identical bills providing for the transfer of the Army-Navy Hospital, Hot Springs, Ark., to the State of Arkansas, for use as a vocational rehabilitation center or for other public health or educational purposes.

Mr. Clarence Mitchell, director, Washington bureau of the National Association for the Advancement of Colored People, has objected to the passage of the bills on the basis that they were not given an opportunity to present their views at a hearing and that the bills would make possible the enforcement of Arkansas' segregation laws and policies, including its recently enacted Blood Labeling Act. The information given below will clearly show that these objections are not applicable to the proposed legislation or to the Arkansas Rehabilitation Service—or, for that matter, the rehabilitation program in any State.

I. COMMITTEE HEARINGS

A. S. 1616: The Senate Committee on Government Operations held hearings on May 21, 1959. Ten individuals presented oral testimony and statements, and 11 persons submitted letters or statements which were made a part of the record. The chairman closed the hearing by stating: "These hearings are not closed as of today. * * * Should someone want to be heard or if, after publicity by the Associated Press, anyone should want to be heard, I will give them an opportunity to testify." The bill was not reported out by the full committee until several weeks later.

B. H.R. 6190: A House of Representatives subcommittee of the Armed Services Committee held hearings on May 22, 1959, with three persons offering testimony. The bill was later reported favorably and passed by the House of Representatives on June 15, 1959, on the Consent Calendar.

It would seem that anyone interested in presenting testimony before either of the committees had ample opportunity to do so. Actually, we are the ones who have been penalized since we have had no opportunity to respond to the objection given by Mr. Mitchell and to point out the fact that his objection is not valid.

II. REHABILITATION LAWS, REGULATIONS AND POLICIES

A. Federal laws: Public Law 565 of 1954 is the basic Federal law under which the Arkansas Rehabilitation Service and the rehabilitation program in each State are operated. The act implies a philosophy which is fundamental to our democracy—the equality of opportunity to capitalize all disabled citizens who meet eligibility requirements.

B. Federal regulations: These are established by the Office of Vocational Rehabilitation of the Department of Health, Education, and Welfare, and set forth mandatory requirements which must be followed by a State which desires to use Federal funds. A State plan is required which "constitutes a description of the State's vocational rehabilitation program." Arkansas has a State plan which has been approved by the Office of Vocational Rehabilitation and which meets all the requirements of Federal law and regulations. This State plan does not include provisions for discrimination against any eligible disabled individual.

C. State laws: Arkansas has two State laws directly concerned with the program of vocational rehabilitation—act 43 of 1955, and act 34 of 1959. These laws state: "It is hereby declared to be the policy of the State of Arkansas to provide rehabilitation services to the extent needed and possible to eligible disabled and handicapped individuals throughout the State." These laws are in conformity with, and similar to, the Federal laws and have been considered as a model for the Nation. All disabled individuals who meet the eligibility requirements are assisted in receiving the services needed wherever the services can best be secured and within the financial limitations of the agency.

The Blood Labeling Act mentioned by Mr. Mitchell is not applicable to the Rehabilitation Service. The agency purchases all medical and surgical treatment from licensed physicians of the client's choice and purchases hospitalization from local hospitals. The agency does not propose to render services at the rehabilitation center which will include surgical treatment or blood transfusions, but will continue to purchase such services from private physicians and local hospitals as is presently being done. The problem of blood transfusions, therefore, is of no concern except to the individual, the doctor, and the hospital.

D. State policy and procedure: The Arkansas Rehabilitation Service has developed a "Manual of Policies and Procedures" which is in accordance with Federal law and regulations and with State law. These policies and procedures simply give in more minute detail the description of the State's rehabilitation program and how it is to serve each physically and mentally disabled person who meets eligibility requirements. The State board for vocational education has never discriminated against an eligible disabled individual and I am sure that the State board will continue to follow the letter, intent, and spirit of the laws and regulations relating to the program of vocational rehabilitation.

I might point out that Arkansas has been a leader in expanding the philosophy and concept of the vocational rehabilitation program. The record of the Arkansas Rehabilitation Service has been outstanding during recent years and far outstrips efforts of most States. During the past 4 years in particular, the State has made almost unbelievable progress. During this time the State has:

(a) Enacted legislation which provides a comprehensive basis for operating an adequate rehabilitation program;

(b) Increased the State financial support from $193,090.20 in fiscal 1954, to approximately $850,000 for each year of the 1960–61 biennium. This latter figure includes direct appropriations made by the general assembly and other State funds spent for rehabilitation purposes. From State and Federal funds the Arkansas Rehabilitation Service has, for rehabilitation purposes, a per capita expenditure of approximately $1.10, while the average for the Nation is less than 50 cents per capita;

(c) Increased the number of disabled persons returned to employment from 1,111 in fiscal 1954 to 2,169 in fiscal 1959, and will rehabilitate 2,400 during the present fiscal year. If all the States were producing at

the same rate, the total number of persons returned to employment would be in excess of 200,000 annually, instead of approximately 80,000 annually; and

(d) Established small facilities for serving disability groups such as the blind, the deaf, the tuberculous, and the mentally ill, as well as operating special projects in the rehabilitation of the alcoholic, the inmates of training schools, and the severely disabled in sheltered workshops and in home industry programs.

Number of disabled rehabilitated

Fiscal year	Total	White	Percent	Nonwhite	Percent	Fiscal year	Total	White	Percent	Nonwhite	Percent
1958–59	2,169	1,717	79.17	452	20.83	1950–51	1,018	854	83.89	164	16.11
1957–58	1,900	1,463	77.00	437	23.00	1949–50	828	684	92.61	144	17.39
1956–57	1,501	1,158	77.14	343	22.86	1948–49	756	658	85.71	98	14.29
1955–56	1,350	1,098	81.33	252	18.67	1947–48	645	549	85.12	96	14.88
1954–55	1,111	916	82.45	195	17.55	Referrals on July 1, 1959, awaiting investigation	1,590	1,202	75.59	388	24.41
1953–54	1,113	918	82.47	195	17.53	Active cases on July 1, 1959, in process of receiving service	2,512	2,014	80.17	498	19.83
1952–53	1,137	948	83.37	189	16.63						
1951–52	1,066	901	84.52	165	15.48						

Nonwhite employees on Arkansas Rehabilitation Service staff: one counselor, one caseworker for the blind, three instructors, and one stenographer. These employees receive compensation at the same rate as all other employees in the same job classifications.

Mr. FULBRIGHT. Mr. President, the information which the senior Senator from Arkansas gave about experience is contained in the letter and memorandum, together with much more information to prove without any doubt whatever that the Arkansas rehabilitation program has been administered for some 17 years without a single complaint ever having been raised.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the Senator from Illinois.

Mr. DOUGLAS. Does the distinguished Senator from Arkansas believe the opinion of the director of the Arkansas Vocational Rehabilitation Service would necessarily be binding upon his superior, the Governor of Arkansas?

Mr. FULBRIGHT. It is not a question of opinion. These are the facts about what has actually happened. I know that the Senator from Illinois and all his colleagues take great pleasure in belaboring the State of Arkansas.

Mr. DOUGLAS. Mr. President——

Mr. FULBRIGHT. I do not yield now. I know that any scapegoat to attract attention is most popular. It is characteristic not only in this country, but in all other countries. But I submit that it does not contribute to the public welfare to pick out a program which was instituted long before the present Governor of Arkansas took office, a program which has been operating for many years with a record which no one has been able to challenge. No one has cited a single instance of discrimination of any kind in the administration of this program. I submit that it is utterly irrelevant to try to inject into this discussion particular issues which have grown out of other events in my State.

This program has been conducted in accordance with the provisions of the vocational rehabilitation program of the U.S. Department of Health, Education, and Welfare. As a matter of fact, representatives of that Department went to Arkansas to appraise the situation and were instrumental in recommending this project.

I can assure Senators that the State of Arkansas can survive without this rehabilitation center. Not only will it serve the citizens of Arkansas; it will serve the whole surrounding area. Every surrounding State has given its approval and would like to see the facility converted into a rehabilitation center. There is no other comparable institution in the South and Southwest.

It will serve the neighboring States of Oklahoma, Texas, Missouri, and others. Its capacity is much larger than Arkansas alone would need. But the Arkansas program has been growing very rapidly, as the statistics which I put in the RECORD will show. There is doubt that Arkansas needs additional rehabilitation facilities. But it is not a matter for the enrichment of Arkansas alone by any means. As has already been stated, Arkansas has already appropriated its initial share to initiate the project and the Congress has also appropriated funds to help get the center going.

I do not wish to get into an argument about all the general issues which could be raised in a matter of this kind. I think it is wholly inappropriate to raise such issues.

Mr. MORSE. Mr. President, before the Senate votes on the Case of New Jersey amendment, I think I will discuss the bill in general, together with suggestions I have for trying to work out, if we can do so, what I believe is a needed understanding with respect to the bill.

I am inclined to share the view of the senior Senator from Arkansas [Mr. MCCLELLAN] in regard to the discrimination issue. If we believe the existing rules and regulations of the Department of Health, Education, and Welfare are not sufficient, then we ought to amend the basic law and not seem to single out Arkansas and to attach an antidiscrimination amendment to this one bill. Congress has made grants heretofore in other States and has not seen fit to attach such an amendment. Perhaps we should have. Perhaps we still should do that. But I should think the better way to do it would be by way of a uniform nondiscrimination prohibition to amend the law as to the disposal of property under circumstances similar to this one.

I am openminded about it and will listen to further debate. But that is my present inclination.

I have certain objections to the bill in its present form. I still hope we may be able to work out some understanding in the course of the discussion with the two Senators from Arkansas which will resolve our differences. They can take it from me that I have only one desire, and that is to gain, with them, the objective which I think the three of us have in mind, without doing violence to what I think are some policies which we ought to protect in the Senate, and which, I respectfully submit, we have broken rather consistently for some years in the Senate.

The senior Senator from Arkansas referred to the Virginia clinic, which is the Anderson Clinic for Rehabilitation Treatment. Its program extends to those needing rehabilitation, including employees of the Federal Government. I happen to be the author of the original language which was put into the law in regard to the Anderson Clinic. The Government does make some appropriations, or has made them in the past few years, to the Anderson Clinic because a Federal interest is involved. The Anderson Clinic provides facilities for Federal civil service employees who are injured, not injured necessarily on a Federal job, but while in the employment of the Federal Government, and are so incapacitated with respect to future employment that they need rehabilitation. The Anderson Clinic has been used by the Federal Government as what has been called a pilot plant for rehabilitation work. It has made a great, thrilling record.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Chair would like to ask a question: Where is the Anderson Clinic?

Mr. MORSE. The Anderson Clinic is located in Arlington, Va. The Government did not build it; the Government did not donate it. The Government has only contributed a relatively small amount of money to pay a part of the cost of the operation of the Anderson Clinic because of the service which has been rendered to the Federal Government and because the Department of Health, Education, and Welfare is interested in the clinic's being conducted as a rehabilitation center, where a part of its program would carry on the work devoted to a Federal interest.

So, Mr. President, I say most respectfully that the Anderson Clinic is a far cry from what is involved in this Arkansas hospital bill, because the bill involves making the entire facility available, in the first instance, to the State of Arkansas. Yet, as the junior Senator from Arkansas [Mr. FULBRIGHT] has pointed out, it is contemplated that the Federal Government will continue to put money into the project, after it is taken

over by the State. I have no objection to that, either, if certain policies which I shall shortly discuss are followed.

I point out that I do not find in the bill any provision for such a program. Instead, it is discussed in the committee report and in the statements by the Department. From those two sources, we learn that that is the planned program. But it could be stopped next week, by action either by Arkansas or by the Federal Government.

So, Mr. President, if the Senate were tonight to pass the bill in its present form, I respectfully submit that nothing in the bill would make it a certainty that there would be any continuation of any State or regional program, on the one hand, and a cooperative Federal program, on the other.

I favor these programs, and I believe we should write such a provision into the bill, both for the protection of Arkansas and for the protection of the Federal Government's interest. But such a provision does not now appear in the bill. I say it should be written into it.

It is very persuasive for the two Senators from Arkansas to argue that this program should be begun, that it is not even limited to Arkansas, and that other States will be invited to participate in it. But that might or might not be done. Nothing in the bill provides for it. In the committee report there is some interesting language which I would call come-on language or lure language, in order to seem to provide—without actually providing for it in the bill—that this plan will call for a program which will provide for matching funds on the part of both the State of Arkansas and the Federal Government. But nowhere in the bill is that called for.

If that is what the two Senators from Arkansas are offering to the Senate, they should include such a provision in the bill; and I am all in favor of it.

But the bill as it now stands would authorize the Secretary of the Army to convey to the State or Arkansas by quitclaim deed, without consideration, the Army-Navy General Hospital buildings and approximately 21 acres of land upon which the buildings are located.

But the bill would not pass the title to the buildings and the land to a regional organization; the bill does not provide that title to the land and to the buildings shall go to a regional group established for that purpose, and that the buildings and the land will be used by a regional center which will serve both the State of Arkansas and several other States.

The report contains a number of statements to the effect that a regional program is planned by Arkansas. But no provision of the bill requires it.

It is true that the conveyance would be subject to certain conditions and limitations which are outlined in the bill. At this time, I wish to discuss those conditions and limitations.

One of the conditions appears in section 3. It provides that the property shall be used by Arkansas for a period of 20 years after the date of conveyance, as a vocational rehabilitation center or for other public health or educational purposes.

The distinguished present Presiding Officer [Mr. LAUSCHE] pointed out, by means of a question he asked, that the bill does not limit the use of the property to use as a rehabilitation center for the 20-year period. If the title to the property were to be given to Arkansas this week, then, the day after the title was vested in Arkansas, the property could be turned into an institution for the training of kindergarten teachers. Of course, when I refer to its use as an institution for the training of kindergarten teachers, I am citing a hypothetical case, and I think I am reducing the illustration to the point of absurdity, or, at least, I hope so. However, if the property were then used as an institution for the training of kindergarten teachers, that would be a use for an educational purpose, and, thus, such a use would meet this requirement of the bill. Or the State of Arkansas could turn the institution into an apprentice training school.

I say most respectfully that I believe the bill is poorly drafted, if its purpose—and I am sure this is the purpose of the two Senators from Arkansas—is to seek to establish in Arkansas what we certainly know is needed, namely, a rehabilitation center which will offer such medical attention and training and service to our very unfortunate fellow citizens who are suffering from illnesses or handicaps which we, at least, as we now stand in the Senate, have not—by the grace of God—suffered, and thus we have been spared the tragedy which the people who need such rehabilitation have suffered.

I favor acting in accordance with that humane purpose. That is why it is always difficult for me to seek to follow the purpose of the Morse formula, to which I have stubbornly and persistently held since 1946, and to become involved in connection with a bill which provides for the sort of transfer for which this bill provides.

I am just as desirous as are the two Senators from Arkansas to have the humane thing done—namely, to provide the services and facilities for medical care which the unfortunate people of this country need. But that does not mean that we should proceed to take steps to do so without perfecting the language of the bill in such a way that we will be sure to follow a fair and consistent policy of seeing to it that the interests of all the taxpayers of the country are protected by means of a reasonable rule of compensation in connection with the making of such transfers. That is what I am pleading for.

So I point out that if, during the 20-year period, it should be determined that the property was not being used for such purposes, title would revert to the United States. Some doubt as to the nature of this condition arises, because of a statement which appears in Senate Report No. 406 which accompanies the bill. The report states:

> This bill authorizes and directs the Secretary of the Army to convey (the property) * * * to the State of Arkansas for use as a vocational rehabilitation center, or for public health or educational purposes for a period of 20 years.

Some might regard this as a mere 20-year conveyance; but the bill itself makes clear that an outright conveyance is authorized, subject to a condition subsequent—namely, nonuse of the property for vocational rehabilitation or public health or educational purposes. If a violation of the condition were to occur within 20 years, the title to the property would revert.

It is clear, however, from the language of the bill itself, that if the nonuse should occur in the 25th year, or the 21st year, or 1 day after the 20th year had expired, the property would not revert. It would then belong to the State of Arkansas, with no condition whatsoever attached. All it would have to do would be to take the property.

Mr. President, this property is not without value. My office has spent hours of investigation on this case, because I wanted to arrive at a solution of this case; but I do not want to reach a solution which does violence to the position I have taken for many years, with regard to the transfer of surplus property. I will not do it, so far as my position is concerned. I think we can work the problem out and attain the objectives of the two Senators from Arkansas, and not do violence to what I consider to be equitable treatment of the financial interests of the taxpayers of the country as a whole.

Unless the situation can be clarified, it appears that the proposed conveyance violates the Morse formula in that it fails to include a provision for payment of 50 cents on the dollar of fair appraised market value for property to be used for public purposes, together with the usual reverter clause.

The report leaves a good many questions concerning this legislative proposal unanswered.

First. There is no indication in the report as to the present value of the property. It has been suggested to me by the Corps of Engineers that it had an estimated approximate value of $3 million, as of 1956.

The best estimate I can get, as of now, is that it has not depreciated in substantial amount since 1956, because of what has been put back into the property.

Second. The record is not clear as to the exact nature of the benefits, if any, that would accrue to the United States by reason of such a conveyance. The report at page 2 indicates that the property would become an Arkansas Vocational Rehabilitation Service center where disabled clients would be accepted on a nationwide basis. However, whether this would benefit the United States as such, or would merely benefit the various States, is not disclosed.

The two Senators from Arkansas have definitely in mind, as I understand the discussion, and I think the Department of Health, Education, and Welfare has in mind, that the facility will be conducted as a vocational rehabilitation center on a regional basis, taking care also of a Federal interest.

All that has to be shown is that there is a substantial Federal interest in this facility and we shall have no difficulty about the Federal Government's taking that into account in any appraisal, or in eliminating the cost entirely to Arkansas, or to the regional group of States which would use the center, as long as the Federal Government continues to have an interest in the property.

The junior Senator from Arkansas has stated—and I am sure I paraphrase him accurately—that this program will require match money from the Federal Government. He left me with the impression—and the RECORD will speak for itself—that this program is to be contemplated as a continuing program which will require continuing match money from the Federal Government, because apparently it is to be operated in conjunction with the Department of Health, Education, and Welfare and the rehabilitation groups from other States in the area, as well as Arkansas.

I think that is a fine project. I am all for it. But, Mr. President, I do not think it is fair for the Senators from Arkansas to seek to get title to this property on the basis only of the committee report language or speeches made on the floor of the Senate as to what is contemplated, what is planned, without putting in the bill a legal requirement carrying out such plans.

The Department of the Army has declared the property covered by the bill to be excess to its needs. The Department several years ago announced its intention to close the hospital, but the action was postponed because of the fact the Senate Appropriations Committee included a provision in the annual appropriations act requiring the Army to continue operating the hospital for the military and naval forces in the area.

I think that was a good idea, but Mr. President, let us take a look at what happened. Many of us have been in a somewhat similar position when the Army or some other phase of the Defense Establishment has started to close a project in our State. How well the Senator from Oregon knows what confronted the Senators from Arkansas. Some years ago the Army Medical Center at Medford, Oreg., known as Camp White, was to be closed by the Army. We in the Oregon delegation did not sit still and *remain silent*. We began a series of conferences such as any Senator would start if he proposed to protect the best interests of his State and of his Nation. We took it up with the Veterans' Administration. We gave all the reasons we could as to why the project should be maintained as a medical center. We finally arrived at this settlement: The Army Medical Center at Medford, Oreg., would be changed from a hospital to a domiciliary center, and that is what it is now.

We did exactly what the Senators from Arkansas have been doing in regard to the Army hospital in Arkansas. They have been able each year—and I congratulate them—to persuade the Appropriations Committee, and through the Appropriations Committee the Senate, to appropriate funds to keep it going as an Army hospital. The two distinguished Senators from Arkansas are powerful men. They wield great influence. They have been very successful. I respect them for their ability. The Army, all this time, has wanted to close the hospital. But when the Army gets a direction from the Congress, through the Appropriations Committee, to keep it open and is told "Here are the appropriations to run it," we know the procedure, and we know why it has been kept up. But let the RECORD show that it has not been kept open because the Army has wanted to keep it open. The Army has wanted to close it each year.

Mr. President, I think we can reach a reasonable solution of this problem, because the two Senators from Arkansas point out that it is planned to operate this facility as a rehabilitation center, with a Federal interest to be continued. In view of the interesting legislative history on the bill being made tonight by the junior Senator from Arkansas, which he has placed in the RECORD, it is contemplated to seek match money from year to year from the Federal Government to carry out a Federal interest in this program. I would vote for it. I think they ought to have it. I am for it.

In view of that, Mr. President, I think some changes in the bill ought to be agreed to by the two Senators from Arkansas, because there is another method under which this case could be handled satisfactorily, in my opinion. This would be through the enactment of an amendment whereby the property transferred could be brought within the provisions of that portion of the surplus property disposal laws relating to disposals of Federal property for public health purposes. The section to which I refer is title 40, United States Code, section 484 (k) (1) (B) and (C).

Were it not for two technicalities the Hot Springs Army-Navy Hospital could be transferred to the State of Arkansas through procedures available to the Federal Security Administrator under the above-mentioned sections. The reason the last-mentioned section is inapplicable is explained in a GSA letter appearing at page 11 of Senate Report No. 406. This letter states:

> However, inasmuch as section 3(d) of the act cited excludes from the application of the act lands dedicated for national park purposes, and because the act of June 16, 1880, specifically reserves these lands from sale and dedicates them for public park purposes, the objective of (the bill) cannot be accomplished within the framework of the existing law.

The removal of these technicalities would place the Hot Springs hospital disposal within the provisions of a law of general applicability in the field of Federal surplus property disposals for public health purposes.

An amendment designed to accomplish the objective of bringing the case within the existing law was prepared by legislative counsel for the Government Operations Committee.

I shall discuss that point in a moment. There have been two drafts of the proposed substitute. The last one I have had handed to me in the past 20 minutes.

I believe the substitute offers a proper solution to the problem. In essence it provides that the Administrator of General Services shall first attempt to dispose of the property under section 203(k) of the Federal Property and Administrative Services Act of 1949—title 40, United States Code, section 484(k). If the property is not transferred under that section it can be disposed of under applicable provisions of law such as the general provisions set forth in title 40, United States Code, section 484(a) (B) and (C) whereby the property could be sold at public auction to the highest bidder.

The good thing about the amendment to bring the transfer under section 203(k) is that the property is sold to the State and in fixing the sale value of the property the Administrator "shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or institution."

By bringing the transfer within the provisions of title 40 above cited, we provide for a uniform procedure for handling the disposal under an arrangement which requires payment of value by the transferee.

Mr. President, there has been discussion by the senior Senator from Arkansas to the effect that he did not ask for this reverter clause covering a limited 20-year period. That was suggested by the department.

By what department, Mr. President? If we look at the committee report on the bill we find that department after department which filed a report did not say anything about any reverter clause for 20 years. All through the report there are comments about a general reverter, not for 20 years but for any time. The Bureau of the Budget makes reference to regulations and procedures of 20 years, but that is all.

Mr. President, I know of no reason why we should follow the regulations of some administrative branch of Government, because we have the responsibility of writing into the law as a legal requirement what the protection to the taxpayers of this country should be. Surely if we are to transfer this property to the State of Arkansas for little or no compensation—and if the State could show a joint venture which would justify transferring it to the State without compensation the transfer would be without compensation—then certainly we ought to include a requirement that the property shall revert to the Federal Government if, as, and when the property ceases to be used for this great purpose, which we all recognize as a public purpose.

Certainly we should not be voting in the Senate to give to the State of Arkansas a piece of property worth a considerable sum of money—somewhere between $2 million and $3 million—which can be used for a rehabilitation center or for educational purposes for the next 20 years, and which then can cease to be used for any of those purposes and can be sold for whatever it is worth. It may be worth a great sum of money in 20 years for other purposes.

I think it is only fair and reasonable, Mr. President, that we add an amendment—and I shall offer the amendment shortly—to provide that if at any time the property ceases to be used for the purposes for which it is transferred, it shall revert to the Federal Government.

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

Mr. MORSE. I yield.

Mr. McCLELLAN. The Senator referred to a hospital in Virginia a while ago.

Mr. MORSE. Yes.

Mr. McCLELLAN. So as to keep the RECORD straight, since the Senator may wish to comment upon the case, I was not referring to the hospital the Senator referred to. I was referring to the hospital at Waynesboro, which was given to the State of Virginia as surplus property. The hospital is operated as the same kind of center we propose to operate.

I wonder if the same conditions should apply to other cases as apply to this. I thought the Senator was talking about a different institution.

Mr. MORSE. I do not know anything about the Waynesboro hospital, or when it was obtained.

Mr. McCLELLAN. It was surplus property, since World War II.

Mr. MORSE. I do not know when it was obtained.

Mr. McCLELLAN. That is the other center which is being operated, to which I referred a while ago.

Mr. MORSE. I am not familiar with it. I shall certainly be glad to look into it, to see in what way it compares or does not compare with this proposed transfer.

I do know about the Anderson hospital, but I know that the Anderson hospital is one which provides rehabilitation service to Federal employees who are injured and who need rehabilitation.

There has been some discussion based, I think, upon a misunderstanding of existing law with regard to the 20-year reverter. I should like to discuss the code in regard to these donation transfers.

The law reads as follows:

(1) Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate for educational purposes or public health purposes, including research, in the States, territories, and possessions without cost (except for costs of care and handling) such equipment, materials, books, or other supplies under the control of any executive agency as shall have been determined to be surplus property and which shall have been determined under paragraph (2) or (3) of this subsection to be usable and necessary for educational purposes or public health purposes, including research.

(2) Determination whether such surplus property (except surplus property donated in conformity with paragraph (3) of this subsection) is usable and necessary for educational purposes or public health purposes, including research, shall be made by the Federal Security Administrator, who shall allocate such property on the basis of needs and utilization for transfer by the Administrator of General Services to tax-supported medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and universities, and to other nonprofit medical institutions, hospitals, clinics, health centers, schools, colleges, and universities which have been held exempt from taxation under section 101(6) of title 26, or to State departments of education or health for distribution to such tax-supported and nonprofit medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and universities; except that in any State where another agency is designated by State law for such purpose such transfer shall be made to said agency for such distribution within the State.

Later the code provides:

(B) Subject to the disapproval of the Administrator within thirty days after notice to him by the Federal Security Administrator of a proposed transfer of property for public-health use, the Federal Security Administrator, through such officers or employees of the Federal Security Agency as he may designate, may sell or lease such real property for public-health purposes, including research, to the States and their political subdivisions and instrumentalities, and to tax-supported medical institutions, and to hospitals or other similar institutions not operated for profit which have been held exempt from taxation under section 101(6) of title 26.

(C) In fixing the sale or lease value of property to be disposed of under subparagraphs (A) and (B) of this paragraph, the Federal Security Administrator shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or institution.

Mr. President, I wish to stress that point, because I think we ought to try to get this case clear with the amendment which I am about to propose, and then the Administrator can take into account what the two Senators from Arkansas have been pointing out as to their plans to operate this facility as a sort of joint venture, with title in the State of Arkansas but with the Federal Government participating in the rehabilitation program by appropriating money from time to time to help defray the cost of the program and including in that program, apparently, a regional plan whereby several States will be invited to come in and make their contributions to maintain the cost of the institution.

What I wish to point out is that in the code in respect to transfers there is nothing about a 20-year reverter, and I am of the opinion that apparently there is some confusion in regard to the so-called 20-year reverter condition as far as the statute is concerned.

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

Mr. MORSE. In just one moment. I will come to the regulations of the Department in a moment. I think there has been some confusion. The code provision which deals with historic monuments contains a 20-year reverter provision which I shall read in a moment, but that 20-year reverter provision is not in the law in respect to the transfer of facilities for hospitals and educational purposes.

I yield to the Senator from Arkansas.

Mr. McCLELLAN. Again I invite the attention of the Senator to my previous statement, that when introducing the bill I suggested no limit.

Mr. MORSE. I understand that. I said so.

Mr. McCLELLAN. I have no particular interest in it. We can make it 10,000 years so far as the bill is concerned.

Mr. MORSE. I know that.

Mr. McCLELLAN. But I point out to the Senator that under the surplus property program Mr. Lund, who is in the office of the Secretary, testified that this 20-year provision was borrowed from the surplus property program, under which, when an institution has made application, there is a 20-year provision, and it is assumed that in that period of time the public benefit has been derived for the purpose for which it was intended, either for a hospital or for education, and that the cost thereafter has, as he puts it, run itself out.

If the 20-year reversionary period is not to be applied in this case, I think we should make a uniform rule to apply to everything. Why single out this one case?

Mr. MORSE. There is no such provision in the law.

Mr. McCLELLAN. Such a rule is applied in the programs now being conducted. It is not being prohibited.

Mr. MORSE. It is applied by way of regulation; but the law does not provide for the 20-year reverter. In some of the bills the Senate has passed in Federal property transfer cases we have provided for no 20-year reverter, but we have provided that in case the property ceases to be used for the purposes for which it was transferred, it shall revert; and that has been the policy of the Senate.

Mr. McCLELLAN. I thought that was the policy when I introduced my bill.

Mr. MORSE. What the Senator is saying is that we ought to pass a law saying to the departments that any regulation that they have which permits of a 20-year reverter ought to be rescinded by them. What the Senator is asking us to do tonight is to vote for a bill that seeks to transfer to the State of Arkansas a very valuable piece of property with no reverter clause effective after 20 years.

Mr. McCLELLAN. I did not ask for that. The Department asked for it.

Mr. MORSE. We have applied the general reverter clause in bill after bill in the Senate. Why should we make an exception? As I point out, and as I shall read from the statute in a moment, this rule applies in regard to monuments and parks, with respect to which a reverter has not been imposed for longer than 20 years.

Mr. President, what the code says on this point is that—

(3) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

It should not be forgotten that this is a subsection which deals with public parks, recreation areas, and historic monumental sites—

(A) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed for a period of not less than 20 years, and that in the event that such property ceases to be used

or maintained for such purpose during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and

(B) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator of General Services to be necessary to safeguard the interests of the United States.

That is where I think the idea of a 20-year reverter originated, but that section of the code does not apply to the type of property with which we are dealing in the bill. We have handled the type of property that we are dealing with in the bill in an entirely different way in many of the other bills that we have passed.

I have done my best to do my research in all the cases in which this problem has been raised in the years since 1946. I have never knowingly concealed any information from the Senate which I thought the Senate ought to have so that Senators could judge all the facts as I knew them to be.

The nearest case to the situation we are discussing is a case which arose in Maine in 1957, in which, at the request of the Navy, certain Navy surplus property was transferred to the State of Maine for the purpose of a vocational training school, because the Navy had testified that it was having great difficulty getting the necessary skilled mechanics to take care of the mechanical needs of the Navy.

This is a very close case. I have always tried to be exceedingly reasonable about these cases when I was satisfied that the facts showed that there was a Federal need which was being served jointly with a State need. So on August 12, 1957, S. 359 of that session of Congress, providing for the conveyance to the State of Maine of certain land located in such State, and which had been reported from the Committee on Armed Services with amendments, was considered by the Senate.

In that bill it was provided:

The deed effecting the conveyance authorized by the first section of this Act shall provide that in the event such land ceases to be used for vocational or other school purposes, the right, title, and interest therein shall immediately revert to and revest in the United States.

Mr. President, in my judgment that is the closest case the two Senators from Arkansas can find in the record of the Senate since we first started to apply the Morse formula in 1946. It comes the nearest to the case they are presenting to the Senate tonight. I know of no exception to this principle in any Morse formula case in any of the intervening years, in which there was any 20-year reverter clause. This has been standard language; and I wish to read it again:

In the event such lands cease to be used for vocational or other school purposes, all right, title, and interest therein shall immediately revert to and revest in the United States.

Mr. President, what are the two Senators from Arkansas saying? The senior Senator says, in the first place, that he did not put this language in the bill. It never made any difference to him. I believe his language was he did not care whether the period was for a thousand years, because he, like his junior colleague, is satisfied that this property will continue to be used for hospital and rehabilitation purposes.

I think so, too; and if that is so, I do not know why the two Senators from Arkansas are not willing to go along with the Senator from Oregon in applying the same reverter clause which other Senators have been willing to accept on their bills over the years. The two Senators from Maine in 1957, for example, accepted such a reverter clause in respect to the transfer of surplus property from the Navy to the State of Maine for vocational training in that State.

What I am trying to do—and I try to be fair—is not to let myself be maneuvered into a position in which I support a 20-year reverter in the case of the two Senators from Arkansas but insist upon a general reverter clause in respect to Senators from Maine and other Senators in respect to transfers involving their States.

That part of the code which deals with historic monuments has nothing to do with the section of the code that deals with the transfer of property for educational, medical, research, and health purposes, and there is not a word in that section of the code which supports any contention that a 20-year reverter clause is provided for.

I suppose less than 1 percent of surplus property cases which come to the floor of the Senate involve conflict and a controversy. Apparently the Administrator of the General Services Administration has been putting in a reverter clause with respect to a good many transfers, unbeknown to me and other Senators. That is only an assumption. I have not seen the regulation; and I have not seen a list of transfers in which that reverter clause has been inserted under the regulation.

In discussing this matter, we can use the term "State X" as well as the State of Arkansas, so far as I am concerned, although we are talking about the Arkansas bill. Lest anyone may think I am applying anything I say to what Arkansas alone may contemplate doing, I point out a hypothetical problem. A very valuable piece of property is involved in my hypothetical example. It is worth several million dollars, and a State acquires it under a bill passed through Congress with a 20-year reverter clause. When the 20 years have expired, perhaps by design, the State carries out a plan to cease that program, because after 20 years the State owns the property.

After 20 years, when the State owns it, it has accumulated an increment of value and may be worth twice what it was worth at the time it was acquired. I say that State becomes unduly enriched at the expense of all the taxpayers in the United States merely because when the bill was passed in the first place, a general reverter clause was not written into the bill. If there is no intention on the part of anyone in Arkansas to do what I have described, if it is the plan in Arkansas to use the property in perpetuity for medical and rehabilitation center purposes, then why object to my amendment? Why not accept my amendment and apply the general reverter clause which has been applied rather consistently in this type of transfer?

I hope that after the amendment of the Senator from New Jersey, which is pending, is disposed of and I offer my amendment, the two Senators from Arkansas will say to me that, in view of the consistent precedent which has existed in the Senate in regard to these transfers, they will accept my amendment.

Let me deal again in the hypothetical. Apparently there is not much danger of what I have in mind in regard to this piece of property, because it is located on a hill.

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

Mr. MORSE. I yield.

Mr. HART. Is the Senator from Oregon suggesting that the grant not have a 20-year condition attached, and that the sole purpose be one of vocational rehabilitation?

Mr. MORSE. No; whatever is provided in the bill.

Mr. HART. All purposes. Let me explain why I object.

Mr. MORSE. Rehabilitation or education purposes, public health and education.

Mr. HART. It occurred to me if it were narrowed solely to vocational rehabilitation there might be those of us, in the light of existing regulations of the Department of Health, Education, and Welfare with respect to restrictions on the use of any properties for vocational rehabilitation, who would feel that that would provide adequate protection in terms of segregation problems.

Mr. MORSE. No; the bill provides——

Mr. HART. I am aware that it provides more than that.

Mr. MORSE. I do not want to change the bill; and in regard to the point the Senator raises, I think the Senator knows that some years ago I objected to a rider to what I think we called the Bricker-Cain rider to a housing bill which sought to put an antidiscrimination amendment in the bill. I said, as I said to the Senator from Arkansas tonight, as the RECORD will show, that that is not the way to do it. I do not believe in singling out any State for special legislation in regard to some specific application in connection with the discrimination problem. I quite agree that we ought to adopt an amendment to the basic law.

Mr. HART. The Senator feels that in the absence of such a basic amendment the proper thing to do is to make the grant without respect to the use to which it may later be put?

Mr. MORSE. I think so. But in this case I ask for the reverter clause that we have applied in other cases, such as the case in the State of Maine. I use that example only as one of many I can give the Senator. The language reads:

In the event such land ceases to be used for vocational or other school purposes, all

right, title, and interest therein shall immediately revert to and revest in the United States.

What is wrong with that?

It is fair and it is long term, but I was talking about a hypothetical example before I yielded to the Senator from Michigan. I understand that from a technical standpoint it would probably be most improbable in this case, because I understand that the facility is located on a hill. Generally speaking, the type of mineral about which I am talking might not be found there, but other minerals might be found. What happens to the reservation of mineral rights after 20 years?

One of the reasons we call for the general reverter clause or permanent reverter clause is that we want to protect the rights of the taxpayers to mineral rights. Of course, that lowers the appraised fair market value of the property. We have always been willing to put that condition in such a bill. But speaking of a hypothetical, if we should establish this kind of precedent tonight, there might be a situation at some time in the future in which, after 20 years, the particular State which obtained the property ceased to use it for the original purposes, and obtained fee simple title. It might strike oil or some other valuable mineral deposit. Is that fair?

I think we need to be absolutely certain that under section 2 of the bill, as we see it on page 3, the full title to all mineral rights is reserved in perpetuity. I am inclined to think, as I look at the language, that it is so reserved, but I mention this in order to make it doubly sure.

I know there are those who would like either to nibble away or to delimit the application of the Morse formula to the transfer of Federal property. I have opposed that policy. I think my position has been in the public interest. But I certainly think it would be most unfortunate if, tonight, we passed a bill which, so far as I know, would be the first one to have been passed since I have been trying to protect the financial interests of the public which had only a 20-year reverter clause in it. I think it puts us in the position of being unfair to other Senators who have acceded, time and time again, to the general reverter clause, although I will continue to fight for the general reverter clause even though I lose tonight. I do not think it is fair to proceed in that way in respect to other Senators who have said that if they are going to get property for the lower price they get under these bills anyway, there certainly should be a reverter clause in the bill which provides that the Federal Government will get the property back if it ceases to be used for that purpose, particularly in this case, when both Senators from Arkansas say in effect that there is no anticipation that the property will ever be used for anything else, and they fall back only on statements from someone in an administrative office to the effect that there has been an administrative policy by way of regulation, when surplus property is disposed of, to justify the 20-year reverter.

I shall offer an amendment, when the amendment of the Senator from New Jersey [Mr. CASE] has been disposed of. If I am successful in having that language adopted, I will then support the bill on the basis of a donation to the State of Arkansas, so far as the relieving of the State of Arkansas from paying anything is concerned, because then I think the bill will have been brought within the purpose and the intent of the language of the code, which deals with donations to the States and Territories for educational, research, hospital, health, and medical purposes.

I certainly do not wish to discriminate against the State of Arkansas merely because of the technicality I discussed earlier in my speech, namely, that the only reason this section of the law does not apply in the first place is that the public domain is involved, and therefore the property is not surplus in that sense.

In order to convey the property to the State of Arkansas, it is necessary to have special legislation.

Let me say that if it were not public domain, and if Arkansas were getting the property under the Surplus Property Act, this section of the code does not provide for a 20-year reverter. I do not see why Arkansas should be allowed to get property under any exception to the requirements set forth in the code for the transfer of property for medical research, hospital, and educational purposes.

I shall yield the floor for the time being and offer my amendments later.

Mr. JAVITS. Mr. President, I was not in the Chamber when the Senator from New Jersey [Mr. CASE] offered his amendment, but I wish to identify myself with it and to explain why I think it refers to a point which it is necessary to explain.

I have not been given to offering amendments to bills on general legislation which would provide against discrimination or segregation on racial grounds. It is very well known that my views upon this subject are clear and very strong. I have contended for many years for the position that all Americans must be treated the same under our Constitution. But I do feel, as I believe many other Senators do, that this is a generic question which has obtained throughout our national life, and therefore, under normal circumstances, is not to be attached as a rider to any particular bill. So I have rather sedulously and, so far as I know, consistently refrained from doing so, notwithstanding the convictions which I entertain very deeply and quite apart from whether I am or am not a Senator of the United States, but as an American citizen as well as a Senator and a lawyer. I have always tried to carry out those convictions in terms of general legislation in various fields, such as education, housing, and transportation.

Therefore, why the Case amendment to this bill? What is its justification? I think it has two bases. First, the United States is conveying property which is now operated in a way free from any consideration of racial distinction. It is conveying property to a State where we have every reason to believe that its operation will raise a problem. Therefore, I think the United States, not only has discretion in the matter, but is in duty bound and in good conscience bound to safeguard for its citizens, after the ownership and jurisdiction of the property have passed to another sovereignty, the same rights and privileges of enjoyment which those citizens have in respect of the present sovereignty. I think Congress would be remiss in its duty if it did not, in the case of an outright transfer under these circumstances, preserve the present character of the enjoyment by the citizens of the United States of this property.

The second point is that there is a precedent for this action. I say that, and refer to the precedent, because I cannot reiterate often enough the great feeling I have—and I know it is shared by many other Senators—of the sincerity which animates those of our colleagues who feel that the social order in their own communities, which has obtained for so long, must continue, and who look with great concern upon any effort to change that order by legislation.

It is always necessary, therefore, to be perfectly clear that there is no imputation of a lack of sincerity or a lack of good faith in these matters, but that the situation is one which affords all the equity I have referred to; that is, that the property being turned over, and now being enjoyed in a nonsegregated way by the people of the United States, whether they are citizens of Arkansas or of some other State, will continue to be enjoyed in the same way, notwithstanding the change in sovereignty.

Argument No. 2—that there is a precedent—is very important, because we do not want any of our colleagues to feel that we are passing special legislation for them, trying to do something special about a particular place, because of a feeling that one has to be protected against that special sovereign.

I believe we would prefer to feel that we have a right to say that, after having once been enjoyed in a completely open status, in terms of the relationships between the races, it is only fair that the property continue to be enjoyed in that way, and that such a provision does not represent what we currently refer to as a rider, on a legislative bill, in regard to discrimination or segregation, which often is regarded as an attempt to kill the bill or in other ways to take adverse action on it.

In this case, people have been enjoying a certain facility in a certain way. Without any suspicion as to what may ensue when the jurisdiction is transferred to another sovereignty, but knowing the social custom and the social order and the way in which institutions of that character may be conducted in that sovereignty, in order to protect the citizens of the United States against any change in its fundamental approach and in its fundamental hospitality to them, I believe that the amendment of the Senator from New Jersey cannot be classed as an antidiscrimination rider, but, on the contrary, that the amendment is an inherent and an essential element of this proposed legislation, and in all dignity

and in all propriety should be attached to the bill.

So, Mr. President, I hope very much that the Senate will support this fine amendment, which is before the Senate at this time as a result of the initiative which the distinguished senior Senator from New Jersey [Mr. CASE] has taken.

The PRESIDING OFFICER (Mr. Moss in the chair). The question is on agreeing to the amendment of the Senator from New Jersey [Mr. CASE].

Mr. CASE of New Jersey. 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. CASE of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is on agreeing to the amendment of the Senator from New Jersey [Mr. CASE].

Mr. CASE of New Jersey. Mr. President, on this question, I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I wish to have the RECORD show that I voted in favor of the amendment of the Senator from New Jersey.

Mr. MORSE. Mr. President, I wish to have the RECORD show that I voted against the amendment of the Senator from New Jersey, only because I have always followed the consistent policy of not voting for so-called antidiscrimination amendments to measures of this type when the antidiscrimination amendments did not apply uniformly in every State in the Nation.

Mr. ALLOTT. Mr. President, I wish to have the RECORD show that among the Members of the Senate who voted in favor of the amendment of the Senator from New Jersey [Mr. CASE] was the senior Senator from Colorado.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask that it be stated. I understand that the two Senators from Arkansas will accept the amendment.

The PRESIDING OFFICER. The amendment submitted by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 3, in lines 16 and 17, it is proposed to strike out "for a period of 20 years after the date of such conveyance."

And on page 3, in lines 19 and 20, it is proposed to strike out "during that period."

Mr. MCCLELLAN. Mr. President, I believe I made clear, earlier in the debate on the bill, that when the bill was introduced no 20-year period was specified. Instead, the purpose was to have the conveyance be a permanent one. I should say that this 20-year provision was inserted in the bill at the request of this administration, or the departments of this administration.

There was no purpose on the part of the Senators from Arkansas or anyone else interested in the proposed legislation to try to obtain any favor or any advantage or any special consideration or any special dispensation in any way whatsoever. It was on the basis of testimony before the committee and the report of the Bureau of the Budget that this was the policy in the matter of disposal of surplus property. We have a clarification, with the amendment, that we did not have at the beginning and have not now. I think if we are to apply it in this instance, then I think the question of what ought to be the policy of the Government with respect to the disposal of property should be looked into, and Congress should make up its mind and establish a policy that there shall be no such limitation of time or that there may be a limitation of time, in the discretion of the agency of Government. In other words, there ought not to be discrimination. It ought to be uniform. It ought to be definite, positive, and uniformly applied to all alike.

Mr. MORSE. I understand the position of the Senator. The practice has been uniform in this connection in all the bills we have passed. I think it is about time that the administrators of government take note. If they do not, I agree with the Senator that we ought, in the next session of Congress, to pass a bill that would direct them to follow the policy. We are consistent tonight, when we adopt the amendment, with respect to the bills we have taken action on.

Mr. MCCLELLAN. Is this the only amendment the Senator intends to propose?

Mr. MORSE. It is the only amendment, because, as soon as the amendment is acted on, I shall make a statement on this bill, of not more than 2 minutes, in relation to the statute.

Mr. MCCLELLAN. If this amendment would settle the issue between us, I shall be very happy, if my colleague will join me, to accept the amendment.

Mr. FULBRIGHT. Yes; I am very pleased to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. MORSE. Mr. President, I offer no other amendment to the bill because, in my judgment, the legislative history that has been made on this bill by the two Senators from Arkansas tonight makes it very clear that the purpose of the bill is to work out with the Federal authorities, particularly in the Department of Health, Education, and Welfare, a program for rehabilitation at this hospital in which the Federal Government will also retain an interest in the program and a participation in the program. As the junior Senator from Arkansas has said, it will undoubtedly require, from time to time, some Federal match money to carry it out.

I am for the program. I commend the two Senators from Arkansas for their announced plan, as they have made the legislative history on this bill, that they plan to make this program a regional plan in which other States in the area will be asked to come into the plan and contribute funds, assistance, personnel, and the like, to make it a regional rehabilitation program, in which the Federal Government also has a Federal interest.

Therefore, it is not inconsistent with the Morse formula.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

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

The bill (H.R. 6190) was read the third time and passed.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ALLOTT and Mr. MORSE moved to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate insofar as I know, there are three noncontroversial bills—at least, I think they are—to be called up; and after they are acted upon we shall lay before the Senate one of the bills on the calendar—not the Mutual Aid Appropriation bill—make it the pending business, and recess until 9 o'clock tomorrow morning.

REPEAL OF SECTION 217 OF THE MERCHANT MARINE ACT, 1936

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 761, H.R. 5067.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act of 1936, as amended.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, this bill has been cleared with the minority leadership.

At the beginning of World War II American goods were shipped to Great Britain in large quantities under the Lend Lease Act. These shipments were documented direct to the British and consequently the British had complete control of transportation from inland points of origin to oversea destination. British agencies were established at American ports of export. American forwarders and brokers received a minimum of the work which otherwise would have passed through them. The Bland Forwarding Act was designed to keep the American forwarders in business during the war.

It is clear that the Bland Forwarding Act has served its purpose and should be repealed, especially in view of the fact that it has been misunderstood and misinterpreted not only by the forwarders

but by others. Some forwarders construe the act as a bill of rights to assure forwarders of participation in Government shipments, whereas the Maritime Administration does not believe that Government agencies should be required to use forwarders where they are not otherwise needed. We believe that each Government agency should be permitted to determine whether or not a forwarder should be employed on any particular shipment.

The report of the Comptroller General, included in the hearings, declared:

We believe that the conditions justifying the enactment of section 217 no longer exists.

The position of the General Services Administration with regard to H.R. 474 was stated in the report of Franklin Floete, Administrator:

In its capacity as a shipper, GSA has found the present Bland Freight Fowarding Act (56 Stat. 171; 46 U.S.C. 1127) to be ineffective in view of the difficulties of interpretation and application of that act to Government shipping problems.

The report of the Department of the Navy on H.R. 474 stated:

Inasmuch as the purposes of this section seem to have been largely accomplished, continuation of this authority in the law appears to be unnecessary.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 5067) was ordered to a third reading, read the third time, and passed.

APPLICATION OF MERCHANT MARINE ACT TO CERTAIN FUNCTIONS OF FISHING VESSELS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to call up Calendar No. 852, S. 2481, and proceed to the consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2481) to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I understand the minority leadership has been consulted on this bill. It is my understanding that there is no opposition to it.

The Fish and Wildlife Act of 1956 (70 Stat. 1122; 16 U.S.C., 1952 ed., sec. 742(c)) transferred to the Secretary of the Interior the functions relating to the issuance of Federal ship mortgage insurance on fishing vessels formerly exercised by the Secretary of Commerce.

This bill would supplement that transfer of authority by continuing the application of the Merchant Marine Act of 1936, as amended, with respect to authority provided to the Secretary of Commerce in Public Law 85–520 (72 Stat. 358), enacted July 15, 1958, to issue to the Secretary of the Treasury notes or other obligations, at rates and on conditions mutually agreeable, in order to procure funds for prompt payment of mortgage balance and interest due where sufficient funds for such payment are not available to the Seeretary of the Interior from insurance fees, inspection charges, et cetera.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

The bill (S. 2481) was read the third time, and passed, as follows:

Be it enacted, That in order to permit the efficient execution of functions relating to the issuance of Federal ship mortgage insurance on fishing vessels, pursuant to the Merchant Marine Act of June 29, 1936, as amended (49 Stat. 1985; 46 U.S.C., 1952 edition, sec. 1271 and the following), which functions relating to fishing vessels have been transferred to the Secretary of the Interior pursuant to the Fish and Wildlife Act of 1956, the Secretary of the Interior hereafter may exercise authority comparable to the authority of the Secretary of Commerce under the said Merchant Marine Act of 1936, including, but not limited to, the authority contained in the amendment to such Act of July 15, 1958 (72 Stat. 358).

LEASING OF PORTION OF TWIN CITIES ARSENAL, MINN.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to call up Calendar No. 922, H.R. 2449, and to proceed to its consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A 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, Minnesota.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment, on page 1, line 4, after the word "a", to strike out "five-year" and insert "two-year".

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, the Senator from Oregon [Mr. MORSE] has an interest in this bill, and he has received certain assurances from the Senators from Minnesota.

Mr. MORSE. An amendment will be offered, which I understand is acceptable to the Senators from Minnesota. Also a Representative from the House side came over and spoke with me and said he would accept the amendment.

Of course, the House can do what it wishes about the amendment, and then I shall have to exercise my rights if necessary. I have entered into the understanding that this amendment will be accepted in the Senate, and that it will be accepted in the House. If the bill comes back without the amendment, that conference report will be most unacceptable.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I call up my amendments, which are at the desk.

The PRESIDING OFFICER. The amendments of the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 1, line 9, after the word "in", to strike out "section 2" and insert "sections 2, 4, and 5."

On page 2, at the beginning of line 1, to strike out "without monetary consideration therefor, except for" and insert "upon condition that the lessee pay."

On page 2, line 3, after the word "Government", to strike out "but" and insert "and."

At the end of the bill it is proposed to add the following new section:

SEC. 5. The lease authorized by this Act shall be conditional upon the Independent School District Numbered 16 paying to the Secretary of the Army as consideration for such lease an amount equal to 50 per centum of its fair market value as determined by the Secretary after appraisal of such lease.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Oregon.

The amendments were agreed to.

Mr. MANSFIELD. Mr. President, the purpose of this bill is to authorize and direct the Secretary of the Army to lease, without monetary consideration, a part of the Twin Cities Arsenal, Minneapolis, Minn., to Independent School District No. 16 (Spring Lake Park School District), for a period of 2 years.

The school district which would be the beneficiary of this measure lies in Anoka County about 18 miles north of the center of Minneapolis, Minn., and about 18 miles northeast of the city of St. Paul, Minn. The problem of finding adequate space for the schooling of children in this area began with the construction of the Twin Cities Ordnance Plant in the early days of World War II. In the process of establishing this plant the Army acquired a large area of land. This reduced the tax base of the school district while at the same time the construction of the plant caused a large influx of defense workers which created the need for much more classroom space.

At the peak of its production during World War II the Twin Cities Ordnance Plant employed 12,000 persons. At this time the school district had 2 schoolhouses which accommodated about 50 pupils each.

From the 50 students in each school there was soon found a need to accommodate 500 children, and later this 500 figure climbed to 1,800 pupils which the school district was called upon to educate.

The school district managed to obtain some Federal funds for school construction and build a concrete-block one-story building that did provide some additional schoolroom space. It did not, however, cure the problem of part-time education.

At the end of World War II the Twin Cities Ordnance Plant was cut from a peak of 12,000 employees to about 4,000. At this time the Army permitted the school district to use the administration building for about 2 years, or until the Korean conflict began. At that time the Army took back the building.

Following the Korean action the plant was completely deactivated. The only employees at the plant since that time are those engaged in maintenance, which number about 1,000 persons according to the testimony received.

Since the installation was now inactive, the Army advertised the availability of the structures for lease. The Army was successful in leasing many of the structures at Twin Cities Ordnance, but even though assiduous in their efforts to lease the administration building no private interest in this structure was found. For this reason the building was unoccupied and unused until the school district leased it for school purposes.

The committee understands that the fair market rental for this building is $12,000 per annum. On May 20, 1950, a lease was executed providing for rental at this appraised market value less $1,000 estimated for maintenance that would normally be performed by a landlord but which the Government would not accomplish.

The lease, now existing, is for a term of 5 years beginning July 1, 1958, is revocable at will by the Secretary of the Army and reserves to the United States certain portions of the building, including the entire hospital wing. The school district also agreed to install additional fencing and to maintain the property and restore it to its original condition. The Govermnent under the lease is not under any obligation to furnish utilities or services, which the school district has been obtaining separately.

The building space and the land area involved are not for the time being required for any military purpose. However, there is a mobilization requirement for the productive capacity of the arsenal, which is in Ramsey County, 10 miles from central Minneapolis, and was developed at a cost of over $50 million for the manufacture of small arms and artillery ammunition. While it is therefore necessary to retain the right to use all the facilities on short notice in the event of need therefor during an emergency, the entire plant has been made available for interim use by the civilian economy.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 2449) was read the third time and passed.

DISPOSAL OF PROPERTY OF CERTAIN DECEASED SEAMEN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 1022, H.R. 6067, be brought before the Senate and be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6067) to amend section 4544 of the Revised Statutes of the United States to provide that, if the money and effects of a deceased seaman paid or delivered to a district court do not exceed in value the sum of $1,500, such court may pay and deliver such money and effects to certain persons other than the legal personal representative of the deceased seaman.

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

There being no objection, the Senate proceeded to consider the bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, so far as I know, that is all the business for tonight. The bill which has just been laid before the Senate will be the business pending when the Senate convenes tomorrow morning at 9 o'clock a.m.

NEED FOR ADDITIONAL JUDGESHIPS

Mr. ALLOTT. Mr. President, the Washington Post and Times Herald on August 10, 1959, editorialized:

> On the whole the record is one of shocking neglect of the judiciary. It is compounded by the pigeonholing of the bill to create 30 additional judgeships that are urgently needed to prevent court delays from sapping the substance of justice.

As I have frequently made clear on the floor of the Senate and before the Senate Judiciary Committee, I concur in the importance of creating these much-needed judgeships. I am enormously pleased that the Senate Committee on the Judiciary has cleared the record which the Washington Post and Times Herald referred to as "shocking." I earnestly urge my colleagues to approve this bill, and hope that the other body will not again indulge petty politics by killing this legislation which is so clearly in the public interest.

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

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

CRIPPLING THE COURTS

The withdrawal of the nomination of John G. Tucker to a Federal judgeship in Texas is a stinging indictment of the Senate Judiciary Committee's delay in confirming judicial appointments. Mr. Tucker had been nominated on February 12. In nearly 6 months no move was made even to hold a hearing on his nomination. Meanwhile he was obviously embarrassed in trying to continue a law practice. No wonder he became disgusted and asked the President to withdraw his name.

If there was any objection of substance to Mr. Tucker's nomination, it should have been brought into the open. The qualifications of every nominee to a lifetime position on the bench need to be examined closely. But mere stalling is utterly inexcusable.

In all, 30 nominations to the Federal District Courts, the Circuit Court of Appeals and the Supreme Court have been made since January, and only eight of this number have been confirmed. A few of the nominations have gone up in the last week, but some have been pending since January, February, and March without action.

On the whole the record is one of shocking neglect of the judiciary. It is compounded by the pigeonholing of the bill to create 30 additional judgeships that are urgently needed to prevent court delays from sapping the substance of justice.

RACIAL VIOLENCE AND RACIAL TENSION RESULTING FROM FORCED INTEGRATION

Mr. JOHNSTON of South Carolina. Mr. President, I wish to bring to the attention of the Senate three stories which came over the United Press International Wire Service this morning from New York and Detroit regarding crime and violence occurring between gangs of teenagers of different races.

In the first story it is reported that a group of Negro teenagers raped a white woman in a gang-ridden neighborhood of Brooklyn today shortly after a band of Puerto Rican youths threatened to shoot up a firehouse. The story relates that hard-pressed New York City officials were seeking aid from Albany and Washington for their seemingly hopeless battle against juvenile terrorism.

While some of the liberal newspapers of the country are pressing for civil rights legislation and are contending that juvenile crime has no relation to racial tension, it is peculiar, indeed, that in nearly all of these reports from Detroit, New York, and elsewhere, the violence involves juvenile gangs of different races.

Mr. President, the second story I wish to bring to the attention of the Senate is datelined Detroit, where five youths were arrested following a street battle between a teenage gang and police when the police attempted to break up a race riot between a group of white youths and a mob of Negro youths. This is further evidence that juvenile delinquency is linked strongly to racial tension resulting from forced integration.

Mr. President, the third story is one emanating from New York City where it is reported that 250 Negro students from Harlem will attempt to register next Monday in an exclusive Bronx high school in protest to the transfer of 100 white students to the school. The story says that the move to integrate the school in predominantly white Riverdale will be made by an association of Harlem parents who have contended for several years that Harlem schools are segregated and inferior. Their protests have had the support of the National Association for the Advancement of Colored People. Mr. President, I fear that this move to integrate these schools

in New York will result in more violence. It is regretful that the NAACP has seen fit to force its wishes upon innocent schoolchildren. It would seem that the NAACP and those promoting integration in schools and in housing would have learned the lesson by now that with forced integration comes deteriorating respect for law and order. It is in areas which have been integrated that we find juvenile gangs and even adults engaged in racial gang wars and other activities springing from racial prejudice and hatreds.

Mr. President, I ask that these three United Press International News items be printed in the RECORD together with my remarks.

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

ARTICLES FROM THE UNITED PRESS INTERNATIONAL TELETYPE WIRE

DETROIT.—Five youths arrested following a street battle between a teenage gang and police charged today that they were beaten by the officers.

Four patrolmen were injured in the battle, which erupted last night when police tried to break up a mob of Negro youths which had gathered for an expected fight with a group of white youths.

The battle erupted when a four-man police cruiser crew, investigating a reported large gang gathering, came upon between 8 and 10 youths crammed into an old car parked on 16th Street.

An officer asked one of the youths, Larry Nolan, 17, whose house the car was parked in front of, for his identification.

Police said Nolan refused and said: "What right have you to question me?"

The officer grabbed Nolan by the arm and the youth knocked him down.

At this point, the rest of the gang clambered out of the car and attacked the four officers.

Two squad cars with reinforcements arrived and after a brief battle, most of the gang fled. Four youths were arrested at the scene and one was taken later to his home.

All four of the patrolmen in the cruiser crew were injured.

NEW YORK.—Approximately 250 Negro students from Harlem will attempt to register at a junior high school in the exclusive Riverdale section of the Bronx next Monday in protest to the transfer of 100 white students to the school.

The move to "integrate" the school in predominantly white Riverdale will be made by an association of Harlem parents who have contended for several years that Harlem schools are "segregated and inferior." Their protests have had the support of the National Association for the Advancement of Colored People.

Paul B. Zuber, attorney for eight families involved in a boycott of Harlem schools last year, said the new protest resulted from resentment over the transfer to Riverdale of 100 white students from an overcrowded school in a section of Manhattan adjoining Harlem. Zuber said Harlem parents feel that their children have just as much right to be transferred.

NEW YORK.—A group of Negro teenagers raped a white woman in a gang-ridden neighborhood of Brooklyn today shortly after a band of Puerto Rican youths threatened to shoot up a firehouse there, police reported.

The latest outbursts of violence occurred in the Fort Greene section, a predominantly Negro and Puerto Rican slum area. They came as hard-pressed city officials sought aid in Albany and Washington for their seemingly hopeless battle against juvenile terrorism.

Police said three or four Negro youths accosted a white woman early today as she emerged from a Brooklyn subway station (at Washington and Lafayette Streets) and dragged her into a car. They said she was taken to a vacant house where she was beaten, raped and robbed of $30.

Police arrested three Negro teenagers for questioning about the attack shortly after the woman reported it to police. Officers said they believed she had wandered the streets for several hours in a daze after she was freed by the youths.

Shortly before, police arrested six Puerto Rican youths in the same precinct in connection with a daring invasion of a firehouse. They were reported to have chased an intended victim, a 13-year-old boy, into the firehouse but were frustrated in their attack by several firemen.

The gang, known as the Mau Maus, threatened the firemen with clubs and promised to come back later with a gun.

UNEMPLOYMENT

Mr. DOUGLAS. Mr. President, yesterday the U.S. Department of Labor published its report on the employment situation for August 1959. It is estimated that the total number of completely unemployed persons in the country amounted to 3,426,000. On the basis of seasonally adjusted figures this number represents 5½ percent of the total working force of the country. This is an increase of four-tenths of 1 percent over the seasonally adjusted figure for July. In addition to those, of course, we have the partially unemployed, who normally work fulltime but who are not afforded the opportunity to work fulltime because of the lack of work. We also have those who generally work part time but who in the particular period studied worked less than the part time which they usually work.

I wish to emphasize, concerning these persons who are partially unemployed, that the unemployment figure does not include absences, nor does it include the time lost because of illnesses. I refer to involuntary unemployment within employment.

For some years I have had computations made as to the full-time unemployment equivalent of the partially unemployed workers. A continuation of these figures for the month of August would increase the unemployment total by an additional 1,182,000 workers, making a revised full-time equivalent of unemployment of 4,608,000, or nearly 7 percent of the working force. I think this is a truer picture. I ask unanimous consent that a table which I have prepared for the 5 months from April through August, 1957, 1958, and 1959, be printed in the RECORD at this point.

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

The following table brings up to date the tabulation of full-time equivalent unemployment to August 1959. For comparison the figures for April through July 1959, for April through August 1958, and for April through August 1957 are given.

[In thousands]

Date	Unemployed persons	Persons who worked part-time because of economic factors			Full-time equivalent unemployment	
		Total	Usually work full time	Usually work part time	Of part-time workers	Total
1957—April	2,690	2,083	1,242	841	844	3,534
May	2,715	2,133	1,215	918	831	3,546
June	3,337	2,501	1,312	1,189	1,089	4,426
July	3,007	2,363	1,091	1,272	1,061	4,068
August	2,609	2,323	1,076	1,247	1,016	3,625
1958—April	5,120	3,423	2,131	1,292	1,339	6,459
May	4,904	3,301	1,973	1,328	1,301	6,205
June	5,437	3,432	1,784	1,648	1,445	6,882
July	5,294	2,978	1,324	1,654	1,360	6,654
August	4,699	3,074	1,400	1,674	1,391	6,090
1959—April	3,627	2,302	975	1,327	1,021	4,648
May	3,389	2,085	914	1,171	903	4,292
June	3,982	2,544	982	1,562	1,185	5,167
July	3,744	2,589	863	1,726	1,250	4,994
August	3,426	2,547	1,003	1,544	1,182	4,608

Mr. DOUGLAS. Mr. President, if we compare the figures for August 1959, with August 1957, we find an increase of 800,000 in the completely unemployed and an increase of approximately 1 million in the full-time equivalent unemployed.

We all hope that conditions will improve in the fall, but there is a too common tendency to sweep the figures on the extent of unemployment in the country under the rug and to forget the condition of the unemployed because of improvements in the profit status of American business and, until the last few days, because of increases in the prices of stocks on the stock market.

It is very easy to forget the unemployed. Sometimes those of us who try to focus the attention of the country on them are treated as though we were disturbers of the peace and as though we were raising an improper issue. There is a general tendency on the part of mankind to consider only favorable news and to close its eyes to less favorable situations.

I remember that in the 1920's, when the stock market was rising, when it was also apparent that the number of unemployed persons was increasing, even prior to October 1929, that any attempt which some of us made to have the Nation think about the very serious problem of unemployment which was being created was greeted at best with indifference and at worst with positive hostility and opposition.

I am glad that the present distinguished occupant of the chair, the Sen-

ator from West Virginia [Mr. BYRD] has emphasized the serious situation in the coal mines and mountain counties of his State and of the adjoining State of Kentucky.

In the industrial sections of the Nation not everything is happy. Although I believe the temper of the country is obviously one which does not favor any definite action to deal with this problem, I myself feel that is a great mistake. We need to pass a depressed areas bill. We need to pass many remedial measures, including one to improve our unemployment insurance laws.

I am taking this occasion to put my conclusions into the CONGRESSIONAL RECORD, so that possibly readers all over the country may ponder over this question, and, if matters do not improve, when we reconvene next January we may be ready for more basic action.

THE STEEL STRIKE

Mr. MOSS. Mr. President, I am deeply troubled by the apparent stalemate in negotiations to end the steel strike. The daily no-progress report in this longest steel strike since the end of World War II is most disheartening.

Observers have said many times that it would be difficult to reach agreement until the steel inventories, built up by the steel companies in anticipation of the strike, had been materially reduced. These stocks are being reduced, Mr. President, at a rate that is beginning to seriously slow other industries.

The Christian Science Monitor of September 9 carries two news items which illustrate this fact all too well. They are very short and I would like to read them:

"Major steel users are starting to fight a rearguard action against shutdowns threatened by fast-developing steel shortages," Iron Age magazine said. "Probably the most critical shortage today is in the tightening of cold-rolled sheets in the Midwest," it said. "While this shortage is most acute in Chicago and the Mississippi Valley, it is spreading into other metalworking centers."

The first 2 weeks of the steel strike sharply curtailed growth of business inventories and put a damper on factory sales, the Commerce Department reported. During July, the Department said, inventories increased by $500 million after adjustment for seasonal factors. This compared with an average of about $900 million in each of the 3 preceding months. Manufacturers added only $100 million to inventories in July, compared with $500 million in June.

In the recent debate on the labor reform bill, we were constantly told that in all labor-management tests it was the public interest that should come first.

As the distinguished Senator from Missouri [Mr. SYMINGTON] pointed out yesterday, we have already lost the output of more than 17 million tons of steel and 15 million tons of coal. The Government has been deprived of hundreds of millions in tax revenues, and American families have forfeited several billion dollars in purchasing power.

In my State of Utah, where the Geneva steel plant employs about 5,000 people, the strikers have had to ask for surplus foods and other public assistance. The coalfields of Carbon County have been further hurt, and the usual depressed state of retail and service businesses that accompany a strike is becoming worse very rapidly.

And, equally important, Mr. President, is the effect on national security of a long period of lost production. Just last year, half our steel capacity, an amount equal to the production of the U.S.S.R., was idle. The leaders of the Communist world have declared economic war on us, and we simply cannot afford repeated production losses of that magnitude.

To sum up, the public interest is taking a beating right now in this situation—the lost wages, the lost business, the increasing slowdown in industries dependent on steel, the lost production.

The people of Utah are also deeply concerned about the apparent lack of progress in settling the copper strike. Some 3,000 workers in my State are directly affected by this strike, and the economy of the area is also feeling its impact.

Some time ago, I was pleased to cosponsor a resolution offered by the Senator from Missouri [Mr. SYMINGTON] urging the President to set a deadline after which he would appoint a fact-finding board to specifically recommend a steel strike settlement. Other Senators are supporting this point of view.

I am aware that Mr. Eisenhower has spoken a little more sharply to the negotiators since returning from Europe. I feel, however, that this is not the strong leadership that the situation calls for in the public interest. I again urge the President to take definite steps. If he does not like the suggestion of the Senator from Missouri [Mr. SYMINGTON], myself and others, let him choose another course, but, by all means, take some action.

America cannot afford this continued deadlock in steel.

Mr. President——

The PRESIDING OFFICER. The Senator from Utah has the floor.

TV BOOSTER STATIONS

Mr. MOSS. Mr. President, on Wednesday of this week the Senate passed legislation to legalize TV-booster operations. This action will be warmly welcomed by residents of small communities, and of areas remote from centers of population, since it will assure them of satisfactory television reception at a cost they can afford to pay.

Members of the Senate Interstate and Foreign Commerce Committee put a great deal of time and study on the TV-booster problem, and I want to commend and thank them for their efforts.

By a unanimous vote the committee ordered reported both the TV-booster bill (S. 1886) and a second bill (S. 2653) which gives the Federal Communications Commission jurisdiction over community antenna television systems. It was understood at the time the bills were reported that they were companion bills, and would be considered at the same time by the Senate.

This did not happen. The TV-booster bill was brought up separately and passed. The CATV bill is being held up by various Senators. It now appears that it will not be considered this session.

Mr. President, some control must be exercised over community antenna television systems or there will be chaos in the broadcasting industry. I, therefore, urge that during the congressional recess members and staff of the Interstate and Foreign Commerce Committee give some serious thought and study to proposed legislation which can be brought before the Senate next session which will subject the CATV's to the same regulations which are applicable to common carriers and public utilities. I believe that such action could be justified on the basis that these systems charge the public for their service, and that there is therefore a ratemaking problem. The public interest and protection for the public must be given first consideration.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to state that at any time beginning tomorrow, the following measures on the calendar can be brought up:

Calendar No. 1013, H.R. 8385, making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Calendar No. 828, Senate Resolution 169, concerning the desirability of holding an international exposition in the United States.

Calendar No. 819, S. 694, to provide Federal assistance for projects which will demonstrate or develop techniques and practices leading to a solution of the Nation's juvenile delinquency control problems.

Calendar No. 1045, S. 2673, to provide for the appointment of additional circuit and district judges, and for other purposes.

I wish to state further that the Senate can anticipate a very late session tomorrow.

REPORT OF CIVIL RIGHTS COMMISSION

Mr. HART. Mr. President, the report which the Civil Rights Commission made to the Congress this week should be commended by all who seek the enlargement of equal opportunity in America. The fact that so many constructive recommendations could be made—some of them unanimously—by a Commission composed of men drawn from such diverse backgrounds and roots is a tribute to their integrity and their profound onfidence in the American concept of democratic government under law. This report has now charted for us new steps forward that must be taken, without further delay, in the fields of voting, education, and housing.

One of the most important recommendations of the Commission, Mr. President, that dealing with voting rights—would be implemented by the adoption of a voting bill which along with 14 colleagues I introduced earlier in this session. This Congressional Elections Commission bill, numbered S. 2535, would

establish a three-member Commission with authority to register voters from congressional elections and to conduct those elections where denials or discrimination may occur. The Commission, which would be to voting what the Government Accounting Office is to public spending, would be directed to cooperate fully with local authorities in working out satisfactory procedures to insure that voting rights for all are fully protected. I am hopeful, Mr. President, that this bill will now receive, in the light of the Commission's 2-year study, early consideration by the Senate Judiciary Committee and by the Congress.

In addition, Mr. President, it should be emphasized that many of the recommendations in the Civil Rights Commission's report can be implemented immediately by action within the executive branch. The President and the several agencies working in the fields of education and housing, I trust, will study this report with a view toward early action on the recommendations.

Throughout the country, Mr. President, those who were inspired by the magnificent report of President Truman's Committee on Civil Rights in 1947 are now heartened by this new report. I only hope that it will stimulate as much discussion, study, and constructive action at the local, State, and Federal level as its predecessor did 12 years ago.

INTERNATIONAL CERAMIC SHOW

Mr. HART. Mr. President, note already has been made that the U.S. exhibit at the International Congress of Contemporary Ceramics in Belgium won the grand prize. I would not want the occasion to pass without bringing the attention of the Nation to the fact that contributing to this American exhibit were some distinguished artists from the State of Michigan, and for permanent RECORD purposes we should note their names.

They are: J. T. Abernathy, of Ann Arbor; Marie Woo, of Ann Arbor; Maija Grotell, of Bloomfield Hills; Marc Hansen, of Kalamazoo; William E. Pitney, of Detroit.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILL INTRODUCED

Mr. SPARKMAN, by unanimous consent, introduced a bill (S. 2693) to strengthen the antitrust laws by amending the Clayton Act and related acts to provide for the issuance of temporary cease and desist orders to prevent certain acts and practices pending completion of proceedings; which was read twice by its title, and referred to the Committee on the Judiciary.

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

PROGRAM TO ENCOURAGE OPERATION OF MARGINAL COPPER MINES—ADDITIONAL COSPONSOR OF BILL

Mr. HART. Mr. President, I ask unanimous consent that the name of the junior Senator from California [Mr. ENGLE] may be added as a cosponsor to the bill (S. 295) to direct the Secretary of the Interior to establish a program to encourage the operation of marginal copper mines necessary to the national defense, introduced on January 14, 1959, by my colleague, the senior Senator from Michigan [Mr. MCNAMARA] and me.

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

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 11, 1959, he presented to the President of the United States the following enrolled bills:

S. 355. An act 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;

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml;

S. 1837. An act for the relief of Marguerite Fueller;

S. 2219. An act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes; and

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

RECESS UNTIL 9 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until 9 o'clock a.m. tomorrow.

The motion was agreed to; and (at 9 o'clock and 35 minutes p.m.) the Senate, under the order previously entered, took a recess until tomorrow, Saturday, September 12, 1959, at 9 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 11 (legislative day of September 5), 1959:

IN THE MARINE CORPS

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 4 years from the 1st day of January 1960.

The following-named officers of the Marine Corps to be placed on the retired list with the grade of lieutenant general pursuant to the provisions of title 10, United States Code, section 5233:

Verne J. McCaul
Robert E. Hogaboom

PUBLIC HEALTH SERVICE

Dr. Warner Lee Wells, of North Carolina, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for the remainder of a term expiring August 3, 1963.

Dr. Maynard Kiplinger Hine, of Indiana, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for the remainder of a term expiring August 3, 1963.

U.S. ATTORNEY

Elliot L. Richardson, of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years, vice Anthony Julian.

WITHDRAWAL

Executive nomination withdrawn from the Senate September 11 (legislative day of September 5), 1959:

IN THE MARINE CORPS

The nomination of Maj. Gen. Monroe Shoup, Marine Corps, to be Commandant of the Marine Corps, received by the Senate August 17, 1959.

HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 11, 1959

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Luke 22: 42: *Not my will, but thine be done.*

Almighty God, as we turn to Thee in prayer, the burdens of life become easier to bear, and our loneliness is dispelled by a great peace which the world can neither give nor take away.

We penitently acknowledge that we are frequently unready and unwilling to receive from Thy hand of love those blessings which Thou art so eager to bestow upon us and which we so sorely need.

Emancipate us from sullen and complacent tempers of mind lest we become too indifferent to care and too willful to learn.

Grant that in all the perplexing problems and hard decisions we may seek to make Thy wiser will our own, for our wills are ours to make them Thine. Hear us in the name of our blessed Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPROVED WORK PLANS—WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The SPEAKER. The Chair lays before the House the following communication.

The Clerk read the communication, as follows:

COMMITTEE ON PUBLIC WORKS,
HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, D.C., September 9, 1959.

HON. SAM RAYBURN,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as

amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

State	Watershed	Exec. Com. No.	Committee approval
Arkansas	Flat Creek	1247	Sept. 1, 1959
Mississippi	Second Creek	1247	Do.
Texas	Tehuacana Creek	1247	Do.
California	Marsh-Kellogg Creeks.	1247	Do.
Oklahoma	Upper Clear Boggy Creek.	1247	Do.
Virginia	Roanoke Creek	1247	Do.
Oklahoma	Caney-Coon Creek	1332	Do.

Sincerely yours,
CHARLES A. BUCKLEY,
Member of Congress, Chairman, Committee on Public Works.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H.R. 1455. An act conferring U.S. citizenship posthumously upon Gerardo Rafael Dobarganes y Torres;

H.R. 1499. An act for the relief of Gordon Langlands Johnston;

H.R. 1520. An act for the relief of Eva Gurman;

H.R. 1701. An act for the relief of Mrs. Ellen Leschner;

H.R. 2077. An act for the relief of Bernard Barrett;

H.R. 2090. An act for the relief of Giuseppa Ferrante (Sister Candida);

H.R. 2390. An act for the relief of the city of Madeira Beach, Fla.;

H.R. 2631. An act for the relief of the estate of Nathaniel H. Woods, deceased;

H.R. 2695. An act for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.;

H.R. 3096. An act for the relief of Peony Park, Inc., and others;

H.R. 3111. An act for the relief of Rachel Nethery;

H.R. 3180. An act 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;

H.R. 3410. An act for the relief of Mrs. Leonard O. Erickson;

H.R. 3608. An act to authorize the Secretary of the Navy to acquire certain land on the island of Guam;

H.R. 4821. An act to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster;

H.R. 4839. An act for the relief of Peter F. de Ullmann;

H.R. 4894. An act for the relief of the Georgia Kaolin Co.;

H.R. 5257. An act to amend section 1915 of title 28, United States Code, relating to proceedings in forma pauperis;

H.R. 5645. An act for the relief of Christopher J. Mulligan;

H.R. 5910. An act for the relief of Zelda Glick;

H.R. 6405. An act for the relief of Vukasin Krtolica;

H.R. 6508. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes;

H.R. 6720. An act for the relief of Andrew Choa;

H.R. 6886. An act for the relief of Liliana Caprara;

H.R. 6954. An act for the relief of Frol Martin Simonov;

H.R. 7145. An act to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended;

H.R. 7256. An act for the relief of Miss Remedios Villanueva;

H.R. 7474. An act granting the consent of Congress to the compact entered into by the States of West Virginia and Virginia with respect to a certain part of the boundary between such States;

H.R. 7518. An act for the relief of Rudolph Rozman;

H.R. 7550. An act for the relief of Vartanouche Kalfayan;

H.R. 7683. An act to provide that the tax exemption heretofore accorded the Veterans of Foreign Wars with respect to certain property in the District of Columbia, formerly owned by such organization but never used for its intended purpose, shall apply instead to other property subsequently acquired and used for that purpose;

H.R. 7870. An act to amend the Revised Organic Act of the Virgin Islands, as amended;

H.R. 7979. An act to waive section 142, of title 28, United States Code, with respect to the U.S. District Court for the Eastern District of Oklahoma holding court at Durant, Okla.;

H.R. 8464. An act to amend the act of October 24, 1951, to provide salary increases for the police for the National Zoological Park;

H.J. Res. 446. Joint resolution to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens;

H.J. Res. 465. Joint resolution approving certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois;

H.J. Res. 477. Joint resolution relating to the exclusion of certain aliens; and

H. Con. Res. 177. Concurrent resolution declaring the sense of Congress on the depressed domestic mining and mineral industries affecting public and other lands.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and joint resolutions of the House of the following titles:

H.R. 47. An act to amend the Internal Revenue Code of 1954 to provide a personal exemption for children placed for adoption;

H.R. 1387. An act for the relief of Mrs. Mary D'Agostino;

H.R. 1434. An act for the relief of Mrs. Elba Haverstick Cash;

H.R. 2302. An act for the relief of Agnes Lorraine Pank;

H.R. 3030. An act to amend the act entitled "An act to authorize the establishment of a band in the Metropolitan Police force" so as to provide retirement compensation for the present director of said band after 10 or more years of service, and for other purposes;

H.R. 3735. An act to make the Policemen and Firemen's Retirement and Disability Act amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and to their widows, widowers, and children;

H.R. 4283. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that certain additional specified officers of the executive branch of the Federal Government shall be exempt from such Act;

H.R. 4603. An act to amend the Organic Act of Guam for the purpose of permitting the government of Guam, with the consent of the legislature thereof, to be sued;

H.R. 6884. An act for the relief of Mrs. Barbara May Boswell;

H.R. 7605. An act for the relief of the State of Oklahoma;

H.R. 8392. An act to amend the District of Columbia Stadium Act of 1957 with respect to motor-vehicle parking areas, and for other purposes;

H.R. 8582. An act to authorize the San Benito International Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.;

H.R. 8599. An act to amend the Small Business Act, and for other purposes;

H.R. 8694. An act 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.;

H.J. Res. 478. Joint resolution relating to permanent residence and deportation of certain aliens; and

H.J. Res. 479. Joint resolution relating to the entry of certain aliens.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6904. An act to establish an Advisory Commission on Intergovernmental Relations.

The message also announced that the Senate insists on its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MUSKIE, Mr. HUMPHREY, and Mr. MUNDT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 155. An act to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to certain educational institutions;

S. 857. An act to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.;

S. 1193. An act for the relief of Eleanor Constan;

S. 1537. An act to establish a national mining and minerals policy;

S. 1605. An act granting the consent of Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the apportionment of the waters of the Big Blue River and its tributaries as they affect such States;

S. 1703. An act for the relief of Raul Jorge Jose Hermitte;

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles";

S. 1870. An act to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes;

S. 1892. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Norman project, Oklahoma, and for other purposes;

S. 2061. An act to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States;

S. 2309. An act for the relief of Gim Bong Wong;

S. 2319. An act for the relief of Sergiusz Rudczenko;

S. 2362. An act to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project;

S. 2379. An act to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho;

S. 2431. An act to provide for the striking of medals in commemoration of the 100th anniversary of statehood of the State of Kansas;

S. 2439. An act to authorize certain teachers in the public schools of the District of Columbia to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such teachers for educational purposes;

S. 2445. An act authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree;

S. 2449. An act to extend the International Wheat Agreement Act of 1949;

S. 2454. An act to provide for the striking of medals in commemoration of the one hundredth anniversary of the founding of the Pony Express;

S. 2466. An act to authorize the establishment of a Junior College Division within the District of Columbia Teachers College, and for other purposes;

S. 2467. An act to authorize the development of plans and arrangements for the provision of emergency assistance, and the provision of such assistance, to repatriated American nationals without available resources, and for other purposes;

S. 2517. An act to amend section 7 of the Federal Home Loan Bank Act, as amended;

S. 2568. An act to amend the Atomic Energy Act, as amended, with respect to cooperation with the States;

S. 2569. An act to amend the Atomic Energy Act of 1954, as amended;

S. 2611. An act to amend the Small Business Investment Act of 1958, and for other purposes; and

S. 2633. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1575. An act to amend the act of August 1, 1958, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources, and for other purposes;

S. 1845. An act to provide for the establishment of rates of basic compensation for certain positions in the Patent Office in the Department of Commerce, and for other purposes;

S. 2208. An act to provide that Alaska and Hawaii be eligible for participation in the distribution of discretionary funds under section 6(b) of the Federal Airport Act; and

S. 2504. An act 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.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 2162) entitled "An act to provide a health benefits program for Government employees," with amendments in which the concurrence of the House is requested.

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. 7629) entitled "An act to make permanent the authority of the Secretary of Agriculture to make loans under section 17 of the Bankhead-Jones Farm Tenant Act, as amended, and for other purposes."

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 House to the bill (S. 2181) entitled "An act to amend the Mineral Leasing Act of February 25, 1920."

The message also announced that the Senate, having proceeded to reconsider the bill (H.R. 9105) entitled "An act making appropriations for civil functions administered by the Department of the Army, certain agencies in the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

APPOINTMENTS TO NORTH ATLANTIC TREATY PARLIAMENTARY CONFERENCE

The SPEAKER. The Chair lays before the House the following announcement of appointments to the North Atlantic Treaty Parliamentary Conference.

The Clerk read as follows:

Pursuant to the provisions of Public Law 689, 84th Congress, the Chair appoints as members of the U.S. group of the North Atlantic Treaty Parliamentary Conference the following Members on the part of the House: Mr. HAYS, Ohio, Chairman; Mr. SMITH, Mississippi; Mr. SELDEN, Alabama; Mr. ANFUSO, New York, Mr. MCGOVERN, North Dakota, Mr. CANFIELD, New Jersey; Mr. CORBETT, Pennsylvania, Mrs. CHURCH, Illinois, and Mr. FRELINGHUYSEN, New Jersey.

NORTH CAROLINA MINIMUM WAGE LAW AND COMPULSORY COMPENSATION LAW

Mr. WHITENER. 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 North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, on Monday, September 8, at page 17662 of the RECORD, the remarks of my dear friend and distinguished colleague, the gentleman from New York [Mr. SANTANGELO] under the heading of "Labor Fights for Justice," contains an inaccurate statement which I would like to call to his attention.

I note that he states the following: "The Southern States which have no minimum wages are Alabama" and others and he named the State of North Carolina. I would say to my friend in the spirit of correcting him, because I know he would like to be accurate, that he could not be more inaccurate than he was when he made the statement that my State of North Carolina does not have a minimum wage law.

He was equally in error when he made the statement in the next paragraph that North Carolina does not have a compulsory compensation law.

Reference to the General Statutes of North Carolina will indicate clearly to my good friend that he has made an error; and I am sure it was lapsus linguae instead of intentional.

AMENDING FEDERAL BOATING ACT OF 1958

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8728) to amend the Federal Boating Act of 1958 to extend for an additional year the period when certain provisions of that act will take effect, with Senate amendments thereto, and concur in the Senate amendments:

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert: "That (a) paragraph (8) of subsection (c) of section 3 of the Federal Boating Act of 1958 is amended by striking out 'April 1, 1960,' and inserting in lieu thereof 'April 1, 1961,'.

"(b) Subsection (b) of section 11 of the Federal Boating Act of 1958 is amended by striking out 'April 1, 1960.' and inserting in lieu thereof 'April 1, 1961.'.

"(c) Section 12 of the Federal Boating Act of 1958 is amended by striking out 'April 1, 1960.' and inserting in lieu thereof 'April 1, 1961.'."

Amend the title so as to read: "A bill to amend the Federal Boating Act of 1958 to extend until April 1, 1961, the period when certain provisions of that Act will take effect."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, with Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, what happened in the other body in connection with the establishment of this new Commission?

Mr. FOUNTAIN. I will say to the gentleman from Iowa that the only material change made by the Senate is that of increasing the membership of the Commission from 25 to 27 by the addition of 2 county representatives.

Mr. GROSS. Of course, that tends to make it somewhat more expensive?

Mr. FOUNTAIN. Naturally, it would increase the cost to some extent.

Mr. GROSS. Were any increases made in connection with the staff that will be established in connection with the Commission?

Mr. FOUNTAIN. That is the only material change made in the bill.

Mr. GROSS. The addition of two members to the Commission. That is the only substantial change in the bill?

Mr. FOUNTAIN. That is right.

Mr. GROSS. Mr. Speaker, I opposed this bill when it was before the House. It is another waste of the taxpayers' money. I am not going to try to force a vote on the passage of the bill because the RECORD already shows my position, but I want the RECORD to show I am still opposed to this measure and the creation of another unnecessary and expensive Commission.

Mr. FOUNTAIN. The gentleman from Iowa so expressed himself very clearly during debate on this bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Mr. FOUNTAIN, Mr. BROOKS of Louisiana, and Mrs. DWYER.

MRS. BARBARA MAY BOSWELL

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6884) for the relief of Mrs. Barbara May Boswell, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out all after "Act" down to and including "impose" in line 11.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CHENG, FU SHENG, AND LIN, FU-MEI

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 384.

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

There being no objection, the Clerk read the House resolution, as follows:

Resolved, That the House of Representatives does not approve the granting of permanent residence in the United States to the aliens hereinafter named in which cases the Attorney General has submitted reports to the Congress pursuant to section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-10491862, Cheng, Fu Sheng.
A-8922627, Lin, Fu-Mei.

The House resolution was agreed to and a motion to reconsider was laid on the table.

AMENDING THE ORGANIC ACT OF GUAM

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4603) to amend the Organic Act of Guam for the purpose of permitting the government of Guam, with the consent of the legislature thereof, to be sued, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 8, strike out "sued." and insert "sued upon contract entered into with respect to, or any tort committed incident to, the exercise by the government of Guam of any of its lawful power." "

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

There was no objection.

The Senate amendment was concurred in and a motion to reconsider was laid on the table.

AMENDING 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)

Mr. ASPINALL submitted the following conference report and statement on 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):

CONFERENCE REPORT (H. REPT. NO. 1177)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to 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), having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill, and agree to the same with an amendment as follows: In lieu of the language inserted by the House amendment insert 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. 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, for not more than three sites, six thousand four hundred acres in all, except that during each of the calendar years 1960, 1961 and 1962, conveyances may be made for not more than six sites, comprising a total of not more than twelve thousand eight hundred acres and, in addition thereto, such acreage as may be needed for small roadside parks and rest sites of not more than ten acres each.

"'(B) To any political subdivision of a State, six hundred and forty acres.

"'(C) To any nonprofit corporation or nonprofit association, six hundred and forty acres.

"'(ii) For public purposes other than recreation:

"'(A) To any State or agency or instrumentality thereof, for any one program, six hundred and forty acres.

"'(B) To any political subdivision of a State, six hundred and forty acres.

"'(C) To any nonprofit corporation or nonprofit association, six hundred and forty acres.'

"SEC. 2. The last sentence of section 3 of the Act of June 14, 1926, as amended, is repealed."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

WAYNE N. ASPINALL,
GRACIE PFOST,
J. T. RUTHERFORD,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

FRANK E. MOSS,
GORDON ALLOTT,
ERNEST GRUENING,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1436) to amend section I of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. sec. 869), submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

There were three substantial differences between the bill as it passed the Senate and as it passed the House:

(1) The number of sites and the acreage that could be conveyed to any one State in any one year for recreational purposes were unlimited in the Senate version. In the House version, the number of sites was limited to three and the overall area to 6,400 acres.

(2) The acreage that could be conveyed in any one calendar year to any nonprofit corporation or nonprofit association for public purposes other than recreation was not covered in the House version; it was limited to 640 acres in the Senate language.

(3) The House version repealed a portion of the basic law limiting to 25 years the effectiveness of its reverter provisions. The Senate version did not do so.

The language recommended by the committee of conference disposes of these differences thus:

(1) It retains the three-site, 6,400-acre limitations of the House as a general proposition but permits a doubling of these figures for the calendar years 1960, 1961, and 1962. It also permits the conveyance, during these same years, of such additional acreage as may be needed for small roadside parks and rest sites of not more than ten acres each.

(2) It limits the acreage that may be conveyed in any one calendar year to a nonprofit corporation or nonprofit association for public purposes other than recreation to 640 acres as in the Senate version of the bill.

(3) It repeals, as proposed in the House version, the 25-year limitation on reverters and thus makes effective in perpetuity other provisions of the basic law which forbid unauthorized transfers of the conveyed property or its conversion to unauthorized uses.

The language recommended by the committee of conference also omits the reference to Territories contained in the House-passed language, in view of the fact that, since

Alaska has become a State, there is no Territory of the United States to which the basic Act, which deals only with public domain and certain lands reserved therefrom is applicable.

WAYNE N. ASPINALL,
GRACIE PFOST,
J. T. RUTHERFORD,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on 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), and I ask that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. If these objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report was agreed to and a motion to reconsider was laid on the table.

SMALL BUSINESS ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 8599) to amend the Small Business Act, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That subsection 4(c) of the Small Business Act is amended—

"(1) by striking out '$900,000,000' in two places and inserting in lieu thereof '$975,000,000'; and

"(2) by striking out '$500,000,000' and inserting in lieu thereof '$575,000,000'.

"SEC. 2. Subsection 7(d) of the Small Business Act is amended by striking out the last sentence thereof: *Provided, however,* That nothing in this section shall prevent the use of the funds made to remain available for grants for research and management counseling during the fiscal year ending June 30, 1960, by title III of Public Law 86-88."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELATING TO SECURITY PROGRAM WITH RESPECT TO DEFENSE CONTRACTORS AND THEIR EMPLOYEES

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

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

There was no objection.

Mr. WALTER. Mr. Speaker, there has been scheduled under suspension of the rules H.R. 8121. I have just been informed that the matter involved in this bill will be treated with administratively, and therefore I wish to announce that there will be no motion to suspend the rules and pass the bill.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. GRANT submitted the following conference report and statement on the bill (H.R. 8609) 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.

CONFERENCE REPORT (H. REPT. NO. 1178)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8609) 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I—AMENDMENTS TO THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

"SEC. 1. Sections 109 and 204 of the Agricultural Trade Development and Assistance Act of 1954, as amended, are amended by striking out '1959' and substituting in lieu thereof '1961'.

"SEC. 2. Section 103(b) of such Act is amended, effective January 1, 1960, to read as follows:

"'(b) Agreements shall not be entered into under this title in any calendar year during the period beginning January 1, 1960, and ending December 31, 1961, which will call for appropriations to reimburse the Commodity Credit Corporation, pursuant to subsection (a) of this section, in amounts in excess of $1,500,000,000, plus any amount by which agreements entered into in the preceding calendar year have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such preceding year by this Act as in effect during such preceding year.'

"SEC. 3. Section 203 of such Act is amended, effective January 1, 1960, by striking out the first sentence and inserting in lieu thereof:

"'Not more than $300,000,000 (including the Corporation's investment in such commodities) plus any amount by which transfers made in the preceding calendar year have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than could have been expended during such preceding year under this title as in effect during such preceding year shall be expended in any calendar year during the period January 1, 1960, and ending December 31, 1961, for all such transfers and for other costs authorized by this title.'

"SEC. 4. Subsection (a) of section 104 of such Act is amended by inserting a period in lieu of the semicolon at the end thereof, and adding the following:

"'From sale proceeds and loan repayments under this title not less than the equivalent of 5 per centum of the total sales made under this title after the date of this amendment shall be made available in advance for use as provided by this subsection over such period of years as the Secretary of Agriculture determines will most effectively carry out the purpose of this subsection: *Provided,* That no such funds shall be allocated under this subsection after June 30, 1960, except as may be specified, from time to time, in appropriation acts. Particular regard shall be given to provide in sale and loan agreements for the convertibility of such amount of the proceeds thereof as may be needed to carry out the purpose of this subsection in those countries which are or offer reasonable potential of becoming dollar markets for United States agricultural commodities. Notwithstanding any other provision of law, if sufficient foreign currencies for carrying out the purpose of this subsection in such countries are not otherwise available, agreements may be entered into with such countries for the sale of surplus agricultural commodities in such amounts as the Secretary of Agriculture determines to be adequate and for the use of the proceeds to carry out the purpose of this subsection;'

"SEC. 5. Subsection (b) of section 104 of such Act is amended to read as follows:

"'(b) To purchase or contract to purchase, in such amounts as may be specified from time to time in appropriation acts, strategic or other materials for a supplemental United States stockpile of such materials as the President may determine from time to time. Such strategic or other materials acquired under this subsection shall be placed in the above named supplemental stockpile and shall be released therefrom only under the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act;'

"SEC. 6. Section 104(k) of such Act is amended by striking out the colon and inserting in lieu thereof a comma and the following: 'and to promote and support programs of medical and scientific research, cultural and educational development, health, nutrition, and sanitation;'.

"SEC. 7. Section 104(o) of such Act is amended by striking out so much thereof as follows the semicolon.

"SEC. 8. Section 104 of such Act is further amended by inserting after paragraph (o) the following new paragraphs:

"'(p) For supporting workshops in American studies or American educational techniques, and supporting chairs in American studies;

"'(q) For assistance to meet emergency or extraordinary relief requirements other than requirements for surplus food commodities: *Provided,* That not more than a total amount equivalent to $5,000,000 may be made available for this purpose during any fiscal year;

"'(r) For financing the preparation, distribution, and exhibiting of audio-visual informational and educational materials, including Government materials, abroad: *Provided,* That not more than a total amount equivalent to $2,500,000 may be made available for this purpose during any fiscal year, but nothing in this subsection shall limit or affect the use of foreign currencies to finance the preparation, distribution, or exhibition of such materials in connection with trade fairs and other market development activities under subsection (a);'.

"SEC. 9. Section 104 of such Act is further amended by inserting before the period at the end thereof a colon and the following: *'Provided, however,* That no foreign currencies shall be available for the purpose of subsection (p), except in such amounts as may be specified from time to time in appropriation Acts, and no foreign currencies shall be allocated under any provision of this Act after June 30, 1960, for the purposes

specified in subsections (k), (p), and (r), except in such amounts as may be specified from time to time in appropriation Acts'.

"SEC. 10. Section 305 of such Act is amended to read as follows:

"'SEC. 305. All Commodity Credit Corporation stocks donated abroad under title II of this Act and section 416 of the Agricultural Act of 1949, as amended, shall be clearly identified by appropriate marking on each package or container and insofar as practical in the language of the locality where such stocks are distributed as being furnished by the people of the United States of America and where available funds accruing under title I shall be used for this purpose.'

"SEC. 11. Title III of such Act is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) In order to promote the general welfare, raise the levels of health and of nourishment for persons whose incomes prevent them from enjoying adequate diets, and dispose in a beneficial manner of food commodities acquired by the Commodity Credit Corporation or the Department of Agriculture in carrying out price support operations or diverted from the normal channels of trade and commerce under section 32 of the Act of August 24, 1935, as amended, the Secretary of Agriculture (in this section referred to as the "Secretary") is hereby authorized to promulgate and put into operation a program to distribute to needy persons in the United States, including needy Indians, through a food stamp system such surplus food commodities. Such program shall provide for the distribution of such surplus food commodities only during the period beginning February 1, 1960, and ending January 31, 1962. The cost of such program, including the cost to the Federal Government of acquiring, storing, and handling such surplus food commodities, shall not exceed $250,000,000 in any twelve-month period beginning February 1 and ending January 31.

"'(b) In carrying out such program, the Secretary shall—

"'(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

"'(2) issue, or cause to be issued, pursuant to subsection (c), food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

"'(3) distribute surplus food in commercially packaged form, preferably through normal channels of trade;

"'(4) establish standards under which, pursuant to subsection (c), the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

"'(5) consult the Secretary of Health, Education, and Welfare, and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in subsection (a) of this section; and

"'(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this section.

"'(c) The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under subsection (b)(1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under subsection (b)(3).

"'(d) Receipt by any person of benefits under this section shall not be deemed to be income or resources under the provisions of the Social Security Act or any other Federal legislation pertaining to the security of the aged, blind, disabled, dependent children, unemployed, or other similar groups. Any State or local subdivision thereof which decreases the cash or other assistance extended to any person or group as a consequence of the assistance made available under this section shall be ineligible for further participation under this section.

"'(e) Surplus foods to be distributed under this section shall be limited to surplus foods acquired under the Agricultural Act of 1949 or diverted from the normal channels of trade under section 32 of Public Law 320, 74th Congress.

"'(f) For the purposes of this section, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

"'(g) The Secretary of Agriculture, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within six months after the date of enactment of this section, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this section to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this section.

"'(h) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this section.'

"SEC. 12. Title III of such Act is further amended by adding at the end thereof a new section as follows:

"'SEC. 307. Whenever the Secretary of Agriculture determines under section 106 of this Act that any food commodity is a surplus agricultural commodity, insofar as practicable he shall make such commodity available for distribution to needy families and persons in the United States in such quantities as he determines are reasonably necessary before such commodity is made available for sale for foreign currencies under title I of this Act.'

"SEC. 13. Title III of such Act is further amended by adding at the end thereof a new section as follows:

"'SEC. 308. Notwithstanding any other provision of law, the Commodity Credit Corporation is hereby authorized—

"'(1) to dispose of its stocks of animal fats and edible oils or products thereof by donation, upon such terms and conditions as the Secretary of Agriculture deems appropriate, to nonprofit voluntary agencies registered with the Department of State, appropriate agencies of the Federal Government or international organizations, for use in the assistance of needy persons outside the United States;

"'(2) to purchase for donation as provided above such quantities of animal fats and edible oils and the products thereof as the Secretary determines will tend to maintain the support level for cottonseed and soybeans without requiring the acquisition of such commodities under the price support program.

Commodity Credit Corporation may incur such additional costs with respect to commodities to be donated hereunder as it is authorized to incur with respect to food commodities disposed of under section 416 of the Agricultural Act of 1949, and may pay ocean freight charges from United States ports to designated ports of entry abroad.'

"SEC. 14. Such Act is further amended by adding thereto the following new title:

"'TITLE IV—LONG-TERM SUPPLY CONTRACTS

"'SEC. 401. The purpose of this title is to utilize surplus agricultural commodities and the products thereof produced in the United States to assist the economic development of friendly nations by providing long-term credit for purchases of surplus agricultural commodities for domestic consumption during periods of economic development so that the resources and manpower of such nations may be utilized more effectively for industrial and other domestic economic development without jeopardizing meanwhile adequate supplies of agricultural commodities for domestic use.

"'SEC. 402. In furtherance of this purpose, the President is authorized to enter into agreements with friendly nations under which the United States shall undertake to provide for delivery annually of certain quantities of such surplus agricultural commodities for periods of not to exceed ten years, pursuant to the terms and conditions set out in this title, providing such commodities are in surplus at the time delivery is to be made.

"'SEC. 403. Payment for such commodities shall be in dollars with interest at such rate as the Secretary may determine but not more than the cost of the funds to the United States Treasury as determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States having maturity comparable to the maturities of loans made by the President under this section. Payment may be made in approximately equal annual amounts over periods of not to exceed twenty years from the date of the last delivery of commodities in each calendar year under the agreement and interest shall be computed from the date of such last delivery.

"'SEC. 404. In carrying out the provisions of this title, the Secretary of Agriculture shall endeavor to maximize the sale of United States agricultural commodities taking such reasonable precautions as he determines necessary to avoid replacing any sales which the Secretary finds and determines would otherwise be made for cash dollars.

"'SEC. 405. In entering into such agreements, the Secretary shall endeavor to reach agreement with other exporting nations of such commodities for their participation in the supply and assistance program herein authorized on a proportionate and equitable basis.

"'SEC. 406. In carrying out this title, the provisions of sections 102, 103(a), 106, 107, and 108 of this Act shall be applicable to the extent not inconsistent with this title.'

"TITLE II—MISCELLANEOUS

"SEC. 201. (a) In order to insure the nutritional value of cornmeal, grits, and white flour when such foods are made available for distribution under section 416(3) of the Agricultural Act of 1949 or for distribution to schools under the National School Lunch Act or any other Act, such foods shall be enriched so as to meet the standards for enriched cornmeal, enriched corn grits, or enriched flour, as the case may be, prescribed in regulations promulgated under the Federal Food, Drug, and Cosmetic Act; and in order to protect the nutritional value and sanitary quality of such enriched foods during transportation and storage such foods shall be packaged in sanitary

containers. For convenience and ease in handling, the weight of any sanitary container when filled shall not exceed fifty pounds.

"(b) The term 'sanitary container' means any container of such material and construction as (1) will not permit the infiltration of foreign matter into the contents of such container under ordinary conditions of shipping and handling, and (2) will not, for a period of at least one year, disintegrate so as to contaminate the contents of the container, necessitating the washing of the contents prior to use.

"SEC. 202. In lieu of the limitation on annual payment rates for 1960 conservation reserve contracts prescribed in clause (2) of the sixth proviso under the head 'Conservation Reserve' in Public Law 86-80, no such annual payment rate shall be established in excess of 20 per centum of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographical location thereof; but in no event shall such annual payment rate be established in excess of the maximum rate which the county committee determines would have been established for such land under the 1959 Conservation Reserve Program, except that the county committee in making such determination shall not be required to obtain the landowner's or operator's estimate as to value or his certificate as to production history and productivity.

"SEC. 203. Section 347(b) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end thereof and inserting a colon and the following: *'Provided, however,* That the national marketing quota for the 1960 crop of such cotton shall be not less than 90 per centum of the 1959 marketing quota for such cotton.'

"SEC. 204. Section 206(a) of the Agricultural Act of 1956 is amended by inserting before the period at the end thereof a comma and the following: 'or to meet requirements of Government agencies'."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

GEORGE M. GRANT,
E. C. GATHINGS,
CARL ALBERT,
CLARK W. THOMPSON,
CHARLES B. HOEVEN,
PAGE BELCHER,
CLIFFORD G. MCINTIRE,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
HUBERT H. HUMPHREY,
GEORGE D. AIKEN,
MILTON R. YOUNG,
BOURKE B. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8609) 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 disposal through barter, 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:

The Senate amendment struck out all after the enacting clause of H.R. 8609 and substituted new language. The House bill contained numerous provisions not included in the Senate amendment and the Senate amendment contained numerous provisions new to the House bill. In lieu of the Senate amendment, the conferees have agreed upon an amendment combining many of the provisions of both bills. Following are the substantive differences between the conference bill herewith reported and H.R. 8609 as it passed the House.

EXTENSION OF PUBLIC LAW 480

The House bill extended titles I and II of the act for 1 year (from December 31, 1959) with an additional authorization of $1.5 billion for title I and $300 million for title II. The Senate amendment extended both titles for 3 years with additional authorizations at the same rate per year as provided in the House bill. The conferees have compromised on a 2-year extension of titles I and II with increased authorizations at the rate provided in both the House bill and the Senate amendment—$1.5 billion per year for title I and $300 million per year for title II.

FOOD STAMP PLAN

The provisions relating to distribution of surplus foods in the United States through a food stamp plan follow generally the language of the House bill, with the following substantive changes:

(1) Duration of the authority is limited to 2 years starting February 1, 1960; (2) foods to be distributed are clearly limited to surplus foods acquired under the Agricultural Act of 1949 or diverted from normal channels of trade under section 32 of Public Law 320, 74th Congress; (3) the maximum which may be spent in any 12-month period is placed at $250 million, based on the cost to the Federal Government of acquiring, storing, and handling such food; (4) adopted Senate language providing that receipt by any person of benefits under the program should not be deemed income or resources under the provisions of the Social Security Act or related Federal legislation and providing that any State or local subdivision thereof which decreases the cash or other assistance extended to any person because of assistance under the food stamp program should not be eligible for further participation in such program.

The conferees note that although the language of the amendment agreed upon is permissive, as in the House bill, legislation authorizing and directing food stamp programs was passed by the Senate. It is the expectation of the conferees that the Secretary, at his discretion, will undertake such a program along the lines laid down in the conference report.

In making regulations the Secretary should include the Bureau of Indian Affairs and/or tribal councils designated by the Bureau of Indian Affairs as "welfare agencies" as he has done in the past with respect to the Department of Agriculture's program of donation of food commodities for relief purposes.

USE OF FOREIGN CURRENCIES FOR RELIEF PURPOSES

Section 7 of the House bill provided that not to exceed $2 million in local currencies might be used each year in each country for emergency relief requirements. The Senate amendment contained a similar provision but limited the total amount to $2 million of foreign currencies per year. The conference substitute has amended this provision to permit up to $5 million of foreign currencies to be spent each year for this purpose.

LONG TERM SUPPLY CONTRACTS

The conference substitute retains the House provision authorizing long term supply contracts to be entered into on dollar credit. It adopted a clarifying amendment to make it clear that the supply contracts are to relate only to surplus commodities. In agreeing to retain this provision, the conferees note that it is not the intent of section 405 of this new title to require continuing consultation with other countries on the program, but merely to give other interested countries an opportunity to enter into a participating agreement, if they so desire. For example, the conferees are aware that negotiations are now going on with other countries under the Food for Peace Program and assume that this new program will be discussed with them at an early date as part of these negotiations.

HOUSE PROVISIONS RETAINED

The following provisions of the House bill are retained in the conference substitute without any change other than perfecting or clarifying amendment:

Section 3 requiring the earmarking of 5 percent of foreign currencies accuring under title I for market development purposes.

Section 4 authorizing purchase with foreign currency of materials other than those required for the national stockpile.

Section 13 requiring that insofar as practical surplus commodities donated abroad shall be marked in the language of the locality where they are distributed as being furnished by the people of the United States.

Section 16 providing that materials currently required by the Department of Defense, the Atomic Energy Commission, and other Government agencies may be acquired through barter.

Section 17 providing that the national marketing quota for the 1960 crop of long staple cotton shall not be less than 90 percent of the 1959 marketing quota.

ELIMINATED FROM HOUSE BILL

The substitute amendment herewith reported does not contain the following provisions which were in the bill as passed by the House:

Section 5 providing that payments received from loans made under the Cooley amendment would be retained by the Export-Import Bank for the making of additional such loans.

Section 6 requiring that loans of foreign currencies made to foreign countries for economic development should have a "maintenance of value" provision requiring repayment in foreign currencies equivalent to the dollar value of the payment at the time each payment is made.

Section 8 authorizing the establishment in foreign countries of food reserves under the authority of title I of Public Law 480.

Section 9 authorizing the donation of surplus agricultural commodities under title II of the act "in order to promote economic development" in underdeveloped areas.

Section 10 authorizing the payment of "charges for general average contributions" out of foreign currencies accruing under title I.

Section 12, providing that the Secretary should permit and encourage barter for materials processed in the United States if the agricultural commodities to be bartered for such materials are exported to friendly foreign countries.

Section 18 providing that this act might be cited as the "Food for Peace Act of 1959."

PROVISIONS ADDED TO HOUSE BILL

The following substantive provisions of the conference substitute did not appear in the bill as passed by the House:

Specifically provides for the use of foreign currencies for (a) programs of medical and scientific research and development, (b) workshops in American studies or American educational techniques and supporting chairs in American studies (these two are not new uses but are specific restatement of authority existing in the act) and (c) for the preparation, distribution, and exhibiting of audiovisual informational and educational material up to $2.5 million per year; and provides that the appropriating process shall apply to all of the local currency uses so designated.

A provision that whenever the Secretary of Agriculture determines that any food commodity is a surplus commodity for purposes of sale under title I of the act, he shall, insofar as practicable, make such commodity available for domestic relief distribution. The phrase "insofar as practicable" would give the Secretary latitude to sell for foreign currencies without making commodities available for relief distribution in the United States in certain circumstances. For example, where the quantity involved is insufficient for effective distribution to needy families in the United States, where the perishable nature of the commodity makes such distribution impractical, or where it is desirable to sell a limited quantity for market development purposes.

A provision authorizing disposition of CCC stocks of animal fats and edible oils (or products) for use in assistance of needy persons outside the United States. The section also authorizes such purchase of such fats, oils, and products as will tend to maintain the support level for cottonseed and soybeans.

A section which requires that cornmeal, grits, and white flour distributed under section 416(3) of the Agricultural Act of 1949, or to schools, be enriched and packaged in sanitary containers not exceeding 50 pounds each.

A section providing, in essence, for the same limitation on rental payments for contracts entered into in the 1960 conservation reserve program as applied in 1959, i.e., 20 percent of the value of the land without regard to improvements or location. This would replace the limitation prescribed for 1960 contracts by the 1960 Agriculture Appropriation Act, i.e., the fair rental value based on past 5-year crop production. The section also provides that the 1960 payment rate cannot exceed what would have been established for 1959.

GEORGE M. GRANT,
E. C. GATHINGS,
CARL ALBERT,
CLARK W. THOMPSON,
CHARLES B. HOEVEN,
PAGE BELCHER,
CLIFFORD G. MCINTIRE,
Managers on the Part of the House.

Mr. GRANT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 8609) 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.

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

There was no objection.

Mr. GRANT. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

Mr. HOEVEN. 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 Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, the House and Senate conferees have agreed on H.R. 8609 which extends Public Law 480. This is a very complex and lengthy bill which I will briefly review at this time and make a few appropriate comments.

The first major provision is the time of extension. The conferees have agreed on a 2-year extension of both titles I and II. Title I calls for an authorized expenditure of $1.5 billion per year whereas title II calls for an increased authorization of $300 million per year. The Senate bill called for a 3-year extension and the House bill a 1-year extension, therefore, the conferees compromised on 2 years. The conferees have also agreed on a permissive 2-year food stamp plan and I emphasize at this point that the plan authorized by the bill is strictly permissive. There is no requirement whatsoever that it be put into operation. The food-stamp program is limited to surplus commodities actually acquired by the Commodity Credit Corporation through its price support operations or commodities acquired by direct purchases through section 32 of the act of August 24, 1935. The overall maximum money authorization for $250 million which covers the cost of surplus food, all administrative expenses and all distribution costs. The plan is only temporary in nature and can extend for a 2-year period commencing February 1, 1960, and expiring January 31, 1962.

One of the more important features of the House bill was retained when section 104(a) of the act was amended to place increased emphasis on the development of markets for U.S. agricultural commodities abroad. This section of the bill earmarks at least 5 percent of the foreign currencies accumulated under Public Law 480 for this worthwhile purpose, subject to subsequent appropriation acts beginning June 30, 1960.

A new use for the title I foreign currencies is provided by allowing up to $5 million per year of foreign currencies to meet emergency nonfood relief requirements in foreign nations for such things as blankets, shoes, or general relief.

Another new use allows the purchase of nonstrategic and noncritical materials for the supplemental stockpile. This provision is the so-called gas mask amendment which would authorize OCDM to purchase such defense items as necessary.

Another new use allows up to $2½ million per year of foreign currencies to be spent for audio informational materials. This would be subject to subsequent appropriation acts but would not be included in the limitation pertaining to such materials for market development under section 104(a).

The bill also provides a new sentence in section 104(k) which authorizes the use of foreign currencies for research, cultural and educational development, health, nutrition, and sanitation. This use is already authorized under section 104(e), but the conference provision would make it subject to subsequent appropriation acts under section 104(k).

The conferees have adopted a provision which authorizes on a permissive basis the President to enter into long-term commitments—up to 10 years—for the sale of U.S. surplus agricultural commodities in dollars to foreign nations. The law authorizes loans over a period of 20 years in accepting the long-term credit program. The conferees again refrained from adopting language that could possibly be construed to require the Secretary of Agriculture to institute such a program.

Other provisions included in the conference bill are as follows:

First. A requirement that, insofar as practicable, agricultural commodities which are donated overseas under Public Law 480 be labeled in the language of the locality to which they are sent.

Second. A requirement that cornmeal, grits, and white flour distributed to schools be enriched and packaged in sanitary containers which weigh less than 50 pounds.

Third. Permission for the Commodity Credit Corporation to barter for strategic or critical materials to meet the requirements of Government agencies. This is not a change in the barter provisions of Public Law 430 but merely a very minor change to the 1956 Agricultural Act.

Fourth. A provision authorizing the disposition of CCC stocks of animal fats, edible oils for use in assistance of needy persons outside the United States, and the authorization to purchase such fats, oils, and production as will help to maintain the support level for cottonseed and soybeans.

Fifth. A provision to give priority to needy people in the United States over foreign sales and donations under Public Law 480, insofar as practicable.

Sixth. A provision to clarify language in this year's appropriation act dealing with the conservation reserve of the soil bank.

Seventh. A provision to prevent the 1960 national marketing quota for extra long staple cotton from going below 90 percent of what that quota was in 1959.

BRIEF SUMMARY OF CONFERENCE BILL ON EXTENSION OF PUBLIC LAW 480

On September 10, 1959, the House and Senate conferees agreed on H.R. 8609 by Mr. COOLEY, "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." The main provisions of the conference bill are as follows:

First. Extends title I for 2 years to December 31, 1961, with an increased authorization of $1.5 billion per year.

Second. Extends title II for 2 years to December 31, 1961, with an increased authorization of $300 million per year.

Third. Places increased emphasis on developing markets for U.S. agricultural products by earmarking, subject to subsequent appropriations, at least 5 percent of the foreign currencies for this purpose.

Fourth. Requires that, as far as practicable agricultural commodities donated abroad under the act be labeled in the language of the locality to which they are sent.

Fifth. Provides up to $5 million per year of foreign currencies to meet emergency nonfood relief requirements—

other than requirements for surplus foods—in foreign nations.

Sixth. Authorizes the President to enter into long-term commitments—up to 10 years—for the sale of U.S. surpluses in dollars to foreign nations. Loans will be repaid over a period of 20 years at an interest rate not more than the current cost of money to the U.S. Treasury.

Seventh. Authorizes the establishment of a permissive 2-year food stamp plan for the distribution of $250 million worth of surplus food per year to needy people in the United States.

Eighth. Authorizes the use of title I foreign currencies to purchase nonstrategic and noncritical materials for the supplemental stockpile.

Ninth. Permits Commodity Credit Corporation to barter for strategic or critical materials to meet requirements of Government agencies.

Tenth. Provides that 1960 extra long staple cotton marketing quota cannot be less than 90 percent of 1959 quota.

Eleventh. Enrichment and sanitary packaging of donated cereals: Requires cornmeal, grits, and white flour distributed under section 416(3) of the Agricultural Act of 1949, or to schools, to be enriched and packaged in sanitary containers not exceeding 50 pounds.

Twelfth. For the conservation reserve of the soil bank the bill provides for the same limitation on rental payments for contracts entered into in 1960 as applied in 1959, that is, 20 percent of the value of the land determined without regard to improvements or location. This would replace the limitation prescribed for 1960 contracts by the 1960 appropriation act, that is, the fair rental value based on past 5-year crop production. The bill also provides that the 1960 payment rate cannot exceed what would have been established for 1959.

Thirteenth. Domestic relief: Insofar as practical the bill gives use of surplus food for reasonable necessary domestic relief priority over title I sales.

Fourteenth. Provides for use of title I foreign currencies for research, cultural and educational development, health, nutrition, and sanitation, subject to subsequent appropriation acts.

Fifteenth. Provides a new section 104(p) to carry material formerly included in section 104(o) and provides for use of title I foreign currencies for audio-informational materials up to $2½ million per year subject to subsequent appropriation acts.

Sixteenth. Authorizes disposition of CCC stocks of animal fats and edible oils—or products—for use in assistance of needy persons outside the United States. Authorizes such purchase of such fats, oils, and products as will help to maintain the support level for cottonseed and soybeans.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. WALTER. 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 Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I wish to congratulate the members of the conference committee on their splendid work done in connection with the amendments to the bill extending the 1954 Agricultural Trade Development and Assistance Act.

Those of us who are interested in relieving the constant pressure on our immigration quotas by directing certain categories if immigrants to Latin America for agricultural settlement are particularly gratified by the fact that this legislation will permit the use of certain local currencies, pursuant to section 104(g), for the development of agricultural colonies which have been established in several countries of Latin America. The availability of such funds has been ascertained through an exchange of correspondence which I had with the then Acting Secretary of State, Mr. C. Douglas Dillon. I have included this correspondence in the CONGRESSIONAL RECORD of July 22, 1959, and it appears on page 14008 of that RECORD.

The enactment of this legislation will certainly be noted by those governments of Latin American countries which may benefit from the use of counterpart funds, and I sincerely hope that the governments affected will work out the necessary projects in such form as to permit the assignment of priorities to the financing of land settlements for foreign and native migrants. There is no doubt in my mind that in so doing the governments will serve their own best interests and that the letter and the spirit of this proposed law will be carried out through the cooperation of our own Government with the recipients of the benefits.

The Intergovernmental Committee for European Migration stands ready to assist the governments of Latin America in the preparation of the appropriate plans and projects. One of them, the agricultural colony established by Dutch immigrants in Brazil, the settlement known as Holambra, deserves immediate and most careful consideration.

Mr. GRANT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 8609.

WILL THE SECRETARY OF AGRICULTURE NOW CARRY OUT THE WILL OF CONGRESS AND START A FOOD STAMP PROGRAM?

Mrs. SULLIVAN. Mr. Speaker, the conference report on H.R. 8609 makes several changes in the wording of the food stamp plan adopted by the House, but as the author of the amendment which has now added such a program to the Agricultural Trade Development and Assistance Act of 1954, I am by no means too unhappy about the changes, that is, if they merely mean what I have been informed they mean. I personally think that with the exception of the dollar limitation in the bill, reduced from $1 billion a year to $250 million a year, there is no change of any real substance. Of course, if a careful reading of the language of the bill should show otherwise, I will have to take that back, but since the bill is not yet printed and copies are not available for careful study, I am accepting the committee reassurances on that score.

Now the question is: will the Secretary of Agriculture make use of the machinery provided in the bill to institute a food stamp plan as a more effective means of distributing surplus food to the provably needy in this country? I am well aware of Mr. Benson's antipathy to the whole idea, on the grounds that it will cost the Department of Agriculture—but not the American people as taxpayers—a little more money, perhaps, to use the regular stores as a means of distribution rather than the "dump" method now in operation. At present, the program consists of unloading carloads of flour, rice, cornmeal, and dried skim milk onto those localities willing to undertake the difficult and expensive task of setting up warehouse depots and storing and then distributing the few surplus commodities now included.

GROUPS WHICH SHOULD DEMAND ACTION

As originally introduced in 1954 and in every Congress since then, my food stamp bill not only authorized, but also directed, the Secretary of Agriculture to institute a food stamp plan for the distribution of surplus food to America's needy. The bill now before us in final form merely authorizes, but does not direct. I am sorry that such a concession had to be made in order to have the program enacted. But I am not at all willing to concede that by merely authorizing rather than directing, we are making a futile gesture in view of the Secretary's well-known opposition to the whole idea.

My reason for saying so is this: every city in the Nation now participating in the present limited food distribution program to the needy has had so much agonizing experience under this program—so much unnecessary redtape and expense and so much disappointment over the limited variety of foods available for distribution—that I am sure the citizens of our metropolitan areas, and the newspapers in those areas, will insist in every way they can make their views heard that the Secretary now proceed to set up a food stamp plan.

And the hard-pressed farmers experiencing periodic overabundance of perishable commodities which are not included under price support operations, will now have every right to insist that the Secretary use his existing section 32 authority, and the customs receipts he receives from the Treasury for that purpose, to buy up and divert from the market more fresh foods, since he will have a ready-made outlet for such items under the food stamp plan. At present, he is grudgingly using only a part of his section 32 money to buy up only those perishable surplus items which can be disposed of through the school lunch program. As a result, the broiler industry, the egg producers, the truck farmers and others have not really been helped as they should be during recent crisis in overproduction by

the huge section 32 fund the Secretary of Agriculture controls. That fund now totals over $500 million available for this year. If he continues to use it as he has in the past, hundreds of millions of this money, diverted from customs receipts to help both the farmer and our needy, would again revert to the Treasury each year, rather than be used for the purposes Congress has always intended ever since the section 32 program was enacted in 1934.

NOW UP TO PUBLIC OPINION

Mr. Speaker, I am not going to take up the RECORD with a reiteration of all of the arguments in favor of use of a food stamp plan to enlist the cooperation of the Nation's grocery stores to help distribute surplus foods of all kinds to the needy. But I do think it important to point out that all of the people and groups and interests directly involved—the cities now attempting to distribute surplus food, the grocery stores now being bypassed in surplus food distribution, the needy now receiving such a distressingly inadequate variety of surplus foods in a distressingly cumbersome once-a-month distribution program, the farmers not now deriving full benefits from section 32 funds and authority, the taxpayers of this country who see us spending billions to give away Government-owned food overseas while doing so little to help our own needy with adequate supplies and varieties of surplus food—all of these people have a right and a duty to insist that the Secretary of Agriculture, despite his prejudices in the matter, use the authority in this bill to institute a food stamp plan.

If the public is not going to press for intelligent use of Government-owned food in a way which will help our needy most effectively, then passing this law would indeed be a futile gesture. But I am sure that now that Congress has provided the useful and intelligent machinery needed, the public will insist it be used by the bureaucrats in charge, regardless of their own preconceived ideas and past obstructionism.

THE LATE JUDGE THOMAS H. DOWD

Mr. McCORMACK. 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 Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, one of the truly great Americans for many years, and one of the outstanding sons of the Commonwealth of Massachusetts for decades, is the late Judge Thomas H. Dowd, who died on September 5, 1959. For 44 years he served as a judge of the superior court of the Commonwealth of Massachusetts, longest period of continuous service in the history of Massachusetts.

Judge Dowd was a man of boundless energies. As he said a year or so ago, "I have never been idle." He retired from the superior court last October and he had not missed a day in over 40 years. Born in Worcester, Mass., Judge Dowd worked his way through Holy Cross College by acting as a principal of a night school. He graduated cum laude in 1897. He was one of the most eloquent talkers of the country. He was called "the wild Irish orator" when he stumped the country in his younger days to win freedom for Ireland. After graduating from Holy Cross College, Judge Dowd entered Boston University law school and completed the 3-year course in 1 year, graduating with honors in 1896. He was admitted to practice law in Massachusetts in 1897. Prior to his appointment to the superior court, and in 1901 in a strong Republican district, he was the Democratic candidate for State senate, and won. That was his first vote in Boston, and as he said, "The first vote I ever cast in the Boston election was for myself, and I won." Judge Dowd later served as a member of the Boston Board of Aldermen before returning to his law practice in Boston.

In 1914 he was appointed justice of the Boston municipal court by the late Senator David I. Walsh, who was then Governor of Massachusetts. He served on the municipal bench from 1914 to 1934, when he was appointed to the superior court bench by the late Governor James Michael Curley.

Judge Dowd was a tower of strength to the Massachusetts judiciary. His years of service on the municipal court bench and the superior court bench, and his judicious manner, will be long remembered among the judges and the lawyers of Massachusetts. A man of strong convictions, he was possessed of a very fine differentiating judicial mind. He was also a man of deep religious faith. Judge Dowd was a great American.

I extend to his son my deep sympathy in his great loss and sorrow.

CERTAIN PROCEDURE FOR THE BALANCE OF THIS SESSION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it shall be in order during the remainder of this session of Congress to consider conference reports the same day reported, notwithstanding the provisions of clause 2 of rule XXVIII; that reports from the Committee on Rules may be considered at any time, notwithstanding the provisions of clause 22 of rule XI; for the Speaker to declare recesses subject to the call of the Chair; and for the Speaker to recognize Members to move to suspend the rules, notwithstanding the provisions of clause 1, rule XXVII.

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

Mr. HALLECK. Mr. Speaker, reserving the right to object—and I shall not object—these matters were all cleared with me. They are the customary procedures that are adopted when we come up to the close of the session. It is understood, of course, that any suspensions of the rules would be agreed to by me as the minority leader before they are put on. Again may I say that I shall consult with the other leaders on my side and with the members of the committee involved before any suspensions are agreed to.

Mr. Speaker, as far as I am concerned I sincerely hope we can wind up this session of Congress tomorrow night. Possibly that cannot be done. But certainly it should be done not later than Monday of next week. So, as far as I am concerned, I shall go along with these requests because, if I were the majority leader, under similar circumstances I would make the same requests, and I am quite sure that the gentleman from Massachusetts [Mr. McCORMACK], if he were the minority leader, would agree to such requests as I shall agree to these.

Mr. Speaker, I withdraw by reservation of objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, that was a rather involved and extensive request that the distinguished Majority Leader made. I listened carefully but I do not know exactly what it all means.

Mr. McCORMACK. Not involved, but comprehensive.

Mr. GROSS. I still say rather involved. I, for one in the House, do not know what, specifically, is contained in the request. It is not my disposition to prolong this session of Congress one minute longer than is necessary to properly dispose of necessary legislation. I do want to know what is going on and how these things are being done.

Mr. Speaker, I would like to look at the request the gentleman has made in the House and therefore I suggest at this time that the gentleman withhold his request for unanimous consent and renew it, perhaps a little later this afternoon. I would like to know specifically what is involved.

Mr. McCORMACK. Suppose we take them up one-by-one.

Mr. GROSS. Very well.

Mr. McCORMACK. The first one is to consider conference reports the same day reported, notwithstanding the provisions of clause 2 of rule XXVIII. Does the gentleman have any objection to that?

Mr. GROSS. I might, but under the circumstances I could go along with that.

Mr. McCORMACK. The next is that reports from the Committee on Rules may be considered at any time, notwithstanding the rule which I mentioned earlier. That is the substance of that request; that is, that reports from the Committee on Rules may be considered at any time instead of having to lie over 24 hours.

Mr. GROSS. Does the gentleman anticipate that the Committee on Rules will be asked to report out additional rules?

Mr. McCORMACK. I know of none, but this is just a precautionary action.

Mr. GROSS. And that is all?

Mr. McCORMACK. No; I am taking them up one at a time. The next request is for the Speaker to have authority to declare recesses subject to the call of the Chair, and for the Speaker to recognize Members to move to suspend the rules.

Mr. GROSS. That would be for next week. There is already that authority now, but the gentleman wants to extend it to next week?

Mr. McCORMACK. This would be for next week, if Congress is in session. I hope we will adjourn tomorrow night. We have finished our business.

Mr. GROSS. Does the gentleman anticipate, if the session goes into next week, that he will have further bills under suspension of the rules?

Mr. McCORMACK. There might be, but I know of none.

Mr. GROSS. But the gentleman has no program, no bills in mind now?

Mr. McCORMACK. I have no program. As the gentleman knows, on any legislation initiated in the House, I have given my word that it will be announced the day before. I have nothing now of that nature to announce for next week. The purpose of this is, in the event some House bill came from the Senate with an amendment, and a request was made to take it from the Speaker's desk and concur, that would be by unanimous consent. If there were objection then it would be proper at that time to move to suspend the rules. Or, if they wanted to send a bill to conference, have a quick conference, and someone objected, then they could move to suspend the rules.

Mr. GROSS. These are all the unanimous consent requests you have propounded?

Mr. McCORMACK. That is everything.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

HAROLD WILLIAM ABBOTT

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8277) for the relief of Harold William Abbott and others, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 10, strike out "Smith" and insert "Smirch".

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SYLVESTER L. GARDNER

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7225) for the relief of Sylvester L. Gardner, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 17, strike out "in excess of 10 per centum thereof".

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

STATE OF OKLAHOMA

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7605) for the relief of the State of Oklahoma, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, strike out "1951" and insert "1941".

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MRS. ELBA HAVERSTICK CASH

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1434) for the relief of Mrs. Elba Haverstick Cash, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "$21,700" and insert "$5,000".

Page 2, strike out lines 14 to 17, inclusive, and insert:

"SEC. 2. The enactment of this Act shall not in any way terminate or affect the pension payments to Mrs. Elba Haverstick Cash as authorized by the provisions of section 31 of the Act of March 28, 1934 (48 Stat. 526; 38 U.S.C. 501a)."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MRS. MARY D'AGOSTINO

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1387) for the relief of Mrs. Mary D'Agostino, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "The Administrator of Veterans' Affairs is authorized and directed to consider the claim heretofore filed by Mrs. Mary D'Agostino, mother of Michael R. D'Agostino, XC-2943574, under section 602(d)(2) of the National Service Life Insurance Act of 1940, to have been filed within the time specified in section 602(d)(5) of that Act, and to adjudicate such claim under that Act, notwithstanding its repeal.

"SEC. 2. In considering such claim, the line-of-duty status of the death of Michael R. D'Agostino shall be determined under the criteria set forth in section 105, title 38, United States Code."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MINING AND MINERALS INDUSTRY

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

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

There was no objection.

Mr. ASPINALL. Mr. Speaker, under leave to extend my remarks at this point, I wish to express my sincere appreciation at yesterday's concurrence of the other body in House Concurrent Resolution 177, of which I am the author. House Concurrent Resolution 177 is a result of studies made in the Committee on Interior and Insular Affairs, and it is identical to measures sponsored by seven other members of the committee. It expresses the sense of Congress that it is in the national interest to foster and encourage the maintenance of a sound and stable domestic mining and minerals industry, without critical dependence on foreign sources. It requests the President to have reviews made at once of existing agency programs so as to use them more effectively to increase production of metals and minerals and increase employment in critically depressed mining and mineral industries of the country.

I am confident that the President will speedily initiate the reviews and studies that will be necessary, and that readjustments of programs and policies will be forthcoming in line with the expressed policy of Congress.

Any legislative proposals or reorganization plans that may be needed should be timed to coincide with the beginning of the 2d session of the 86th Congress. It is my hope that at that time the various mining and mineral relief measures pending before several committees will receive prompt and thorough consideration.

The lead, zinc, and fluorspar industries of the country have welcomed the announcement of the Tariff Commission that public hearings will be held on a general study of the status of those important industries. The reports, as requested by Senate Resolutions 162 and 163, will include specific findings with regard to the condition of the lead, zinc, and fluorspar mining industries, and as to what additional import restrictions need to be imposed. The extensive hearings held by the Subcommittee on Mines and Mining, and the comprehensive report issued on House Concurrent Resolution 177 by the Committee on Interior and Insular Affairs, undoubtedly played an important part in causing the initiation of the Tariff Commission studies.

I am sure that the Members of Congress are aware of the precarious state

of important segments of our domestic mining and mineral industries. As a result of foreign policies, over which the Congress has been able to exercise little control, our once great mining industries in certain regions and areas have gone from bad to worse. In the industries and communities, and among the workers and their families affected, a real emergency exists.

The existence of an emergency in some mining and mineral industries is not overcome by the fact that there is a prosperous condition in other industries.

The present quota restrictions on imports of lead and zinc have been severely criticized by the domestic lead and zinc mining industries for some time. The quotas have now been denounced by six major lead and zinc smelter companies. They contend that in the 11 months since the quotas were imposed by the President, the effect has been to cause a major dislocation of lead and zinc raw material supplies. They recommend that the quotas be replaced as soon as possible by increases in the appropriate custom duties, without inhibiting the long-range growth in consumption of these metals, and without shutting out needed supplementary foreign supplies.

It is unfortunate that the Department of the Interior, in its recent report to the Senate Committee on Interior and Insular Affairs on House Concurrent Resolution 177 and a similar measure in the other body, misinterpreted the purpose of the resolution as being one of making this country 100 percent self-sufficient in metals and minerals. This is clearly not the case.

The resolution states, on this point, that the maintenance and development of a sound and stable domestic mining and minerals industry, without critical dependence upon foreign sources, is essential to national security and the welfare of the consuming public. The resolution does not seek total self-sufficiency of raw materials but seeks the avoidance of critical dependence upon foreign sources.

During the consideration of this resolution, there has been some discussion of the extent to which Government might reasonably go in assisting in the increased production and employment in the mining industry. The resolution establishes as a goal that the programs of executive agencies be used more effectively, under existing authorizations, to provide for increased production and employment in the critically depressed domestic industries. None of the requested reviews or studies would be aimed at exceeding any authorization now held by a department or agency of the executive branch. None of the requested reviews or studies would be aimed at increasing production or employment beyond a prudent economic limit, in consideration of the public interest.

It is noteworthy that the report of the Department of the Interior on House Concurrent Resolution 177 expressed a willingness to comply with any request made by the Congress for the submission of reports with respect to the Department's plans in the minerals field, in response to such a resolution. I am confident that the Department, in cooperation with other departments and agencies, will quickly respond and make the reviews and studies necessary to carry out the objectives of this resolution.

Mr. Speaker, I commend my colleagues in both Houses of Congress, and all of those in the mining and mineral industries, in labor, in Government, and elsewhere, who have participated with me in the presentation and the adoption of this resolution. I trust the reviews and studies to be made by the departments and agencies concerned will produce constructive results and will make the situation clearly understandable to the Congress and to the American people.

A word of recognition is due to the American Mining Congress, the National Coal Policy Conference, the State mining associations, the labor organizations, the community organizations, and the other individuals and organizations who gave so freely of their time and efforts in developing the background material for this resolution. The report developed by the Committee on Interior and Insular Affairs from these materials, issued as House Report No. 708, has been described by the editor of Pay Dirt, a publication devoted to the interests of Arizona small mine operators, as one of the best and most compact rundowns on the domestic mining industry presented in recent years.

It is fortunate that the Western Governor's Conference, through its Minerals Advisory Council, has developed recommendations on mining policy to be considered by the Governors this month. The American Mining Congress is to be congratulated in arranging a fine agenda for its annual metal mining convention at Denver, September 14–17, at which problems of the mining industry including national minerals policies and public land policies will be considered. The results of these deliberations will be most helpful when Congress again faces problems of mines and mining during the next session.

LET US GIVE THE CONSUMER AN EVEN BREAK BY LABELING SHOES

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

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

There was no objection.

Mr. PORTER. Mr. Speaker, on January 7, 1959, I introduced legislation which if enacted would be known as the Shoe Labeling Act. The number of that bill is H.R. 1320. It has caused quite a stir in the shoe industry. I am bringing H.R. 1320 to the attention of this House today because I believe the American consumer has quite an interest in his dollar or her dollar.

We like to buy dependable goods. We do not like shoddy workmanship. We do not like to be fooled. Sometimes we are. Sometimes a little bit of fooling can be defended. I do not think it is defensible when it interferes with our economy, our health and well being and our hard-earned bank accounts.

Let no one believe that this sort of legislation has only one or two supporters as opposed to thousands of opponents. This simply is a fabrication built on the last of a shoe manufacturer for reasons unknown to millions of consumers.

Why not label shoes? Too costly? Too much trouble? Unnecessary?

Nonsense. We have passed legislation in previous Congresses which label wool products, fur products, and textile fiber products. In fact, Mr. Speaker, my bill is modeled after these acts, particularly the Fur Products Labeling Act. Many of the provisions common to such legislation are found in this bill.

EXAMPLES OF POORLY MADE SHOES

I have in my office storeroom samples of shoes which have paper fiber insoles and heels; shoes which cost the American consumer hard-earned dollars; shoes which wore poorly and not only were a bad pocketbook buy but a bad foot buy. We have only two feet. They get lots of use.

I introduced my shoe labeling bill after a lot of study. It was no fly-by-night sort of thing. I had many discussions with consumers and with one consumer who also is a well-known shoe repairman, my constituent Mr. Wilbur Gardner, of Medford, Oreg.

AN HONEST, HARD-WORKING, GENTLE AMERICAN

His store, Gardner's Shoe Service, is the national headquarters for labeling shoes. Wilbur Gardner is an honest, hard-working, gentle American. But he does not like fraud or deception no matter how unwitting either may be.

I want to pay tribute today to Wilbur. I want to thank him publicly for calling to my attention and to the attention of other members of the Oregon delegation in Congress the problem which I am discussing.

CONSUMER SUPPORT CITED

Wilbur has waged an intensive campaign to insure that shoes purchased by the American consumer are sturdy and properly made. And there is consumer support, known support, which exceeds 1 million men and women.

Who are they?

More than 25,000 of them are citizens who have taken the time to sign a national petition for the labeling of shoes. The heading of this petition reads:

> For my own protection, I desire legislation which will compel the attachment of a label to shoes, indicating what materials were used in the construction of said shoes, either real leather, paper fiber or imitations of leather.
>
> I believe I could buy and would buy better shoes if they were labeled.
>
> I believe if I could choose better shoes by label, better foot health would result.
>
> I believe great savings in money would result, if I could buy good shoes by label.

These petitions come from many parts of the United States. Wilbur has sent me several.

Who are they?

They are the more than 800,000 members of the National Grange.

Let me read the resolution passed by the National Grange in annual session at Grand Rapids, Mich., November 1958.

Whereas there is much inferior material being used in the shoes of women, men, and children; and

Whereas shoes should be labeled specifically as to the composition of the material used in them: Therefore be it

Resolved, That the National Grange ask the Congress to pass legislation requiring the labeling of all shoes as to materials used.

Prior to the national approval the Oregon State Grange passed the following resolution:

Whereas there is much inferior material being used in the shoes of women, men, and children; and

Whereas most clothing is required to have a label specifying the composition of the materials used in it: Therefore be it

Resolved, That we approve a resolution asking Congress to pass legislation requiring the labeling of all shoes as to materials used; and be it

Resolved further, That copies of this resolution be sent to our Congressmen and Senators.

Who are they?

They are the 200,000 members of the American National Cattlemen's Association.

Wilbur Gardner believes that public opinion is as strong as ever for proper labeling. He points out that as shoe prices go up the consumer should know, more than ever, what goes into the shoes he buys. I agree.

Now some of us have been told there is a shortage of leather. If this is true what has caused it? It is reasonable to assume that the shoe manufacturers may have helped, wittingly or unwittingly. For example, manufacturers of low- and medium-price shoes, I am told, for the past 2 years have mistreated the leather market by turning to the use of paper fiber in the manufacture of shoes. This starts a chain reaction.

First the tanneries have to cut down on production. I understand some may have had to close. Then the market for hides decreases until hides sell for only 4 to 6 cents per pound for top hides. Some hides had to be ground into fertilizer or destroyed. Some were sent out of the country and made into shoes overseas.

Then, when the leather surplus is low cattlemen find it necessary to build up their herds of cattle, cutting the sale of hides, both veal and beef. Tanneries find no hides to tan, or at most a few. And the shortage of leather necessarily boosts the price of the shoe to consumer.

HOW TO HAVE A SURPLUS

Wilbur Gardner tells me that the use of leather, even at a slight raise in the price of shoes, coupled with the added length of the life of such a shoe, would have found that segment of the economy with a sufficient surplus of leather at a time when supply was low. He says:

It stands to reason that if the millions of pairs of shoes that have been made each year that used paper fiber insoles, heels, etc., would have used even a low grade of leather, there would have been better shoes and a lot more leather tanned, and the backlog of leather would not have gotten so low that the present shortage would have sent the prices of shoes on a spiral of high prices, and the admitted downgrading of shoes by the manufacturer.

WOULD LABELING BE WORTH IT?

Would labeling be expensive?

I do not think this question can be answered before hearings on H.R. 1320 are held and the fine points of the proposal discussed and the type of labeling best suited to the problem determined.

I think it is normal and natural for the shoe manufacturer to say that a label will add to the cost of the shoes. He might go further and say the public would not stand for a price increase to cover this plus the increased cost of leather. I would answer: Let the public make its own decision.

A label would cost a few pennies. Would this be more than a grain of sand to existing cost of shoes as compared to the expenditure of money on shoes not now labeled and too often poorly made? I think not.

The difference between the cost of a label and the cost of a pair of shoes which cannot be repaired is considerable to the consumer. To compare the two is to attempt to fit a square peg into a round hole.

I think it is important to all of us to look into the subject, to explore the possibilities and to give full consideration to the proposal, both pro and con, before we start setting up false targets.

No one wants to injure grievously a great and vital national industry. I have visited two shoemaking factories and I hope to visit more.

No one wants to put men and women out of work.

Let us not toss these strawmen around before we know the true facts.

No one would say that it is not possible for the industry to correct its ills. I would like to have the industry do it.

"MAN WITH A SOLE"

Before I discuss the shoe labeling bill further and the governmental agency reports, I want to say a bit more about Wilbur Gardner, known to his friends as the man with a sole.

As the Medford, Oreg., Mail Tribune noted in a December 29, 1957, feature story about Wilbur, he "is not by nature a troublemaker. For 27 years he has been content to work in his little shop, hammering and sewing away at the job of repairing shoes for Medford's citizens."

Then, as writer Bob Vroman pointed out in his story:

While he [Gardner] has known for sometime that people were not always getting their money's worth when they bought a pair of shoes, he never figured he could do anything about it—at least not until one day about 6 months ago (midyear of 1957) when he suddenly got fed up and decided to take matters in his own hands.

Pair after pair of children's shoes that were being brought into his shop didn't have enough solid leather anywhere to make a repair. They were paper from one end to the other, which was all covered up with a veneer of leather and probably cost the buyer from $8 to $10.

Gardner reasoned that if clothing, bedding, foodstuffs and other commodities had to be labeled as to their contents or construction, why not shoes? He figured that the public is being duped by not having laws to compel manufacturers to label shoes as to what materials are used in their construction.

Mr. Vroman's story about Wilbur follows:

REPAIRMAN STARTS MOVE FOR LABELS IN SHOES—GARDNER RECEIVES SUPPORT OF MANY OFFICIALS IN MOVE

(By Bob Vroman)

Wilbur Gardner, who operates Gardner's Repair Shop at 612 East Main Street, Medford, is not by nature a troublemaker. For 27 years he has been content to work in his little shop, hammering, sewing away at the job of repairing shoes for Medford's citizens.

While he has known for some time that people were not always getting their money's worth when they bought a pair of shoes, he never figured he could do anything about it—at least not until one day about 6 months ago when he suddenly got "fed up" and decided to take matters in his own hands.

Pair after pair of children's shoes that were being brought into his shop didn't have enough solid leather anywhere to make a repair. They were paper from one end to the other, which was all covered up with a veneer of leather and probably cost the buyer from $8 to $10.

PUBLIC DUPED

Gardner reasoned that if clothing, bedding, foodstuffs and other commodities had to be labeled as to their content or construction, why not shoes? He figured that the public is being "duped" by not having laws to compel manufacturers to label shoes as to what materials are used in their construction.

The first thing Gardner did was to correspond with Congressmen in Washington, D.C., to stir up interest in getting shoe label laws and to find out what he could do to help get them. Gardner has written to government heads of other countries to find out what laws are in existence on the labeling of shoes and he has had several articles published in trade journals on the subject.

He recently received a reply from Prime Minister Robert G. Menzies of Australia, along with a copy of the laws that control shoe labeling in that country. Although the laws are not as comprehensive as Gardner would have them, Australia's regulations are the best of any country in the world, and may serve as a pattern for setting up such laws here.

MORE EXPENSIVE

Not only are they more expensive in the long run, but cheaply made shoes do not give proper support to the wearer's feet, Gardner said, and that after they have been wet once they are apt to loose their shape completely. He said this is particularly harmful to children's feet and he added that foot doctors claim that 65 percent of the shoes on the market today cannot be rebuilt for foot-correction purposes because of the cheap materials used in their manufacture. He also said that one-third of the children's shoes today are not even repairable.

Paper is the most common of the cheap materials used in shoe construction, and lately it is being found in even the better grades of shoes. Gardner said that 75 percent of the children's shoes made today have wooden shanks instead of steel, or else no shanks at all.

In some women's shoes, he said, a manufacturer will import expensive leather and do a fine job of styling to make a handsome shoe, but inside there will be found paper insoles, heel counters, and toe caps. The customer pays a high price for the shoes, which may actually fall apart if they get wet. This is particularly true of summer shoes, Gardner said.

Gardner's complaint is not so much the fact that paper fiber is used in shoe manufacture, but that if it is used the shoe buyer

should know what he is getting for his money.

SENDS PETITIONS

Right now Gardner is in the process of sending out hundreds of petitions to cities all over the United States to aid in getting legislation passed. This was suggested by Senator WAYNE MORSE, along with other information, in a three-page reply to Gardner's inquiry. Gardner has picked 12 cities in each State to send the petitions, which he is doing entirely on his own.

On the petition in his own shop Gardner has about 200 signatures, a good many of which are Medford doctors and shoe retailers, who recognize the trouble caused from poorly made footwear.

The petitions read:

"NATIONAL PETITION TO LABEL SHOES

"To state on a label what shoes are made of for my protection, due to the use of paper fiber and imitation leather in their manufacture. I believe I could buy better shoes if they were labeled. I believe I could buy better shoes by label and better foot health would result. I believe a great saving in money would result if I could buy shoes by label."

Also, at the suggestion of Senator MORSE, Gardner is collecting specific evidence of the use of paper fiber in particular brands of shoes, and on his counter for the public to see are cut-away samples of shoes made with paper that could not be repaired.

ATTACHED TO SHOES

He believes that the label should be attached to the shoes themselves and if they contain paper fiber, wood, or plastics, or any other product besides genuine leather, the label should say so in plain language and not call the material by some high-sounding name.

In this way Gardner feels that buyers will be able to judge better for themselves whether or not a particular shoe is worth the price.

Shoe retailers seem to be in accord with Gardner's ideas too, because they often get kickbacks from customers who find that a pair of expensive shoes is cheaply made.

Almost every shoe repairman in the Nation is aware of the problem, Gardner said, and it is about time something was done about it.

RECEIVES COMMENDATION

Gardner has already received commendation from Parents' magazine for his investigations and he has received endorsement from various organizations locally. He also received a letter from Gino Prato, the Brooklyn shoe repairman who became known nationally after his appearance on the $64,000 Question, commending him on what he has done. Prato said he would visit Gardner in Medford soon to see if he can do anything to help get a shoe label law passed.

Gardner now has the ball rolling on a nationwide scale and the time may not be far off when a person can go into a store and buy a pair of shoes and at least get what he pays for, putting an end to what Gardner calls the deceptive practice of our shoe industries.

Wilbur Gardner's fight is not local. It is nationwide. The Stockman magazine in its April 1958 issue devoted a good deal of space to the plucky shoe repairman:

MEDFORD, OREG., SHOE COBBLER LAUNCHES ONE-MAN CAMPAIGN AGAINST INFERIOR QUALITY SHOES—WANTS SHOES LABELED

Wilbur Gardner has operated Gardner's Shoe Repair Shop in Medford, Oreg., for the past 27 years.

Until some 8 months ago he was just an ordinary shoe repairman in just an ordinary American community, doing the very best job he could to help keep the people of his hometown of Medford well shod. Year by year this task has become more difficult; shoes, for the most part, are just not being built to last; workmanship was there, in most cases, but the material many times found to be inferior.

Pair after pair of shoes, particularly children's shoes, brought into Gardner's shop for repair do not have enough solid leather in them to be repaired. They are scarcely more than paper covered with a thin veneer of leather; yet they perhaps cost the buyer from $8 to $10 a pair. What is even worse they give little or no support or protection to a growing foot.

Gardner was getting fed up with the whole situation, but what could he as an individual do about it? It wasn't good business for him to tell his old customers, or new, that they had a pair of old cheap shoes that couldn't be repaired; nor could he tell them they had been duped into buying shoes of an inferior quality. No one likes to be told that they got stung on a purchase of any kind. But it was true, and he knew it. People were buying style—shoes that looked good but practically fell apart when subjected to excessive dampness or rough usage.

Perhaps there was something that could be done about the situation; at least it was worth a try. Gardner, on his own initiative, has launched a one-man campaign to get Federal laws passed to require manufacturers to label shoes as to the type of material used in construction.

Gardner felt that if it was essential to label clothing, bedding, foodstuffs, and other such commodities in order to protect the purchaser, then the same should be true with shoes. A label attached to the shoes themselves showing in plain language the type of material used in the construction of the shoe, whether it be paper, wood, plastic, fiber, or any material other than genuine leather, Gardner feels, might be the answer. It would, at least, give the buyer an opportunity to know what he is buying and to judge for himself as to the value of the item.

Slowly, but surely, Gardner has got his campaign in motion. He wrote to his Congressman. He contacted Government officials in other countries. He got a lot of encouragement. He received offers of assistance.

Right now Gardner is in the process of circulating petitions throughout the United States; petitions calling for legislation to require the labeling of shoes. Surprising as it may seem many of the petitions bear the signature of retail shoe dealers who, themselves, recognize the trouble resulting from poorly made footwear.

Gardner has no gripe in the fact that someone wishes to make shoes out of paper fiber, imitation leather, or any other type of material, but he does feel that the purchaser has the right to know what he is buying.

The petition which is gaining widespread circulation reads:

"NATIONAL PETITION FOR THE LABELING OF SHOES

"For my own protection, I desire legislation which will compel the attachment of a label to shoes, indicating what materials were used in the construction of said shoes, either real leather, paper, fiber, or imitations of leather. I believe I could buy and would buy better shoes, if they were labeled. I believe I could choose better shoes by label; better foot health would result. I believe great savings in money would result if I could buy good shoes by label."

Thousands have signed the petitions in 32 States and that number is increasing daily.

WORK IN ALABAMA

Throughout the United States shoe repairmen are working with Wilbur. In Alabama, for example, the following story and ad appeared in the Florence Times early in 1958. The drive by shoe repairmen in the Muscle Shoals area drew fine response according to the news story.

Mr. Howard Darby, secretary of the Muscle Shoals Repair Association in Florence, wrote to Wilbur Gardner April 11, 1958. He said in part:

We all feel that we have helped to bring to the public's attention this worthwhile matter. We pledge our continued support in your efforts and if we can be of service later let us know. * * * We wish you much success in the future.

National support? The answer is pretty obvious. The items I have mentioned follow:

LOCAL AID TO PUT UNITED STATES ON SOUND FOOTING

The Tri-Cities area was one of only a dozen spots in the Nation picked by Wilbur Gardner, of Medford, Oreg., to help him put the Nation on a sounder footing.

Fed up with seeing pair after pair of children's shoes that didn't have enough solid leather anywhere to make a repair, Gardner, described by the Medford Mail Tribune as "not by nature a troublemaker" decided to do something about it.

His peculiar signature, the G being drawn out to form the bottom of a shoe, went on letters to Congressmen in Washington, Governor Holmes, of Oregon, and a dozen shoe repairmen's associations. The latter included the Muscle Shoals Shoe Rebuilder Association.

From almost every quarter he received offers of support.

"I never saw a fire burn so fast as paper in shoes," he wrote Howard Darby, member of a special committee of the local association.

He has been swamped with requests for petitions like those sent to Muscle Shoals for the shopowners to get signed. Congressmen and Senators are offering their support. He has been commended by Parents Magazine and has received endorsement from various organizations.

In Muscle Shoals the crusade is snowballing. The Muscle Shoals Shoe Rebuilders Association let no grass grow under their own shoes after they received Gardner's appeal for help.

More than 1,500 signatures have been obtained from the area. This is exclusive of Athens and Russellville, yet to report.

The local association has also contacted Senator JOHN SPARKMAN and Congressman BOB JONES and received favorable replies.

Information is being sent regularly back to Gardner who is arming himself: "I want to have a big gun loaded when I hit Congress," he said in his last letter.

And what do the shoe repairmen get out of the deal? No more, no less than the average citizen, a better deal for their feet and their pocketbook, says owner of a local shop, J. W. Odom, speaking for the group.

HAVE YOU SIGNED THE PETITION REQUIRING MANUFACTURERS TO LABEL SHOES?

In last Sunday's paper we made an appeal to the citizens of north Alabama to go to the nearest shoe repairman's shop and sign a petition requiring manufacturers to label shoes. Stating that for your own protection you desired legislative action which would compel the attachment of a label to shoes, indicating what materials were used in the construction of said shoes, either real leather, paper fiber, or imitations of leather, and by this label you believed you could and would buy better shoes, and you also believed you could choose better shoes by labels and better foot health would result, and you furthermore believed great savings in money would result if you could buy good shoes by labels.

The general response to this appeal has been very good, but we believe, that before our allotted time is up, there are a great number of people in the area who would like to sign the petition. We invite all who haven't signed to visit a repairman's shop tomorrow.

We think you have the right to know what you are paying for in a pair of shoes. There are labels as to the contents or construction of clothing, bedding, foodstuff, and other commodities enabling you to buy properly and pay moderately.

When you sign the petition you will help us get the fire started, the fire that will burn the paper right out of shoes. Consider the facts: Some high-priced shoes will not give proper support after they have once been wet. Sixty-five percent of the shoes on the market today cannot be rebuilt for foot correction purposes because of the cheap materials used in their manufacture. One-third of the children's shoes today are not repairable. Seventy-five percent of children's shoes have wooden shanks instead of steel or else no shanks at all. In some women's expensive leather shoes there will be paper insole, heel counter, and toe caps. You pay a high price for shoes which may actually fall apart if they get wet. There's nothing wrong with manufacturers using paper in shoes if you know they are made of paper when you buy them, knowing that 95 percent of them cannot be rebuilt.

If you will visit a shoe repairman's shop and sign the petition, and urge your family and friends to do the same, then we will devote our time and money in an honest effort to secure passage of this bill. A bill which will save you money.

MUSCLE SHOALS DISTRICT

SHOE REBUILDING ASSOCIATION.

(Florence: City Shoe Shop, Halter's Shoe Shop, Smith's Shoe Shop, Young's Shoe Shop, Roberts' Shoe Fixery; Sheffield: McCaig's Shoe Shop, Green's Shoe Shop, Steele's Shoe Shop; Tuscumbia: Creasy's Shoe Shop, Roy Green's Shoe Shop; Athens: Dobb's Shoe Shop; Russellville: City Shoe Shop.)

The American Cattle Producer in its March 1958 edition had warm words of praise for Wilbur Gardner's valiant fight. The article, "The Public and You," by Lyle Liggett, follows:

THE PUBLIC AND YOU

(By Lyle Liggett)

The American National is currently teamed with major farm and meat processing groups to save meat inspection funds. For years it has worked to maintain voluntary Federal beef grading.

In these and in many other ways the American National and other cattle groups have labored to insure that its product is of high standards of quality and wholesomeness.

That is why cattlemen can take sympathetic interest in the campaign of a dedicated shoe repairman to see that shoes are properly and truthfully labeled as to the materials used in their construction.

He is Wilbur L. Gardner of Medford, Oreg. He is a man with a cause—a cause developed through years of seeing thousands of shoes in various stages of deterioration, many after only weeks of wear.

Mr. Gardner recently launched his one-man campaign to secure Federal laws requiring the labeling of shoes because, as he says, "too many paper shoes fall apart when they get wet."

He points out that foot doctors say that 65 percent of the shoes on today's market cannot be rebuilt for foot correction purposes because of the cheap paper fiber materials used in their manufacture.

"Why, at least one-third of the children's shoes made today are not even repairable—and any parent knows what replacements cost," Mr. Gardner comments.

His complaint isn't so much that paper is used in shoe manufacture. He just thinks the shoe buyer should know what he is getting for his money. And, from the wording of the petitions he has prepared for national circulation, he is convinced that the public will buy better shoes, ultimately working himself out of the job of trying to patch up those unrepairable clodhoppers.

The petition, which has received favorable attention from legislators, shoe repairmen, foot-care specialists, and parent groups, reads:

"For my own protection, I desire legislation which will compel the attachment of a label to shoes indicating what materials were used in the construction of said shoes, either real leather, paper fiber, or imitations of leather. I believe I could buy and would buy better shoes if they were labeled. I believe that, if I could choose shoes by label, better foot health would result. I believe great savings in money would result if I could buy good shoes by label."

In a letter to the American National describing his effort, Mr. Gardner said: "As you cattlemen have a large interest in the leather market through the sale of hides, I felt you had an iron in the fire that I have started."

Mr. Gardner, you are so right.

WHAT IS WILBUR'S PURPOSE?

What is the drive behind Wilbur Gardner? I think this answer, in his own words, gives the short but full story:

All of this I do that if only one little child will have better foot health in this country, that shall be my reward.

This patient man believes, and I agree, that parents should have a better gage with which to buy than just a name brand or the price of the shoes or the word of a clerk who can be under pressure to make a sale. Gardner believes, and I agree, that too much ill will is developing between the customer and the stores because shoes are not labeled. He points out that today it is possible to imitate all kinds of material; he notes that paper heel bases "squash out" when wet, thereby tipping the shoe to one side.

This is bad for a child's ankle—

Wilbur says.

His experience as a repairman has brought to his attention the ways in which cheap materials can cost the consumer dollars and impair health as well as making repair difficult or impossible. Later I will cite specific instances of imperfect shoe construction, my purpose today is simply to call this grave problem to the attention of this House and to bring my colleagues and the consumers of this Nation up to date on the status of H.R. 1320.

REPORTS ON THE SHOE LABELING BILL

Reports on the bill were requested by my friend and very able colleague, the Honorable OREN HARRIS, chairman of the House Committee on Interstate and Foreign Commerce. They have been prepared and sent to the committee. I should like to discuss the reports briefly at this time and include them in the RECORD.

First. Department of Agriculture: This report can be considered favorable, I believe. Acting Secretary True D. Morse wrote Chairman HARRIS on July 9, 1959:

H.R. 1320 would require a label to be affixed to leather shoes. Labeling as proposed in the bill, would reveal the presence of cardboard or other substitutes when used in leather shoes. Legislation requiring a label to show the presence of cheap substitutes would naturally discourage the practice. It could be assumed, therefore, that this would result in the use of more leather. We, in the Department, are interested in encouraging the use of more leather. However, the Federal Trade Commission would be in a better position to submit a definite recommendation.

The Department of Agriculture report follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, July 9, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives.

DEAR CONGRESSMAN HARRIS: We acknowledge receipt of your letter dated February 3, 1959, transmitting House bill 1320. It requests a report with respect to the bill which was introduced by Mr. PORTER. The bill is entitled "To protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes."

H.R. 1320 would require a label to be affixed to leather shoes. Labeling as proposed in the bill, would reveal the presence of cardboard or other substitutes when used in leather shoes. Legislation requiring a label to show the presence of cheap substitutes would naturally discourage the practice. It could be assumed, therefore, that this would result in the use of more leather. We, in the Department, are interested in encouraging the use of more leather. However, the Federal Trade Commission would be in a better position to submit a definite recommendation.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

Second. The Department of Commerce: This report was signed by then Acting Secretary Mueller July 16, 1959. Secretary Mueller noted that the Department had no knowledge of any particular need for the proposed enactment and he felt the identification of materials used by generic name without indicating the grade or quality would not make it clear to us how that purpose would be served—the purpose of protecting the consumer—by the proposed enactment.

He added:

In the absence of any clear need, or any public service commensurate with its inherent problems and costs of compliance, the Department of Commerce does not favor enactment of H.R. 1320.

I consider his comments helpful. Constructive criticisms, pointing up possible deficiencies are useful. Deficiencies can be corrected when they are known. Perhaps it would be better to make labeling more specific.

LAWS ARE FLEXIBLE

Mr. Speaker, the purpose of any bill is to make sure the people in our Nation have the best possible laws. Laws, then, are flexible. Proposed laws can be changed for the better. This happens

nearly every day the Congress is in session.

The Department of Commerce's remarks in full follow:

THE SECRETARY OF COMMERCE,
Washington, July 16, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in reply to your request dated February 3, 1959, for the views of this department with respect to H.R. 1320, a bill "to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes."

If enacted, this bill would require the labeling of shoes manufactured in or imported into the United States, to indentify the materials of which various parts of the shoes are made, and the name of the manufacturer or distributor of the shoes.

In the years since a similar proposal was considered, but not enacted, by the 74th Congress, difficulties in compliance with such a proposal as this have multiplied considerably.

Most shoe factories now produce from 10 to 100 different styles of shoes at approximately the same time or during the same season, and each of these styles has different components. With technological developments, many new products have found useful applications as raw materials for shoe manufacture, both leading to and resulting from development of modern shoemaking processes, and wide diversification of fashions.

As a result of those and other developments, the cost of compliance with the requirements of the bill could be expected to add many millions of dollars to the annual shoe bill of this country.

We have no knowledge of any particular need for the proposed enactment. The bill purports to protect consumers. Since it would merely identify the materials used by generic name without indicating the grade or quality of each, it is not clear to us how that purpose would be served by the proposed enactment.

In the absence of any clear need, or any public service commensurate with its inherent problems and costs of compliance, the Department of Commerce does not favor enactment of H.R. 1320.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report to your Committee.

Sincerely yours,
FREDERICK H. MUELLER,
Acting Secretary of Commerce.

Third. The Department of Justice: Deputy Attorney General Lawrence E. Walsh in his reply to Chairman HARRIS writes:

The subject of this bill is not a matter for which the Department of Justice has primary responsibility, and accordingly we make no recommendation as to the enactment of legislation of this kind. However, there are a number of considerations to which committee attention is invited.

He then lists them and ends with this suggestion:

The committee may also wish to consider whether the time has not arrived for products labeling acts (for example, wool products, fur products, and flammable fabrics) to be combined in one enactment rather than to continue with piecemeal legislation as heretofore.

I consider this response by the Department of Justice to be helpful and creative. Perhaps it is time that the Congress enact legislation covering the broad field rather than a part of it. Certainly the suggestion of the deputy attorney general warrants consideration.

The departmental comments on H.R. 1320 follow:

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., July 8, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning the bill (H.R. 1320) to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes.

The bill would make unlawful and an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act to introduce, or manufacture for introduction, into commerce, or sell, advertise, or offer for sale in commerce or transport, etc., any shoes misbranded within the meaning of the proposal or applicable rules and regulations. The measure would be enforced by the Federal Trade Commission and the Commission would be empowered to bring suits to enjoin violations and to secure temporary injunctions or restraining orders. Willful violation of the measure would be a misdemeanor, punishable by a fine of not more than $5,000, or imprisonment for not more than 1 year, or both.

The subject of this bill is not a matter for which the Department of Justice has primary responsibility, and accordingly we make no recommendation as to the enactment of legislation of this kind. However, there are a number of considerations to which committee attention is invited.

The Department of Justice is unable to support that provision of the bill which would place the litigative function with respect to injunction suits in another agency of the Government. Such a provision violates the general policy that the Department of Justice is the litigating arm of the Government. Also, in view of the Department's experience under other regulatory statutes, as, for example, the Food, Drug, and Cosmetic Act, such a provision is objectionable.

The committee may also wish to consider whether the time has not arrived for products labeling acts (for example, wool products, fur products, and flammable fabrics) to be combined in one enactment rather than to continue with piecemeal legislation as heretofore.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely yours,
LAWRENCE E. WALSH,
Deputy Attorney General.

Fourth. The Bureau of the Budget. The July 2 report by the Assistant Director for Legislative Reference is negative and follows in full:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., July 2, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate Commerce, House of Representatives, Washington, D.C.

MY DEAR MR. CHAIRMAN: This will acknowledge your request of February 3, 1959, for the views of the Bureau of the Budget on H.R. 1320, a bill "to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes."

The Department of Commerce, in its report to your Committee, states that it has no knowledge of any particular need for the bill. The Federal Trade Commission also states that it has no information as to its need. In the absence of any convincing evidence that the labeling of shoes is needed in the public interest, the Bureau of the Budget recommends against the enactment of H.R. 1320.

Sincerely yours,
PHILIP S. HUGHES,
Assistant Director for Legislative References.

Fifth. Federal Trade Commission: The agency report which explores the subject of shoe labeling most thoroughly comes from the Federal Trade Commission. On July 7, 1959, Chairman Earl W. Kintner discussed the suggested legislation in detail. Chairman Kintner concludes:

Adapted as it is from other recently enacted labeling legislation, it would appear that the bill is in appropriate form to afford a framework for congressional consideration of the desirability of requiring labeling of shoes. Such consideration, of course, must take into account the extent to which deception or misrepresentation as to the composition of shoes is prevalent in the industry. Cost of enforcement of the Shoe Labeling Act is difficult to predict at this early stage.

STUDY BEING FINISHED

It should be noted here that the Federal Trade Commission is at this time completing a study in the field under discussion and the results of that study should be made public soon.

Chairman Kintner's letter which includes a good discussion of the points of the proposed legislation follows:

FEDERAL TRADE COMMISSION,
Washington, July 7, 1959.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your communication of February 3, 1959, requesting comment upon H.R. 1320, 86th Congress, 1st session, a bill "to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, and for other purposes."

The measure, to be designated as the Shoe Labeling Act, provides for shoes a type of content disclosure similar to the existing requirements for content labeling under the Wool Products Labeling Act of 1939, the Fur Products Labeling Act, 1951, and the recently enacted Textile Fiber Products Identification Act, approved September 2, 1958. The bill is modeled after these acts, particularly the Fur Products Labeling Act. Many of the provisions common to such legislation are found in this bill.

The central inhibition of the bill runs against misbranding which under section 4 shall include not only false or deceptive labeling, but also the failure to disclose by label or mark the substantive materials used in manufacture of the shoes. If split leather [defined in section 2(f)], secondhand materials, paper, wood, woodpulp, nonleather materials in imitation of leather, or synthetic, reconstituted or artificially formed materials have been used in the shoes, the label is to reveal these facts. The label is also to carry the manufacturer's identification by name or symbol, except that the distributor may substitute his own name or other identification when replacing the manufacturer's mark.

Incidental items, including decorative materials not exceeding 5 percent, are not required to be disclosed in the absence of representations with respect to their content or composition. This exemption, it may be observed, seems indicative of what appears to be a purpose of not requiring the labeling of parts of the product that are of no substantial significance, thereby simplifying the labeling requirement and limiting the disclosure to that which is of substance.

The Federal Trade Commission is designated the administering and enforcing agency. For such purposes it is authorized to utilize the powers and procedures conferred upon it by the Federal Trade Commission Act.

The jurisdictional word "commerce" is defined in section 2(g) and essentially means interstate commerce. The introduction or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, and the sale, advertising, offering for sale, transportation of distribution after receipt in commerce, of shoes which are misbranded within the meaning of the proposed legislation is prohibited as unlawful and as constituting an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act. Exemption is provided for operation of common carriers, contract carriers, and freight forwarders in the ordinary course of their business.

Imports are subject to the same labeling requirements as are shoes of domestic manufacture. Further, the falsification of or failure to set forth the required information on invoices covering imported shoes or the falsification or perjury of the necessary consignee's declaration, insofar as it relates to such information, would be an unfair method of competition and an unfair and deceptive act or practice under the Federal Trade Commission Act and the Commission could prohibit any person who thus violated the act from importing shoes into the United States, except upon filing bond to insure against further violation.

The Federal Trade Commission would act against instances of misbranding through the familiar cease-and-desist order procedure. As in the case of the other labeling acts, the bill also makes available to the enforcing agency the authority to seek in the district courts ancillary remedies of preliminary injunction pendente lite, and in rem proceedings to remove from the market misbranded shoes where in the exigencies of the case the public interest requires resort to such ancillary procedures. In cases of willful violation the bill also contains the usual authority for reporting the facts to the Attorney General for institution of misdemeanor action in the district courts.

The terms "shoe" or "shoes" are defined in section 2(b) to include all types and kinds of footwear for human beings except hosiery made wholly of knitted or woven textile fiber. Footwear subject to the Wool Products Labeling Act are not required to be labeled under this bill (section 4(b)). It would be appropriate to add footwear subject to the new Textile Fiber Products Identification Act which becomes effective in March 1960, at this part of the bill.

The required labeling may be in the form of a stamp, tag, label or mark of identification, and the administrative agency is authorized to make rules and regulations governing the manner and form of disclosing the required information, and may also issue such further rules and regulations "as may be necessary and proper for purposes of administration and enforcement." The agency may cause inspections, tests and analyses to be made of the product and is authorized to cooperate with others including the departments of the Federal Government and of State and local governments.

Manufacturers who are required to perform the labeling in the first instance, are to keep records of the content information for a period of 3 years. Distributors or dealers who substitute their own for the manufacturer's label are similarly required to maintain records of the substitution. The usual penalties up to $100 per day to be assessed by the district courts for failure to keep the records are prescribed.

Guarantees of the accuracy of the label may be issued by the manufacturer or by the distributor or merchant who has received the goods in commerce. Those who have received such guarantee in good faith are protected against charges of misbranding. The guarantee may be placed on the invoice or sales document, or it may be of a continuing nature filed with the Commission.

The measure contains the usual separability clause, and is to be construed as being in addition to and not in substitution or limitation of other acts of Congress. The act is to become effective 1 year from date of approval.

Members of the public who buy shoes for themselves and their families should not be misled as to whether the shoes offered them contain inferior imitative or substitute materials that tend to depreciate quality and serviceability. Articles of commerce, especially those of such essential character as shoes, should pass through the channels of trade to ultimate purchasers under conditions that are free from substantial taint of misunderstanding or deceptive concealment as to the presence of substitute or imitation materials.

The Commission has authority under its organic act to proceed against individual manufacturers or distributors who are found to be applying false or deceptive labels or are using actionable misrepresentations regarding their shoes sold in interstate commerce. This authority presently residing in the Commission, however, does not enable it to require generally the labeling of shoes to disclose the substantive materials from which these products are made.

The Commission maintains a continuing interest in the marketing of shoes to the extent of its present authority. Our docket of formal complaint cases shows that there have been 66 shoe cases, and 144 stipulation proceedings. These case matters are reported in the volumes of Federal Trade Commission Decisions.

The Commission does not at the present time have information as to the need or desirability of the proposed legislation. However, the Commission is currently conducting a number of preliminary investigations which involve alleged use of deceptive practices in connection with the sale of footwear, including one directed at determining whether the wearability and reparability of shoes have been impaired to such an extent through the use of so-called substitute materials that it is deceptive not to disclose to purchasers that these materials are being used.

Adapted as it is from other recently enacted labeling legislation, it would appear that the bill is in appropriate form to afford a framework for congressional consideration of the desirability of requiring labeling of shoes. Such consideration, of course, must take into account the extent to which deception or misrepresentation as to the composition of shoes is prevalent in the industry. Cost of enforcement of the Shoe Labeling Act is difficult to predict at this early stage.

We appreciate the oportunity afforded to comment upon H.R. 1320, and shall be glad to render whatever assistance may be desired in the matter.

By direction of the Commission.

EARL W. KINTNER,
Chairman.

N.B.—Pursuant to regulations, this report was submitted to the Bureau of the Budget on June 19, 1959, and on July 6, 1959, the Commission was advised by letter of July 2, 1959, that there would be no objection to the submission of the report to the Committee.

ROBERT M. PARRISH,
Secretary.

Before I make a few suggested recommendations I want to include samples of some of the letters I have received on H.R. 1320:

PASSAIC, N.J.

Your bill H.R. 1320 should be passed, even if the shoemen disapprove. No doubt they would rather make shoes out of Jello than leather. Since World War II there has been less and less shoe for higher prices. I didn't think anyone in Congress cared. Thank you for your interest.

Yours,

CELIA SALKIN.

HAVERHILL, MASS.

We are an independent family shoestore, We are 100 percent against your shoe labeling bill. Such a bill would hurt the shoe industry and will not help the consumer.

B. C. JUDKINS,
Pawtucket Shoe Store.

P.S.—It would be of no value to us either.

OAK PARK, MICH.

I have read an account of a bill you intend to introduce namely H.R. 1320. As a small businessman in the childrens' shoe business, I, who represent a part of your bill, wish to commend you for your efforts and want to wish you luck as well as a few suggestions.

ED MAZER,
Ed Mazer's Shoes, Detroit, Mich.

WORCESTER, MASS.

It is with much interest that we are following the progress of your proposed shoe labeling bill. Certainly such a bill passed into law has been long needed for the protection of the buying public. You are to be congratulated for realizing the need for such a bill and for your efforts to sponsor it. If there is any way in which we may be of assistance, please do not hesitate to call upon us.

JOHN E. WEYAND,
L. Farber Welting Co.

MENASHA, WIS., *August 20, 1959.*

Hon. CHAS. O. PORTER,
House of Representatives,
Washington, D.C.

DEAR SIR: Even though you may have suffered a temporary setback in your efforts to enact a shoe labeling law, I hope that you will continue in your efforts to effect such legislation.

I imagine that the big chains offer powerful opposition to this measure. They would be embarrassed if they had to disclose the composition of some of their shoes.

I've seen enough of the chain store shoes after they had been worn for a few weeks. Then you can see the cracks in the plastic quarter linings they use and the paper insoles also show up.

I believe that the shoe industry should have a shoe labeling law in order that the consuming public can read what materials were used in the shoes it buys.

To correct abuses a wool labeling law was enacted and the fur dealers also were forced to explain just what fur was masked under its fake pseudonym.

I feel confident that every ethical independent shoe merchant will be in favor of

your labeling law. I wish you success in your endeavor to have this law passed.

Yours very truly,

DORN'S BOOT SHOP,
O. J. DORN.

WOODSIDE, N.Y.

Let me preface my thoughts by saying that at the moment my attitude is one of watchful waiting, to see whether I shall favor your bill or not. * * * I wish you good luck, if this bill is above the level of playing political patsy with the consumer. While good intent is what we want, as it now stands there seems to be much desired effort in research before your bill is voted one.

SOL COHEN,
Dason's Tru-Walk Shoes.

WATERLOO, IOWA.

Regarding the shoe labeling bill I would say that there is a need for a law to protect the consumer as well as the retailer from substitutions in footwear which are made to look like leather. Furthermore, there are sole substitutes which are not good for the foot health. These sole substitutes are colored in oak or krome to look like the real thing (leather).

I also note that the only comments regarding the shoe label law are in the trade magazine but not in any newspaper which would make the consumer cognizant of the hearing. There should be a survey of consumer experience in shoe buying, and I'm sure this would be revealing. Yours for the truth about footwear and good luck in the label law.

JAMES LEUNA,
Jim's Family Store.

BOTHELL, WASH.

My good friend JACK WESTLAND of our district in Washington State sent me a copy of your bill H.R. 1320 and I must say it's a dandy and want to congratulate you on your untiring efforts on behalf of the poor old shoe repairmen of the West and others in general. * * * I have been a shoe repairman since 1900 when I was a mere lad; the older I get the more poor made shoes I see. Some shoes (especially children's) that come into the shop just can't be repaired. * * * I tell you Mr. Porter it's a scandal to the jaybirds the way people get gypped on their footwear and lots of shoes have a piece of wood for the arch.

I sent Mr. WESTLAND some shoe parts so he can show it to the committee and I do hope and pray that this committee will see their way clear to pass this bill * * * You probably will run into a lot of opposition. * * *

GORDON C. ASKINS,
Cliff's Shoe Service.

INTEREST IS NATIONWIDE

It is interesting, and I think indicative of the interest in good shoes, that letters discussing my shoe labeling bill have come from all parts of the United States. This is not a bill for the West or any other special part of our country. This is a bill designed to help the consumer get what he pays for—no more, no less.

I think it up to Congress to see that this is a fact. I know there are millions of shoe owners who agree.

WHAT CAN BE DONE?

What can be done? What should be done?

Now that the reports are in it seems to me that the next step is to hold hearings on H.R. 1320 and similar legislation. Let the pros and cons come out before us. Let us know what the shoe wearer and the shoe maker and the shoe repairer think. It is at least a three-way discussion.

I hope the Committee on Interstate and Foreign Commerce Subcommittee on Commerce and Finance will be able to schedule hearings on this legislation early next session.

I hope, too, that the consumer will make his or her thoughts known. Individual expressions of opinion help us determine the need or lack of need for a new law. Of course there are pros and cons. No discussion should be limited to one side alone. We must have facts and we must have opinions.

I am hopeful that the FTC report will have in it information which will be of benefit to the Congress.

Under leave to extend my remarks in the RECORD, I include copies of two of my weekly reports which concern shoe labeling, a newspaper article for the St. Petersburg Times in Florida for April 22, 1959, an article which appeared in the August 20, 1959, issue of the Machinist, and a copy of H.R. 1320:

PORTER'S WEEKLY REPORT, DECEMBER 5, 1958

(By Representative CHARLES O. PORTER)

WASHINGTON, D.C.—I wonder how many of us know what materials our shoes are made of? I'm not always sure and neither is Priscilla when she buys footwear for our children. It is important that shoes do not deform the wearer's foot, and that they give value in service for the purchase price.

The need for shoe labeling has been pointed up by many people. In Oregon, Mr. Wilbur L. Gardner, of Medford, has led the fight for shoe labeling legislation. To his many friends, Mr. Gardner is known as "the man with a sole." His campaign to make sure shoes are properly labeled has won support throughout the country. Wilbur operates his own shoe repair service and knows his shoes.

At my request earlier this year the Federal Trade Commission drafted legislation providing for fully informative labeling of all footwear, imported as well as domestically produced. I believe this will enable the consumer to buy more intelligently. The drafting of this proposed legislation by the FTC does not constitute its endorsement, although I am told informally that the Commission, generally speaking, doesn't oppose legislation which protects the public "against deception and confusion about composition of products."

National interest in my proposed bill is growing. Shoe industry newspapers and magazines have told their readers about it.

The proposed bill will be introduced in both the House and the Senate. Before it comes before either body, full study will be made in committee. Hearings will be held to give persons favoring the legislation or opposing it a chance to present their views. I'll let you know how this matter develops.

I am interested in learning how you feel about this legislation, particularly since it was born in the Fourth District of Oregon.

PORTER'S WEEKLY REPORT, MARCH 5, 1959

(By Representative CHARLES O. PORTER)

Shoes make news, at least my proposed legislation for informative labeling of all footwear has.

I dropped H.R. 1320 in the hopper on the opening day of Congress, January 7. Since that time my telephone has hummed daily as other Members and their staffs call to learn more about "this shoe labeling bill."

Most offices are merely curious. They've received some letters which look too much alike—appear to be pressure mail from shoe manufacturers. They want to know what "dynamite" is packed in H.R. 1320 to cause this influx of mail.

When we tell them about the bill, they realize the dragon is really no more than good horsesense. As I told you several weeks ago, the Federal Trade Commission drafted the legislation. It provides for labeling of all imported and domestically produced footwear. There are no hidden daggers. The same labeling regulation applies to all.

It's much too early in the session to tell anyone what is happening to the bill. I have asked Interstate and Foreign Commerce Committee Chairman OREN HARRIS to request reports and comments from the Government agencies which would be concerned. OREN has sent inquiries to the Federal Trade Commission, Department of Commerce, Department of Agriculture, Justice Department, and the Bureau of the Budget. It will take from 3 to 6 months to get the reports back. Sometimes they come earlier but generally not.

The legislation will go to the Commerce and Finance Subcommittee headed by Representative PETER MACK of Illinois, a good legislator who will see that it gets full and honest consideration.

Right now the big news seems to be that shoe manufacturers who haven't looked into all aspects of the bill oppose it while shoe repairmen and consumers favor it. It's my hope that these differences will be resolved after hearings are held.

As I tell people who talk to me about this legislation which was born in the Fourth Congressional District of Oregon: "It's taken years to get proper labeling for wool and cotton. Shoe labeling won't come overnight. Wilbur Gardner, the Medford shoe repairman who believes in the merits of shoe labeling, knows what I mean.

I have visited two shoe factories. More than ever what I saw there convinces me of the need for shoe labeling. The men who ran the plants I visited agreed that shoe labeling done intelligently was feasible. Let me know how you, the consumers, feel.

[From the St. Petersburg Times, Apr. 22, 1959]

YOU CAN HELP MAN WITH A SOLE GET FOOT IN CONGRESSIONAL DOOR

(By Gloria Biggs)

Do you remember some time ago my telling you about the spunky shoe repair man in Medford, Oreg., who got himself so worked up about the inferior material used in children's shoes that he set out to do something about it?

His name is Wilbur L. Gardner and he signs himself "the man with a sole." And what he has accomplished is an awesome example of what one lone individual can do when he (or she) makes up his (or her) mind to do it.

From what I've learned about Mr. Gardner, he had no funds or powerful organizations behind him. He was just a nice guy who had been quietly working for 27 years in his nice repair shop in a nice Oregon town. But his gorge rose when women brought in their children's shoes for resoling and he saw what inferior materials were used in their making. Pair after pair were paper from end to another, with a veneer of leather, not even enough to make repairs possible.

He had no urge to tell the shoe manufacturers how to go about making their product. But what he did feel was essential was a law requiring them to label their footwear so Mrs. Average Consumer would know exactly what she was buying.

It was just about 2 years ago that "the man with a sole" got mad enough to take matters into his own hands. Since then, he's corresponded with his Congressman in Washington, sent out hundreds of petitions and letters, had articles published in trade journals and generally worked up such a storm that it looks as though Congress might

pass the labeling law he fought for so valiantly.

A note from Mr. G. which I just received says in part, "Firing a final gun in the battle for better shoes for our schoolchildren—I ask all parents in the Nation to send a child's shoe to Congress, that is full of paper fiber. Address it to—Better Shoes for a Child Support Bill, H.R. 1320, care the Honorable RICHARD L. NEUBERGER, U.S. Senate, Washington, D.C."

Want to help Gardner win his fight? Send along a worn child's shoe to Senator NEUBERGER. Or if not that, a letter or postcard would probably help some.

[From the Machinist, Aug. 20, 1959]

REPAIRMEN PRESS CONGRESS FOR SHOE LABELING LAW

(By Sidney Margolius)

If you've been buying low-priced shoes for your children or yourself, as many working families tend to do in this period of rising shoe prices, there's a strong possibility such shoes have paper insides or contain other short-lived materials.

You can expect such shoes to wear out quickly, especially if they get soaked, as often happens with children's shoes, and also almost impossible to repair.

Wilbur Gardner, a Medford, Oreg., shoe repairman, has been conducting a one-man campaign against shoes sold without notice to consumers that they are made with substitute materials. His campaign has won national attention. Now a bill has been introduced into Congress by Representative CHARLES O. PORTER, Democrat of Oregon, which would require manufacturers to put labels on shoes stating what materials they contain.

Already, close to a million people have signed petitions distributed by Gardner and other shoe repairmen, urging Congress to enact a shoe-label law, just as wool and rayon fabrics, and soon all fabrics, must be labeled to show their exact fiber content.

Gardner says he has found as much as 40 percent of children's and women's shoes are made with short-lived fillers such as pressed paper. Men's shoes are generally better made and are little or no problem. But in womens' shoes, quality is often sacrificed for the sake of style at a low price, and inexpensively made children's shoes are a particular headache. Mothers often are told the shoes can't be repaired because of excessive use of fillers. Heels made with pressed paper filler even may fall apart from heavy wear, especially when wet.

Shoes made with wood shanks sometimes are a problem, too. The shank is that section of the sole between the heel and the ball. Gardner's experience is that active children often crack shanks when jumping or running. In general, repair experts consider steel shanks preferable.

The dilemma is that under present conditions, you can't always tell what's under the leather surface. If paper filler is used, it is generally underneath the outer sole, in the heel counter, or under the heel, where it can't be detected, or in the inside lining where it can be detected only if examined closely. Sometimes plastic insoles are used in inexpensively made shoes. Repairmen say these don't wear as well as leather, but are better than paper.

Nor is price always a reliable clue to conconstruction, Gardner says. He has found some low-priced shoes better made than higher priced ones. He argues that the only accurate guide to consumers would be labels specifying the materials used.

Shoe manufacturers are opposing the proposed labels and argue that they could be misleading because two shoes both labeled all leather might be quite different in quality. Admittedly there is poor and good quality leather. But the labels would at least reveal the use of substitute fillers inside the shoe, and leave the choice up to you as to whether such a shoe is suitable enough.

Until there is some labeling protection for consumers, here are a few shoe-buying tips:

Look for a slightly flexible toe box and heel counter (stiffening material used at the toe and the back of the shoe to support the outer leather). The toe box and counter should give a little when you press them but immediately resume their shape.

Calfskin is the preferred outer leather. Cheaper shoes sometimes use "side leather," which is cowhide split and finished to imitate calfskin. By close examination of the grain of the leather, you can tell calfskin by its fine grain, cowhide by its coarser grain. In children's shoes, sharkskin toes help avoid scuffing.

The Goodyear welt is the preferred construction in shoes you expect to use heavily and have repaired. In this construction, both upper and lower are attached to a thin strip of leather called a welt. The inside of a welted shoe is smooth.

Look for a sock lining of genuine leather, not merely paper dyed and finished to look like leather. Also, look for a leather lining in the back of the shoe. The rest of the lining should be closely woven cotton drill.

It doesn't pay to have children's shoes repaired if they are about to be outgrown. Run your fingers inside the toe box to see if the child's toes are pressing against the shoe. But don't pass shoes on to the younger children. Each child's foot is different.

H.R. 1320

A bill to protect consumers and others from misbranding and the unrevealed presence of substitutes and imitation materials in shoes and related products, 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 "Shoe Labeling Act".

SEC. 2. As used in this Act—

(a) The term "person" means an individual, partnership, corporation, association, business trust, any other form of business enterprise, or organized group of the foregoing.

(b) The term "shoes", plural or singular, means and includes any and all types and kinds of footwear for human beings, except hosiery made wholly of knitted or woven textile fiber.

(c) The term "label" or "labeling" shall mean and include any stamp, tag, label, or mark of identification affixed to any shoes in conformity with this Act and the rules and regulations prescribed thereunder.

(d) The term "Commission" means the Federal Trade Commission.

(e) The term "Federal Trade Commission Act" means the Act of Congress entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914, as amended, and the Federal Trade Commission Act, approved March 21, 1938, as amended.

(f) The term "split leather" means the the resulting under ply or plies of leather after the top ply or top grain has been removed or split from the animal hide from which the leather was produced.

(g) The term "commerce" means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(h) The term "United States" includes the several States, the District of Columbia, and the Territories and possessions of the United States.

SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering, for sale in commerce, or the transportation or distribution in commerce, of any shoes which are misbranded within the meaning of this Act or the rules and regulations prescribed thereunder is unlawful and shall be an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(b) The sale, advertising, offering for sale, transportation or distribution of any shoes which have been shipped and received in commerce or which are made in whole or in part of materials which have been shipped and received in commerce, and are misbranded within the meaning of this Act or the rules and regulations prescribed thereunder, is unlawful and shall be an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(c) Except as provided in subsection (d) of this section it shall be unlawful to remove or mutilate or cause or participate in the removal or mutilation, prior to the time any shoes are sold and delivered to the ultimate consumer, of any label required by this Act to be affixed to such shoes, and any person violating this subsection is guilty of an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(d) Any person introducing, selling, advertising or offering for sale in commerce, or manufacturing or processing for commerce, any shoes, or any person selling, advertising, offering for sale or processing any shoes which have been shipped and received in commerce, may substitute for the label affixed to such product pursuant to section 4 of this Act, a label conforming to the requirements of such section, and such label may show in lieu of the name or other identification pursuant to section 4(2)(e) on the label so removed, the name or other identification of the person making the substitution. Any person substituting a label shall keep such records as will show the information set forth on the label that he removed and the name or names of the person or persons from whom such shoes were received, and shall preserve such records for at least three years. Neglect or refusal so to maintain and preserve such records is unlawful, and any person who shall fail so to maintain such records shall forfeit to the United States the sum of $100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action. Any person substituting a label who shall fail to keep and preserve such records or who shall by such substitution cause any shoes to be misbranded within the meaning of this Act or the rules or regulations prescribed thereunder, shall be guilty of an unfair method of competition in commerce and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(e) Subsections (a), (b), (c), and (d) of this section shall not apply to any common carrier, contract carrier, or freight forwarder in respect of any shoes shipped, transported, or delivered for shipment in commerce in the ordinary course of business.

MISBRANDING

SEC. 4. (a) For the purposes of this Act, any shoes shall be considered to be misbranded—

(1) if such shoes are falsely or deceptively labeled or are otherwise falsely or deceptively identified, or if the label contains any form of misrepresentation or deception, directly or by implication, with respect to such product or products; or

(2) if there is not affixed to the shoes a label showing in words and figures plainly legible—

(A) the common generic name of the material or materials of which such shoes are made, except such parts or materials within the exemption provided in subsection (b) of this section 4;

(B) that such shoes, in designated parts, contain or is composed of used or secondhand materials, or split leather, or is composed, wholly or partially, of nonleather materials which are in imitation or simulation of leather when such is the fact;

(C) that such shoes, in designated parts, contain or is composed of paper, wood, or woodpulp, or synthetic, reconstituted, or artificially formed material when such is the fact;

(D) the name or other identification issued and registered by the Commission of one or more of the persons who manufactured such shoes, or who introduce, sell, offer for sale, or distribute such shoes in commerce.

(b) Parts of shoes comprising sewing thread, staples, pegs, nails, eyelets, fastening hooks, buttons, laces, or elastic gussets, or exposed metal toe guards, or decorations not exceeding 5 per centum by weight of each shoe, need not be disclosed on the label when no representation in respect to the content or composition of such parts is made in the labeling, advertising, or sales promotion of such shoes. The content of parts of any shoes required to be labeled as to fiber content under the Wool Products Labeling Act of 1939 need not be disclosed on the label required by this Act.

EXCLUSION OF MISBRANDED SHOES

SEC. 5. (a) Any shoes imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this Act and the rules and regulations issued thereunder; and all invoices of shoes required under title IV of the Tariff Act of 1930, as amended, shall set forth, in addition to the matters therein specified, information conforming with the requirements of section 4, which information shall be included in the invoices prior to their certification under the Tariff Act of 1930, as amended.

(b) The falsification of, or failure to set forth, said information in said invoices, or the falsification or perjury of the consignee's declaration provided for in the Tariff Act of 1930, as amended, insofar as it relates to said information, shall be an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act; and any person who falsifies, or fails to set forth, said information in said invoices, or who falsifies or perjures said consignee's declaration insofar as it relates to said information, may thenceforth be prohibited by the Commission from importing, or participating in the importation of, any shoes into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said shoes, and any duty thereon, conditioned upon compliance with the provisions of this section.

(c) A verified statement from the manufacturer, producer of, or dealer in, imported shoes showing information required under the provisions of this Act may be required under regulations prescribed by the Secretary of the Treasury.

ENFORCEMENT OF THE ACT

SEC. 6. (a) (1) Except as otherwise specifically provided in this Act, sections 3, 5, and 8(b) of this Act shall be enforced by the Federal Trade Commission under rules, regulations, and procedure provided for in the Federal Trade Commission Act.

(2) The Commission is authorized and directed to prevent any person from violating the provisions of sections 3, 5, and 8(b) of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating any provision of sections 3, 5, or 8(b) of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this Act.

(b) The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this Act, and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act.

(c) The Commission is authorized (1) to cause inspections, analyses, tests, and examinations to be made of any shoes subject to this Act, and (2) to cooperate, on matters related to the purposes of this Act, with any department or agency of the Government; with any State, Territory, or possession, or with the District of Columbia; or with any department, agency, or political subdivision thereof; or with any person.

(d) (1) Every manufacturer of shoes subject to this Act shall maintain proper records showing the information required by this Act with respect to all such shoes manufactured by him, and shall preserve such records for at least three years.

(2) The neglect or refusal so to maintain and preserve such records is unlawful, and any such manufacturer or person who neglects or refuses so to maintain and preserve such records shall forfeit to the United States the sum of $100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action.

CONDEMNATION AND INJUNCTION PROCEEDINGS

SEC. 7. (a) (1) Any shoes shall be liable to be proceeded against in the district court of the United States for the district in which found, and to be seized for confiscation by process of libel for condemnation, if the Commission has reasonable cause to believe such shoes are being manufactured or held for shipment, or shipped, or held for sale or exchange after shipment, in commerce, in violation of the provisions of this Act, and if after notice from the Commission the provisions of this Act with respect to such shoes are not shown to be complied with. Proceedings in such libel cases shall conform as nearly as may be to suits in rem in admiralty, and may be brought by the Commission.

(2) If such shoes are condemned by the court, they shall be disposed of, in the discretion of the court, by destruction, by sale, by delivery to the owner or claimant thereof upon payment of legal costs and charges and upon execution of good and sufficient bond to the effect that such shoes will not be disposed of until properly labeled as required under the provisions of this Act, or by such charitable disposition as the court may deem proper. If such shoes are disposed of by sale, the proceeds, less legal costs and charges, shall be paid into the Treasury of the United States as miscellaneous receipts.

(b) Whenever the Commission has reason to believe that—

(1) any person is violating, or is about to violate sections 3, 5, or 8(b) of this Act; and

(2) it would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the court on review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act,

the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

GUARANTY

SEC. 8. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the shoes guaranteed were manufactured or from whom they were received in commerce, that said shoes are not misbranded under the provisions of this Act. Such guaranty shall be either (1) a separate guaranty specifically designating the shoes guaranteed, in which case it may be on the invoice or other sales document relating to such shoes; or (2) a continuing guaranty filed with the Commission applicable to any shoes handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

(b) It shall be unlawful for any person to furnish, with respect to any shoes, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the shoes guaranteed were manufactured or from whom they were received) with reason to believe the shoes falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition in commerce, and an unfair and deceptive act or practice in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

SEC. 9. (a) Any person who willfully violates sections 3, 5, or 8(b) of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than $5,000, or be imprisoned not more than one year, or both, in the discretion of the court.

(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

APPLICATION OF EXISTING LAWS

SEC. 10. The provisions of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

SEPARABILITY OF PROVISIONS

SEC. 11. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE

SEC. 12. This Act shall take effect one year after the date of its enactment.

RACIAL LISTINGS IN REAL ESTATE ADVERTISEMENT SHOULD BE ENDED

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

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

There was no objection.

Mr. REUSS. Mr. Speaker, I want to call the attention of the House of Representatives to the fact that during the past year six States—California, Colorado, Connecticut, Massachusetts, Oregon, and Washington—and two of the great cities of this country—New York City and Pittsburgh—have enacted laws to combat racial discrimination in housing. This is significant progress in helping to make decent housing available to all people in our country.

In my opinion, the problem of discrimination in housing is a national problem because of the tremendous role that the Federal Government has in the housing field. I think that the Congress should carefully study the laws enacted by these six States and begin to take a much more vigorous part in combatting the evil of discrimination in housing than it has done heretofore. I shall vigorously support legislative measures to deal with this basic problem.

Secondly, I think we have paid too little attention to the conditions that create the need for the programs of urban renewal. I realize that the origins of urban decay are many and complex. It will take great ingenuity and insight to deal with them. But I believe that wherever we recognize a situation that is harming our cities, we must take immediate steps to correct it. One of these harmful conditions is the way real estate is advertised in newspapers.

Many newspapers still list real estate for sale by race. This practice contributes directly to the breakup of balanced neighborhoods and artificially stimulates the flight to the suburbs. The harm this practice does has already been widely recognized. New York, Chicago, Philadelphia, Cleveland, Detroit, Pittsburgh, are some of the cities in which the newspapers have already voluntarily given up this practice. In addition, the State of Colorado in its Fair Housing Act of April 10, 1959, and the State of Oregon, in its legislation of May 25, 1959, have already enacted laws prohibiting this practice by law.

But there are still areas under Federal jurisdiction where this practice is even now being carried on. I am, therefore, today, presenting H.R. 9209, a bill that would prohibit newspapers in Federal areas under the exclusive jurisdiction of the United States from using racial designations in listing houses for sale or lease.

Some people may cry that this is an attempt to withhold information. It is nothing of the sort. It is an attempt to curb deceptive advertising. An examination of houses designated as "colored" in these ads will show that very often they are in neighborhoods still predominantly white. The ads falsely suggest to homeseekers who do not know the city that the houses are in a Negro neighborhood. Such designations act as a traffic signal, diverting white homebuyers to one section of the city and colored homebuyers to another. As a result, they are an obstacle to any attempt to stabilize these changing neighborhoods as integrated neighborhoods. Worse than that, the designations are used by some unscrupulous real estate dealers to "break" blocks, stir panic selling, and perpetuate and extend segregated neighborhoods. Deceptive advertising and racial zoning is not the proper business of newspapers.

I regret to say that an example of a Federal area that continues this harmful practice is our Nation's Capital. The three major newspapers of the District of Columbia continue to list real estate by race, and show no disposition to examine the social and economic consequences of the practice. They have been listing houses by race for years and, though it is evident that the practice is a powerful force in creating racial ghettoes, the papers seem bent upon keeping things the way they are. This is the result, I believe, of inertia, not of any careful consideration of what their advertising practices do. Because the welfare of this city and other Federal districts is entrusted to Congress, I believe we must take action in this matter.

The need for action to achieve the national goal of equal opportunity in housing was emphasized in the report of the U.S. Commission on Civil Rights, which we received this week. My bill will materially aid this objective. I hope it will be promptly enacted.

PUBLIC COMMENT ON THE INTEREST CEILING FOR LONG-TERM FEDERAL BONDS

Mr. CURTIS of Missouri. 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 Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I think it is important for the Members of Congress to realize the seriousness of the failure of this Congress to act upon the President's request for the removal of the interest ceiling on long-term bonds. The failure to remove this ceiling is going to result in increased interest rates, not decreased interest rates, as some Members foolishly believe. The reason is quite obvious. There is no interest ceiling on bonds of 5 years or under. The Federal Government will have to go to the short-term bond market to find buyers for its securities and these buyers will and already are demanding more than 4¼ percent before they will lend their money. The Government does not make the market on interest, though it may influence it some. Anyone who believes in the private enterprise system knows that the interest rate is the result of the free market for money which is composed of the demand for, and the supply of, investment capital. Those foolish people who do not believe this, advocate a variety of governmental actions which they think will repeal this natural law. If they were permitted their way, they would be as foolish and unsuccessful as King Canute who ordered the sea to cease its motion.

The economists throughout the country and economic writers have, almost without exception, supported the President's request for the removal of interest ceilings on long-term bonds. From time to time I have been placing in the CONGRESSIONAL RECORD various articles and editorials from magazines, newspapers, and other publications, all pointing to this. Why do the Democratic leaders of the Congress persist in their stiff-necked folly?

I am inserting today in the CONGRESSIONAL RECORD, 13 additional editorial comments on the subject of the interest ceiling for long-term Federal bonds:

First. Life magazine, September 7, 1959, "How Bond Rates Affect You."

Second. Journal of Commerce, September 3, 1959, "Who's Being Hurt?"

Third. Hartford (Conn.) Courant, August 23, 1959, "Blow Against Thrift."

Fourth. Philadelphia Bulletin, September 3, 1959, "Interest Rate Boomerang."

Fifth. Wall Street Journal, September 9, 1959, "An Empty Triumph."

Sixth. Baltimore Sun, September 4, 1959, "A Partial Response."

Seventh. Washington News, September 5, 1959, "Savings Bond Interest."

Eighth. Washington Post and Times Herald, September 7, 1959, Economic View by Harold B. Dorsey, "Legislators Hurt Those They Profess To Protect."

Ninth. Miami (Fla.) Herald, August 27, 1959, "And Eisenhower at Home."

Tenth. Burlington (Vt.) Free Press, August 27, 1959, "Rising Interest Rates No Boon to Banks."

Eleventh. Denver (Colo.) Post, August 26, 1959, "The Dollar Needs More Muscles."

Twelfth. New York Times, September 8, 1959, "The E and H Bonds."

Thirteenth. Indianapolis (Ind.) Star, August 29, 1959, "Sure Way To Save Money."

FINANCIAL CRISIS REQUIRES PRESIDENTIAL SPENDING VETOES

Mr. DIXON. 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 Utah?

There was no objection.

Mr. DIXON. Mr. Speaker, it was with reluctance that I voted to sustain the President's veto of the revised public works appropriation bill, because I am a strong believer in reclamation. There are, however, among the 67 unbudgeted projects in the public works bill, a number with a low-cost benefit ratio and at least one project, the Burns Creek, costing approximately $48 million that has not even received the approval of the House Committee on Interior and Insular Affairs.

A second major reason why I voted to sustain the President's veto is that the bill commits the Government to future expenditures of $800 million on these unbudgeted projects. I have also associated myself with this effort to prevent heavy new spending commitments by

the Federal Government because the Congress, by its negligence, has permitted the Federal Government to be involved in a prospective financial crisis of serious magnitude. Yesterday's Wall Street Journal, following numerous interviews with administration, Federal Reserve Board, and congressional leaders, dramatically portrays the significance of this financial crisis. It says the spending picnic is now over because the money is running out. Other facts emphasized in the article are as follows:

First. The national debt is now $290 billion, the highest ever, including World War II.

Second. Within the next 12 months the U.S. Government must try to borrow $78 billion merely to pay off old debts that are coming due in that space of time. Actually the figure is larger because some money will be borrowed on short-term notes and bills which must be paid off by second borrowings within the 12 months.

Third. In addition to this heavy borrowing the Treasury must raise $7 billion before Christmas to meet the current spending bills which are building up. Thus the U.S. Government in 1 year must borrow more than this year's entire budget, a whopping $85 billion.

Fourth. This money will be difficult to raise because the money market is squeezed by the heavy demands of other borrowers—State governments, local governments, school districts, other public authorities, plus record demands from private industrial borrowers. This sharp increase in the demands for available funds is displayed by the fact that in 1958 the Treasury paid 1¼ percent for 1-year money, whereas today it must pay more than 4¾ percent. This makes it simply out of the question for the Government to borrow money on long-term bonds at 4¼ percent, the present legal ceiling.

Fifth. By failing to raise the legal ceiling on long-term interest rates Congress will force the Treasury to squeeze the short-term money market, very possibly causing it to rise to at least 5 percent. This will not only be expensive for the Federal Government in attempting to refinance its debt on a short-term basis, but it will also be chaotic for the economy in general since interest rates might skyrocket and seriously restrict normal short-term business borrowing to stock inventories, purchase raw materials and sell products.

Why is Congress responsible for this financial crisis? First, because it has been unwilling to raise the long-term bond interest rate which would enable the Treasury to refinance the debt on a stable basis. Second, because Congress shirks its duty in raising the money to pay for the expenditures it insists on making. For example, in the past decade the Government has operated in the black only 3 years, and then the margin was very slight. On the other hand, during this same period annual Government revenue versus spending has shown a parade of deficits. The last of these deficits tells the story: $3.1 billion, $4 billion, $9.4 billion, $3.1 billion, $4.2 billion, $2.8 billion, $12.9 billion.

Congress can only blame itself for forcing the President to act like a stern father and veto its childish demands for ever more spending without equal willingness to raise money to cover the spending. There are no "profiles of courage" involved in this type of approach to fiscal responsibility.

A striking and dramatic solution which I would urge the Congress to adopt promptly in my bill, H.R. 8913, for a compulsory balanced budget and debt retirement program. This bill has the real teeth of automatically raising corporate and personal income taxes any time that Congress fails to balance the budget and retire $2½ billion in the national debt. Enactment of this bill would so restore confidence in the fiscal integrity of the Federal Government that it would again make Government bonds the prime investment that they were once considered to be. This renewed confidence in the credit of the Government plan plus the fact that the Government would be releasing $2½ billion a year into the money market rather than being a net borrower, would strikingly lower the interest rates on Government bonds and would probably relieve Congress of the need to raise the long-term interest ceiling on Federal bonds. However, one way or another Congress must reckon with the realities of the fiscal crisis. Either it must raise the interest rate or balance the budget and start repaying the national debt.

MISTREATMENT OF U.S. ARMY PERSONNEL IN IZMIR, TURKEY

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

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

There was no objection.

Mr. BENTLEY. Mr. Speaker, under leave to extend and revise my remarks, I wish to include the text of an article from the August 24 issue of Time magazine concerning the arrest and alleged mistreatment of certain U.S. Army personnel in Izmir, Turkey. The article also commented unfavorably on the conduct of Consul Donald B. Eddy at Izmir at that time.

In viewing of these statements that were made concerning one of our Foreign Service Officers, I wrote to Deputy Under Secretary Loy Henderson of the State Department under date of August 26 and received his reply under date of September 10. In my belief that it will contribute substantially to a better understanding of this unfortunate incident, I wish to include the texts of both my letter and of Mr. Henderson's reply.

It should be pointed out, Mr. Speaker, that the charges both against the American military personnel as well as the Turkish police authorities for their alleged brutality are presently under investigation in the Turkish courts. I have no doubt that further clarifying statements will be issued at the conclusion of the judicial investigation.

AUGUST 26, 1959.

Hon. LOY W. HENDERSON,
Deputy Under Secretary for Administration, Department of State, Washington, D.C.

DEAR MR. HENDERSON: I was distressed to read in the August 24 issue of Time magazine the account of the arrest and subsequent mistreatment of two American sergeants by local police in Izmir, Turkey. What was particularly distressing in the account of these arrests was the strong inference that the American consul in Izmir, Donald B. Eddy, had attempted to minimize and even to conceal evidence regarding the mistreatment of these two American servicemen.

As ranking minority member on the State Department Subcommittee of the House Foreign Affairs Committee, I feel that the Department should come forth with an explanation of Mr. Eddy's conduct during these developments in Izmir. I am further requesting the Department to forward a detailed accounting of Mr. Eddy's actions to me at the earliest possible moment. This letter is not being released to the press but I shall at liberty do so once I have received the Department's report in the premises. I must also reserve the right to request Chairman HAYS of my subcommittee to hold a hearing on this question if the information received should, in my opinion, justify it.

Sincerely yours,

ALVIN M. BENTLEY,
Member of Congress.

TURKEY—TORTURED AMERICAN SERGEANTS

Shortly before 1 o'clock one morning in early August, U.S. Army Sgt. Dale McCuistion, 27, driving through the streets of Izmir, Turkey, headquarters of NATO land forces in southeastern Europe, was crowded over to the curb. Men in plain clothes poured out of an unmarked civilian car and a jeep, yanked McCuistion out of his station wagon. Convinced that he was about to be robbed, McCuistion put up a fight, but was soon overpowered and hustled off to a dungeonlike room underneath an old stable.

According to the story McCuistion later told his superiors, an English-speaking Turk, later identified as an agent of the Turkish Finance Ministry, charged McCuistion with black-market purchases of Turkish lire. When McCuistion denied the charge, five Turks began to work him over. For 18 hours he went without water, food or sleep while his captors questioned and "beat me unmercifully. They rabbit-punched me from behind and kicked me. I was afraid they would kill me."

AN OLD TURKISH CUSTOM

Early the following morning, while McCuistion was still being held incommunicado, Turkish police picked up U.S. Air Force Sgt. Giacomo Recevuto of Brooklyn. And that afternoon Izmir Police Chief Nevzat Emrealp informed NATO authorities that he wanted to have a little talk about currency black-marketing with two other U.S. sergeants, James D. King of Ruth, Miss., and Joseph Proietti of Mount Kisco, N.Y. Emrealp did not mention that his men had already extracted from the Turkish manager of the NATO noncoms' club in Izmir a confession implicating King—a confession subsequently repudiated by the club manager, who, as a result of his questioning, was still in the hospital. Assured that King and Proietti would not be arrested, NATO officers turned them over to Emrealp—and Emrealp promptly arrested them.

While Turkish cops without a search warrant ransacked Sergeant King's house under the terrified eyes of his wife and children, King himself was taken not to jail but to the stable dungeon. There, says King, he was introduced to an old Turkish custom: the bastinado. As he hung head down from a

rafter, two Turks took turns beating the soles of his bare feet with a rubber or leather stick.

STOLEN PAPERS

It was 2 days after McCuistion's disappearance before NATO headquarters got interested. When Brig. Gen. Paul Hollister, NATO chief of staff in Izmir, protested to Turkish authorities, tough cop Emrealp at first denied knowledge of McCuistion's arrest. Finally the Turks agreed to show McCuistion and King to a U.S. colonel—who reported that both men were in bad shape. It took 10 more days for NATO to learn of the charges against the four sergeants, and by this time NATO officers also discovered that someone had stolen McCuistion's finance records from a safe in NATO headquarters.

According to the Turkish police, the four sergeants among them had bought about $15,000 worth of lire at black-market rates, i.e., at 11 or 12 to the dollar instead of at the official 9 to the dollar. For this, Izmir's public prosecutor last week demanded up to 25 years for McCuistion and lesser prison sentences for the other three.

PRIVATE BUSINESS

Under a status-of-forces treaty with the United States, Turkish courts have jurisdiction over crimes committed by U.S. servicemen outside the line of duty. But U.S. officers at NATO could and did start assembling affidavits on the sergeants' complaints of brutality. (Wrote Lt. Gen. Paul D. Harkins in a report to the Pentagon: "There seems little doubt that Sergeants McCuistion and King were mistreated.)

But then diplomacy raised its familiar head. After all, Turkey is a stout ally and determinedly anti-Communist. The United States has given it approximately $2 billion in economic and military aid, and tries to avert its gaze from the increasingly dictatorial tendencies shown in a lively democratic country by Premier Adnan Menderes. After first word got out last week about the sergeants' case, Donald B. Eddy, U.S. consul in Izmir, spent nearly an hour trying to persuade NATO's Hollister to withdraw the report to the Pentagon. When Hollister refused Eddy issued a statement to the Turkish press declaring that U.S. doctors had examined McCuistion and King and had found no injuries save a bruise on McCuistion's shoulder, "which he might have received while resisting arrest." When Eddy was reminded that NATO sources had given newsmen a detailed account of the tortures inflicted on McCuistion and King, he starchily replied: "In my opinion, it is impossible for a responsible American officer to give out such a story."

But the case of the tortured sergeants had gone beyond the stage where it could be papered over by press releases and morning-coat pronouncements. The Izmir public prosecutor's office took a belated interest in the brutality charges. (In a parade of suspects in Izmir jail, both McCuistion and King identified three Turkish Ministry of Finance agents as their torturers.) And at week's end U.S. Ambassador to Turkey Fletcher Warren came flying back to the United States on what the State Department insisted was private business. Along with Warren, by pure coincidence, came a colonel from the Air Force judge advocate's office in Ankara.

DEPUTY UNDER SECRETARY
OF STATE
FOR ADMINISTRATION,
Washington, September 10, 1959.

Hon. ALVIN M. BENTLEY,
House of Representatives.

DEAR MR. BENTLEY: Thank you very much for your letter of August 26, 1959, about the account in a national news magazine of the actions of the American consul in Izmir at the time of the arrest by the Turkish authorities of the American sergeants charged with illegal currency transactions. Since we feel there were distortions and inaccuracies in that account, I welcome the opportunity to give you this fuller report and particularly to report on the actions taken by the American consul in Izmir, Mr. Donald B. Eddy.

At the outset, let me say that all aspects of this affair, including the allegations of mistreatment made by the men who were arrested, are under careful investigation both by Turkish authorities and by United States military authorities, who are acting in close collaboration with the Embassy in Ankara and the consulate in Izmir. Senior officials of the Departments of State and Defense are consulting closely about this matter and are not only studying the implications of the specific case but also are working together on courses of action designed to prevent recurrence of incidents of this nature.

The facts of the case as they relate to Consul Eddy's actions are as follows:

The detention and questioning of the four American servicemen who were charged with illegal currency transactions was first reported by Consul Eddy to the Embassy at Ankara and to the Department of State on the same day the men were apprehended, August 4, 1959.

In view of statements that had been made by the men who had been arrested that they had been mistreated, an officer of the Izmir consulate visited them in jail on August 5 accompanied by the detachment commander and U.S. Air Force physicians. The detachment commander's report of the examination by the doctors (sent to his headquarters and to the consulate on August 6) stated that the two doctors had thoroughly examined the two men about 5 p.m. on August 5 and that neither McCuistion or King showed definite evidence of having been beaten. It was commented that regarding King, nothing was proved either way, since if he had been beaten on the heels, no marks would probably have remained in any case. As for McCuistion, minor body bruises had been observed, which he could have received while being arrested (by his own statement, he had resisted arrest, claiming that since he was taken by plainclothes detectives at 3 a.m. and had on his person a large sum of money, he thought the detectives might be robbers).

On August 5, Colonel Wilkinson issued a statement to the press promising full cooperation with the Turkish authorities in the case.

On August 6, accompanied by a senior officer of the American Embassy and one of his assistants, Consul Eddy interviewed the senior U.S. Air Force doctor who had examined the men. Based on this interview, the senior Embassy officer reported to the Ambassador that (1) examination by U.S. military doctors within 24 hours after their arrest had not confirmed the allegations of beating, (2) one of the men had a bruise on his chest and a bruise on his shoulder which could have been caused by his resisting arrest, and (3) the basis for the story of mistreatment was the accounts given by the men themselves.

Consul Eddy did not make a statement to the press about the findings of the doctors until after the magazine story had been circulated in the United States. When the representative of the magazine who had filed the story queried him about the case on August 20, Mr. Eddy mentioned the doctors' report, but the magazine story (unknown to him) had appeared on American newsstands on August 18.

On August 13, Consul Eddy acting upon instructions from the American Embassy called at NATO headquarters in order to discuss certain aspects of this case. The purpose of Mr. Eddy's visit was to do all that was possible in order to make sure that the information which was going to the American and NATO officials with regard to these events was accurate and complete and that the whole matter should be handled in such a manner as not unnecessarily to disturb the relations between Turkey and the United States.

On August 14, a Turkish newspaper, Sabah Postasi, carried a story reporting that, according to New York and Athens newspapers, the American detachment commander mentioned previously, Colonel Wilkinson, had stated:

"The Americans were detained in a place like a stable, without food, water, without beds. Sergeants McCuistion and King are in a terrible state. There is cause for anxiety for the life of McCuistion, whose body is covered with bruises. The feet of Sergeant King were crushed through beating by the Turkish police until they bled."

Queried by another Izmir newspaper, Yeni Asir, for comment on the Sabah Postasi story, Consul Eddy stated:

"I cannot believe that Colonel Wilkinson made the statement attributed to him in the New York and Athens newspapers. I find it incredible that a responsible American officer could have said such things. Surely he has been misquoted. I know Wilkinson well. I am certain that, in his heart, he is a friend of Turkey. If not, then he would not have extended his tour of duty for an extra term. I believe that, if you will ask Colonel Wilkinson himself, he will set the record straight."

On August 21, Colonel Wilkinson issued the following denial of the Sabah Postasi story:

"I made one and only one statement to the press on August 5. I have made no other statements to either the Izmir press or to foreign press agencies whatsoever. I have nothing to do with the alleged statement that has been given to the foreign news agencies."

In spite of reports which appeared in various newspapers and magazines, I would like to state categorically that our officers in the Embassy in Ankara and the Consulate in Izmir were deeply concerned about this case from the beginning and that they acted properly and with good judgment to safeguard the rights of the accused. At no time did they attempt to prevent all the facts from becoming known to the American Government. They have continued to take an interest in the welfare of the arrested Americans and have kept in constant touch with the Turkish authorities.

The charges against the arrested men and those against the Turkish police who are accused of mistreating them are at present being considered by the Turkish courts.

In my opinion, our Embassy in Ankara and our Consulate in Izmir have lived up to the best traditions of the Foreign Service in all respects and have attempted properly to protect American citizens and at the same time to prevent impulsive or ill-considered actions from undermining the good relations between the United States and Turkey which are so vital to the security of the Middle East.

Sincerely yours,

LOY W. HENDERSON.

PUBLIC WORKS APPROPRIATION BILL

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a table.

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

There was no objection.

Mr. TABER. Mr. Speaker, supplementing what I said in the House on September 8, on the public works appropriation bill, which was then before the

House, I insert the following table in the RECORD. There are in all, 25 projects which have either no benefit-cost ratio, or if they have one its actual picture is so poor that all of the 25 should not be built. Each benefit-cost ratio is figured on an interest rate of 2½ percent on Government bonds when the actual rate is at least 4 percent.

The table attached shows the new starts which an honest figuring of benefit-cost ratio would rule out:

Project	Benefit-cost ratio	Total estimated cost	Appropriation to date	Amount in H.R. 7509
Arkansas: Beaver	1.1	$56,100,000	$1,291,000	$1,500,000
Actual	.5			
Alaska: Dillingham	1.3	412,000	6,000	406,000
Actual	.6			
Mad River Reservoir	1.2	5,970,000	18,000	----------
Actual	.7			
Florida:				
Channel at East Point	(1)	39,100	----------	39,100
George Island	(1)	43,000	----------	43,000
Intracoastal Waterway	(1)	6,860,000	370,000	600,000
Iowa: Red Rock Reservoir	1.5	71,000,000	1,717,000	1,113,300
Actual	.9			
Kansas: Wilson Reservoir	1.2	18,100,000	259,000	500,000
Actual	.8			
Louisiana: Algiers Cut-off	(1)	1,420,000	0	1,420,000
Massachusetts: Westville Reservoir	1.1	2,450,000	328,000	----------
Actual	.7			
Michigan: Grand Marais Harbor	(2)	1,020,000	5,000	300,000
Actual	?			
New Mexico:				
Two Rivers Reservoir	1.2	6,900,000	390,000	75,000
Actual	.8			
Rio Grande Floodway, Cochiti to Rio Puerco	(1)	4,400,000	50,000	800,000
Actual	?			
New York:				
Buttermilk Channel [3]	(1)	1,551,000	----------	1,500,000
New York-New Jersey pierhead line [3]	1.4	1,311,000	----------	500,000
Actual	.9			
Ohio Street Bridge, Buffalo River	(2)	4,520,000	----------	2,000,000
Actual	?			
North Carolina: Wilkesboro Reservoir	1.2	8,350,000	387,000	1,000,000
Actual	.8			
Ohio:				
Muskingum River Reservoir [3]	(2)	615,000	----------	500,000
Actual	?			
West Branch Mahoning River Reservoir	1.3	6,940,000	261,000	525,000
Pennsylvania: Allegheny River Reservoir [3]	1.3	113,000,000	2,733,000	1,400,000
Actual	.8			
Texas:				
Colorado River Channel	1.5	1,310,000	54,000	400,000
Actual	1.0			
Gulf Intracoastal Waterway, channel to Port Mansfield	1.1	3,446,000	15,000	150,000
Actual	.7			
Proctor Reservoir	1.4	17,100,000	325,000	300,000
Actual	.9			
Virginia: Pound Reservoir	1.2	17,700,000	331,000	2,500,000
Actual	.8			
Flood control, Mississippi River and tributaries. Wolf River and tributaries	1.3	2,025,000	43,000	300,000
Actual	.8			
Reclamation:				
Wyoming: Seedskadee project	1.5	37,885,000	----------	1,354,000
Actual	1.0			
Upper Colorado River: Colorado Smith Fork	1.2	4,420,000	----------	500,000
Actual	.8			

[1] Not available.
[2] Nonestablished.
[3] Resumption of construction.

EXPLANATION OF FARM BILL JUST INTRODUCED

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. FLYNN] is recognized for 15 minutes.

Mr. FLYNN. Mr. Speaker, it is accepted as a fact by all thinking Americans that a new approach must be made to the farm problem. This country cannot continue spending from $7 to $10 billion per year of the taxpayers' money in an attempt to alleviate the problems of the farmer. The American farmer represents the last vestige of true American independence. He does not want a dole. He does not want to be socialized. He does not want a bureau of bureaucrats calling at his farm to tell him how to run it or what to plant.

The urban dweller, including the white-collar worker, the factory worker and all city residents, cannot afford to pay the taxes necessary to support a $10-billion-a-year farm subsidy. They are paying a double tax because they are paying taxes to subsidize the farmer to keep prices high and then, as a result, they are paying a higher price in the marketplace when they buy groceries. All fairminded people, however, are willing to pay some sort of subsidy or incentive payment to the farmer for a limited period in order to bring farm standards of living and farm income to a par with the income of other segments of society. They ask in return, however, that there be a foreseeable end to these payments and that the money be paid into a program that will bring results and alleviate the farm problem.

A review of recent history shows that the money expended to help the farmer and improve the farm economy has done little good. The records show that we have approximately $9 billion of farm commodities in storage and that the rental alone is running over a million dollars a day. The surplus continues ever to mount even though we find new and speedier ways of giving away the surplus or of spreading it among larger numbers of people. It would do no good, therefore, to continue a program that applies more of the same medicine or a similar type of medicine to the same sick patient for the same ailment. In my congressional district I discussed a plan to remove 80 million acres of productive farmland from production. This land will, in a sense, be put in the bank and will constitute a true soil bank. This amount of land is approximately 22 percent of the producing land in this country. If this amount of land is set up in a reserve, it can be protected and held for future use to feed an eventually larger population or to serve us in time of war or famine. This land is being reserved to produce food and fiber at such time as this Nation needs it.

It is cheaper to control the surplus before it is produced than it is to produce it through the addition of labor, feed, fertilizer, and so forth, and then try to control the crop which has a larger value than rent of the land which the crop was produced on. The only cost in controlling the production through nonuse of the land is the rental value of the land itself. This rental value should be based on the value of the land for farm purposes and not on the basis of what the land would produce if planted.

I present a threefold plan. First, I would permit each farmer to reduce his farm operation by renting to the Government, to be placed in this soil bank, an amount of land capable of producing 25 percent of what his farm normally produces. I would pay the farmer the average rental value of said acreage for farm purposes and I would pay him an incentive payment in kind as long as agricultural surplus commodities exist, of an amount of commodities equal to the number of acres taken out of production multiplied by $10.

Second, if this program does not result within 2 years in an acreage reduction of 80 million acres, I would then engage in a program of renting whole farms, under the terms set forth in the plan. A recent test has shown that farmers like the idea of renting their farms on a whole-farm basis to the Government, for a longer period, of approximately 20 to 30 years.

In the event these two approaches do not result in reducing production by 80 million acres, I would then engage in a purchase program, subject to the terms and protection set forth in the bill, which is set forth in full in this RECORD. The purchase of this land would cost far less than a continuation of the subsidy payments which we are paying to control farm surplus. I am proposing a plan which I have discussed at great length in my home district. As a matter of fact, if we were forced to purchase the entire 80 million acres, it would be done at a cost of approximately $24 billion. It would be cheaper to invest this $24 billion in the farmland of this country than it would be to continue paying $10 billion a year to control the farm problem. I believe, however, that most of the land would be taken out through rental of one type or another, and that there would be only a small amount, if any, left to purchase.

In order that Members of Congress may be familiar with this plan before

returning to their home districts, I am taking the liberty of asking that my bill be printed herewith, as introduced at length, at this point in the RECORD.

Mr. FLYNN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. Speaker, under unanimous consent, I include the bill which I have introduced today at this point in the RECORD.

H.R. 9204

A bill to balance domestic supplies of, and domestic demand for, agricultural commodities, by providing for the withdrawal of 80 million acres from agricultural production

TITLE I—GENERAL PROVISIONS

SEC. 101. This Act may be cited as the "Agricultural Production Stabilization Act".

SEC. 102. It is hereby declared to be the policy of the Congress to eliminate the recurrence in the future of burdensome surpluses of agricultural production by reducing the acreage in production to the extent necessary to bring into balance the domestic supply of, and the domestic demand for, agricultural products. It is intended that existing surpluses be disposed of through such other programs as the Congress may by law authorize or direct, including the food stamp plan and the food-for-peace program.

SEC. 103. It is the intention of the Congress that the programs authorized by this Act be carried out in the various sections of the country as nearly as may be practicable in proportion to the agricultural activity thereof, insofar as this objective may be accomplished without delaying the execution of the Act.

SEC. 104. For the purposes of this Act—

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "Corporation" means the Commodity Credit Corporation.

(c) The term "county committee" means a county committee established under section 8 of the Soil Conservation and Domestic Allotment Act (7 U.S.C. 1831(d)).

(d) The term "acreage allotment" means an acreage allotment made pursuant to the agriculture laws of the United States.

(e) The term "farm" means the land constituting a farming unit as determined by the Secretary, taking into consideration the use of common-work stock, equipment, labor, management, and other pertinent factors.

SEC. 105. With respect to any segregated acreage under a contract pursuant to title II, or any farmland leased pursuant to title III, or any farmland owned pursuant to title IV, the Corporation may by contract or otherwise provide for the control of noxious weeds and for the performance of such other services as may be necessary or appropriate for the conservation of soil, water, forestation, and wildlife, at a cost to the Corporation not exceeding $3 per acre per annum.

SEC. 106. In the execution of the programs authorized by this Act, the Secretary and the Corporation shall have due regard for the interests of tenant farmers and sharecroppers.

TITLE II—CONTRACTS

SEC. 201. The Corporation shall enter into contracts pursuant to the provisions of this title to the maximum extent possible until such time as there have been withdrawn from agricultural production pursuant to the provisions of this Act not less than eighty million acres of tillable land.

SEC. 202. Any such contract shall be of a duration of not less than twenty and not more than thirty years, and shall be with the person or persons (hereinafter referred to as the contractor) who own or control the farm which is the subject of the contract. Any such contract may contain such provisions relating to transfer of the property which is the subject thereof, assignment, and termination, and such other provisions, as may in the opinion of the Corporation be necessary or appropriate in the public interest and to assure equitable treatment of contractors.

SEC. 203. (a) Any such contract shall provide that the contractor shall—

(1) segregate and withdraw from production certain acreage (referred to in this Act as "segregated acreage") which, prior to such segregation and withdrawal, accounted for 25 per centum of the total production of the farm;

(2) permit the Corporation to establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on the segregated acreage, or to summer fallow such acreage;

(3) devote to conserving crops or uses, or allow to remain idle, throughout the contract period, acreage of the remaining land on the farm which is not less than the acreage normally devoted only to conserving crops or uses or normally allowed to remain idle on such remaining acreage;

(4) not harvest any crop from the segregated acreage, except timber and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals; and

(5) not graze any of the segregated acreage unless the Secretary after certification by the Governor of the State in which such acreage is situated of the need for grazing on such acreage, determines that it is necessary to permit grazing thereon in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster, and consents to such grazing.

(b) Any such contract shall describe the boundaries of the segregated acreage, and such boundaries may not be changed without the consent of the Corporation.

(c) Any such contract may contain such other provisions as the Secretary may deem necessary or appropriate to effectuate the purposes of this title.

SEC. 204. (a)(1) In consideration of the obligations which any such contract shall impose on a contractor pursuant to section 203, any such contract shall provide that the Corporation shall make payments to the contractor, in cash and in kind, as provided in this section.

(2) For each of the first five years the contract is in effect, the Corporation shall pay to the contractor in cash an amount equal to the fair annual rental value of the segregated acreage for farm use only as of the effective date of the contract, as determined by the Secretary acting through the county committee for the county in which the farm is located. Such amount shall be specified in the contract prior to execution.

(3) Upon the expiration of each five-year period after the effective date of the contract, the amount of the annual rental payment shall be adjusted by multiplying the amount determined pursuant to paragraph (1) by the ratio of the Bureau of Labor Statistics Consumer Price Index as of the date of such adjustment to such index as of the effective date of the contract.

(b) (1) In addition to the payments specified in subsection (a), the Corporation shall make an annual payment to the contractor as specified in this subsection.

(2) Whenever the Corporation holds stocks of any commodity which it deems surplus stocks, the Corporation shall deliver to the producer each year a negotiable certificate or certificates for such amounts of one or more of such commodities as will, at their average price for the preceding twelve-month period, be equal in value to $10 multiplied by the number of acres under contract.

(3) Whenever the Corporation has insufficient stocks of commodities to issue certificates as provided in paragraph (2), the Corporation shall pay to the contractor $10 in cash for each acre under contract.

TITLE III—FARM LEASES

SEC. 301. In the event that at the end of two years after the date of enactment of this Act, the total acreage withdrawn from production pursuant to the program authorized by title II is less than 80 million acres, or in the event that the Secretary determines at an earlier date that a greater likelihood exists that less than 80 million acres will be so withdrawn within two years than that 80 million acres will be so withdrawn, then upon the happening of the earlier event, the Corporation shall begin to enter into leases as provided in this title, and shall continue to do so until the total amount of land withdrawn from agricultural production pursuant to this Act is 80 million acres.

SEC. 302. (a) The Corporation shall enter into leases of farm as lessee. Any such lease shall be of an entire farm, for a term of not less than twenty nor more than thirty years.

(b) Farm buildings (including dwellings), not exceeding five acres of land surrounding such buildings, and access roads, may be excluded from any leasehold interest acquired by the Corporation, but in such event the lessor shall covenant and agree that any land so excluded will not be used for agricultural production for the duration of the lease, except that not more than one-half acre of such land may be used as a vegetable garden by any persons living on the premises.

(c)(1) For each of the first five years of any such lease, the Corporation shall pay to the lessor an annual rent equal to the fair annual rental value of the land for farm use only as of the effective date of the lease, as determined by the Secretary acting through the county committee for the county in which the farm is located. Such amount shall be specified in the lease prior to execution.

(2) Upon the expiration of each five-year period after the effective date of the contract, the amount of the annual rental payment shall be adjusted by multiplying the amount determined pursuant to paragraph (1) by the ratio of the Bureau of Labor Statistics Consumer Price Index as of the date of such adjustment to such Index as of the effective date of the lease.

SEC. 303. The Corporation, by subleases or otherwise, may make any appropriate and lawful use of property held by it under leases pursuant to this title, except that no such property shall be used for agricultural production other than timber and cover crops which do not increase supplies of feed for domestic animals.

TITLE IV—FARM PURCHASES

SEC. 401. In the event that at the end of four years after the date of enactment of this Act, the total acreage withdrawn from production pursuant to the programs authorized by titles II and III is less than 80 million acres, or in the event that the Secretary determines at an earlier date that a greater likelihood exists that less than 80 million acres will be so withdrawn within four years than that 80 million acres will be so withdrawn, then upon the happening of the earlier event, the Corporation shall make purchases of farms as directed in this title.

SEC. 402. The Corporation shall purchase farms, under the conditions and limitations

set forth in this title, until the aggregate amount of farmland withdrawn from production pursuant to titles II and III and this title is 80 million acres.

SEC. 403. The Corporation shall purchase only entire farms, except that the seller of any farm may retain one or more of the farm buildings (including dwellings), not exceeding 5 acres of land surrounding such buildings, and access roads, but in such event the seller shall covenant and agree that any land so excluded will not be used for agricultural production until after December 31, 1984, or such earlier date as may be authorized by Act of Congress, except that not more than one-half acre of such land may be used for a vegetable garden by any persons living on the premises.

SEC. 404. Any purchase made by the Corporation shall be for a consideration equal to the fair market value of the land for farm use only, as determined by the Secretary acting through the county committee in the county in which the farm is located.

SEC. 405. The Corporation, by sale, lease, or otherwise, may make any appropriate and lawful disposition or use of any property acquired by it pursuant to this title, except that no such property may be used for agricultural production, other than timber and cover crops which do not increase supplies of feed for domestic animals, until after December 31, 1984, or such earlier date as may be authorized by Act of Congress.

SEC. 406. In order to provide funds for the purchase of farmland as directed in this title, the Corporation is authorized to issue bonds in an aggregate face amount not exceeding $24,000,000,000. The indebtedness evidenced by such bonds shall be an obligation of the United States as to both principal and interest, but shall not be subject to the limitation contained in the Public Debt Act of 1946 (31 U.S.C. 757b).

SEC. 407. The Corporation shall make payments in lieu of taxes to the appropriate local taxing authority with respect to any property held by it pursuant to this title. Such payments shall be in such amounts as reasonably to approximate the taxes which would be imposed on such property if privately owned, taking into consideration any loss of value by reason of the prohibition against agricultural production on such property.

SEC. 408. The proviso of the first sentence of subsection (i) of section 4 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(i)) is amended by striking out "$14,500,000,000" and inserting in lieu thereof "$38,500,000,000".

ANTHONY JULIAN, U.S. DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the people of Massachusetts are very pleased and proud of the recent confirmation by the U.S. Senate of the nomination of Anthony Julian of Watertown, Mass., to be U.S. District Judge for the District of Massachusetts.

I have known Anthony Julian for many years. In addition to his broad legal knowledge, he possesses many qualities which I believe are very necessary for a judge of a U.S. district court. Among these nonlegal qualities are an understanding of human nature, wide experience in human affairs, a comprehension of the tensions and stresses involved in our life of today, a devotion to truth and a champion of the right, a love of people and a genuine desire to serve his fellowmen courageously and honorably.

The career of Anthony Julian, from the time he first came to the United States until now, is an inspiration to every young man with determination. He worked himself onward and upward in the respect and responsibilities of his community and Commonwealth. In accomplishing all that he has, however, he has never taken advantage of any of his fellowmen, but on the contrary has extended help to them as he came in contact with them. In every relationship he has had with his fellowmen, he has been considerate, courteous, and helpful.

The selection of Anthony Julian to be U.S. District Judge for the District of Massachusetts has received universal approval from the bar and the general public alike. Mr. Julian has lived in my congressional district for many years. I am familiar with the outstanding reputation he has made as a lawyer, public official, and civic leader. I am greatly pleased with the President's action in nominating him and with the Senate's confirmation of the choice.

Anthony Julian's career is a glowing example of something that is fundamental in the strength of our country. He emigrated to this country at the age of 11. He had to learn a new language, make new acquaintances, expose himself to new attitudes. He distinguished himself as a student in high school and at Boston College, from which he graduated in 1925. He devoted 1 year on earning money that enabled him to enter Harvard Law School. Upon his graduation from there he entered the legal profession. With the exception of the war years his main energies since his admission to the bar until his appointment to the office of U.S. attorney in 1953 were devoted to a successful law practice. He came to be regarded by his professional colleagues and by the community in general as a learned and skillful lawyer of exceptional ability adhering to the highest standards of professional conduct.

His preoccupation with the law did not remove him from the field of civic activity. He served as counsel for his municipality for several years. During his tenure as a representative in the Massachusetts Legislature he attained high repute for the work he did as a member of the legislative committee on legal affairs and as a member of the Commission that investigated communism and other subversive activities in the Commonwealth.

In addition to his general practice he served as a member of the faculty of Boston College and Boston College Law School for several years as a lecturer on legal subjects.

In World War II he entered military service as a private in the infantry; was subsequently commissioned at the Officer Candidate School of the Judge Advocate General Department; later, with the rank of major he became a member of the board of review in the branch office of the Judge Advocate General in the European Theater of Operations. Toward the conclusion of his service he received a citation which in part read as follows:

As a member of the highest legal appellate tribunal available to persons convicted by general courts-martial in this theater he reviewed and prepared opinions in hundreds of records of trials involving death sentences * * * life imprisonment, dismissals of officers, and penitentiary confinement. His thorough legal competence and calm judicial attitude gave practical legal solutions to many opinions of the Board of Review of which he was a member. His exceptional aptitude for legal research combined with unusual ability to recognize the essence of legal questions contributed heavily to the preparation of precedent-establishing legal principles in the administration of military justice in this theater. Major Julian's devotion to duty and display of ability in the discharge of his responsibilities were in the highest traditions of the military service.

In the field of general civic activity he has been a director of a bank in his community; a trustee of a large community hospital; a member of the advisory board of the Don Orione Home for the Aged; a director of the Massachusetts Higher Education Assistance Corporation; and a member of the board of directors of the American National Red Cross, Boston Metropolitan Chapter.

In recognition of the charitable activities that were conducted under his leadership during the postwar period for the reconstruction of Italy and to provide assistance for war orphans he was awarded knighthood in the Order of the Holy Sepulchre of Jerusalem by the Holy See and the "Star of Solidarity" by the Republic of Italy.

The caliber of the work done by Mr. Julian as U.S. attorney for the district of Massachusetts is attested to by editorial comments in leading Massachusetts newspapers. These are some of them:

Boston Herald, March 7, 1959:

Anthony Julian * * * has been a strong U.S. attorney, and in his rapid rise from immigrant youth to civic leader he has shown unusual devotion to the public weal. It is hard to think of a candidate more apt to rise to what Judge Wyzanski calls the zest of the judicial task than Anthony Julian.

Boston News Tribune, November 19, 1956:

The record he [Anthony Julian] has carved out in his present capacity is outstanding and one which is winning nationwide respect for him.

Boston Traveler, October 29, 1956:

Anthony Julian, U.S. attorney for the district of Massachusetts, deserves high praise for his outstanding performance in office. * * * After reading Julian's report for the fiscal year we readily agree with Attorney General Brownell's words. Here is what he says, in part, with respect to Julian's record: "Your work as U.S. attorney has been characterized by unstinting hard work and devotion to duty. The outstanding record you have established is in the highest tradition of the Federal public service." * * * We're in hearty accord with Brownell's opinion. Well done, Anthony Julian.

The Boston Daily Globe, December 26, 1957, in a leading editorial entitled "Mr. District Attorney," had some very nice things to say about Mr. Julian's conduct of his office.

Senator SALTONSTALL issued the following statement on the occasion of Mr. Julians' reappointment to the office of U.S. attorney in 1957:

The reappointment of Anthony Julian as U.S. attorney for Massachusetts is most gratifying to me, and I know that it will be pleasing to the citizens of Massachusetts. As U.S. attorney Mr. Julian has performed an outstanding public service. He has shown himself to be able, efficient, and just.

All of us who know Mr. Julian and his past performance are confident that he will discharge the duties of his judicial office with exceptional ability and wisdom.

TRUJILLO, CASTRO, AND THE DECLARATION OF SANTIAGO

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

Mr. PORTER. Mr. Speaker, Generalissimo Trujillo's incredible machinations are again being exposed. Thanks to the diligent efforts of the Department of Justice, three former officials of the Mutual Broadcasting System have been indicted for failing to register as agents of the Dominican dictator. They are accused of agreeing to broadcast the dictator's propaganda—disguised as genuine news—over their network. The payoff—a cool three-quarters of a million dollars.

Trujillo now claims that he was merely trying to counteract a bad press in the United States. At the time the deal was being consummated, Vision's correspondent in Ciudad Trujillo was strangled. Later this year, Tad Szulc, the New York Times correspondent, was kicked out of Trujillo's fief for reporting the facts.

In fairness to the generalissimo, we must allow that perhaps he really does not see the evil in paying a radio network to broadcast his party line. After 30 years of controlling every word in print, on the air, in the street, and even in the privacy of homes, the old man must by now regard state censorship as a way of life.

THE IMPLICATIONS ARE APPALLING

Nevertheless, for us, the implications of the case are appalling. The American people have come to take for granted the courage and integrity of our reporters and journalists. We rely upon them to be our eyes and ears, to present us with the facts on domestic and foreign events upon which we can base our opinions and policies. The idea that some foreign tyrant could prostitute the news media of the United States to his own nefarious purposes is chilling to contemplate.

The fact that Trujillo had the gall to try to undermine one of our basic freedoms is true to form. In the past, the Generalissimo has not felt constrained to confine his cynical activities to within the boundaries of his island paradise. The Dominican regime has yet to give the Department of State a satisfactory explanation for the disappearance of Professor Galindez from New York and the death of my constituent, Gerry Murphy.

Trujillo's machinations in the United States, while reprehensible, are but petty annoyances in the total of our foreign relations. For some of his Caribbean neighbors, however, Trujillo's intrigues constitute a major threat to their security.

TYRANNICAL GOVERNMENTS ARE THREATS TO THE PEACE

By their very nature, tyrannical governments are threats to the peace of the hemisphere. Where there are oppressors, courageous men will rise in protest. Some of those who are able to escape assassination and take refuge on more friendly shores are going to keep up the fight against the degradation of human spirit in their homelands. Dictators, in self-protection, have traditionally sought to surround themselves with similar governments with whom they can work out an understanding.

With Pérez Jiménez out of Venezuela, Rojas Pinilla out of Colombia, and Batista out of Cuba, Trujillo must indeed feel isolated and threatened. None of the new governments can feel safe knowing that he will spare no effort or expense to wipe them out.

BLOOD MONEY FOR BLOODY PURPOSES

The magnitude of the sum involved in the Mutual Broadcasting deal gives some idea of the assets Trujillo has at his disposal to invest in his unscrupulous activites. Three-quarters of a million for an abortive attempt to buy public opinion in the United States.

How many millions for similar efforts to confuse public opinion regarding Castro of Cuba and Betancourt of Venezuela? How many millions more to instigate and arm plots to overthrow other Latin American governments which are struggling to establish representative government?

THE HISTORIC SANTIAGO DECLARATION

The American Republics meeting at Santiago last month took resounding recognition of the fact that it is the dictators that endanger America's peace, not those in revolt against oppression. The pertinent part of the historic declaration of Santiago reads:

That harmony among the American Republics can be effective only insofar as human rights and fundamental freedoms and the exercise of representative democracy are a reality within every one of them, since experience has demonstrated that failure to adhere to such principles is a source of widespread disturbance and gives rise to emigration that causes frequent and grave political tensions between the state the emigrees leave and the states that receive them;

That the existence of antidemocratic regimes constitutes a violation of the principles on which the Organization of American States is founded and endangers the peace, solidarity and good relations of the hemisphere.

The Ministers of Foreign Relations then went a long step further. For the first time the American Republics set up standards to appraise a nation's right to call itself a democratic republic and to associate with its neighbors in the OAS as a nation worthy of respect. Does a government hold free elections? Is there freedom of the press, of radio and television? Are fundamental human rights respected, and protected by an effective judicial system?

The Declaration of Santiago sets forth the principal attributes of the democratic system in this hemisphere, as the Declaration itself says, "to permit national and international public opinion to gage the degree to which political regimes and governments conform to that system, thus helping eradicate forms of dictatorship, despotism or tyranny."

MEASURING RODS FOR DEMOCRATIC GOVERNMENTS

The measuring rods defined by the Declaration of Santiago are:

First. The principle of the rule of law should be assured by the separation of powers, and by the control of the legality of governmental acts by competent organs of the state.

Second. The governments of the American Republics should be derived from free elections.

Third. Perpetuation in power, or the exercise of power without fixed term and with the manifest intent of perpetuation, is incompatible with the effective exercise of democracy.

Fourth. The governments of the American states should insure a system of freedom for the individual and social justice based on respect for fundemental human rights.

Fifth. The human rights incorporated into the legislation of the various American states should be protected by effective judicial procedures.

Sixth. The systematic use of political proscription is contrary to American democratic order.

Seventh. Freedom of the press, of radio and television, and, in general, freedom of information and expression, are essential conditions for the existence of a democratic regime.

Trujillo, of course, flunks on all seven counts. Applications of these standards to the regimes of Somoza in Nicaragua and Stroessner in Paraguay lead to equally grim conclusions.

CUBA'S CASTRO SHOULD USE THESE CRITERIA

The measurements outlined in the Declaration of Santiago should give Fidel Castro pause. Now he has before him the criteria by which his fellow Americans are going to judge his revolution.

I have never doubted Castro's good faith in his struggle to overthrow the despotic Batista regime. Along with millions of others in the Western Hemisphere, I cheered Dr. Castro for providing Cuba with an opportunity to establish a government of law and justice.

Shortly after Castro's January 1 victory in battle, I noted in remarks in the House on January 26 that "whether Cuba's new climate of freedom lasts depends largely on Fidel Castro." I said then:

Many who loathed Batista are sickened by the thought that Fidel Castro, perhaps in spite of himself, may end up just another Latin American strong man ruling for an interval by terror and tribute. This is by no means impossible. * * *

Castro needs rest. He needs time to ruminate, time for contemplation and study, then consultation with others and travels in Cuba and elsewhere. If he does not withdraw, he will inevitably diminish, then destroy, the authority of the new government. This will make the transition period difficult and perhaps impossible.

Many Cubans will protest his withdrawal into the wings at this time. They will cry, with understandable concern, that Cuba needs him. More than Castro, Cuba needs a functioning government, honest and mindful of human freedoms. Castro has no desk, no organization for government, and no time or ability to decide the many and often complex issues brought to him. Most important of all, he has no business trying to do what the provisional government was established to do. As a thoughtful lawyer Castro can recall Coke's famous proposition, "Not under man, but under God and the law." This proposition, in addition to being right and just, is the only feasible way to run a government today and to maintain human freedom.

Over 6 months have passed since I made that statement. Unfortunately, Fidel did not take time to rest. He still has no desk. His disorganized approach to government means that his ministers cannot reach him, yet they cannot function unless they consult him.

Since Dr. Castro assumed power, I have been obliged on a number of occasions to be critical of some of his decisions.

WAR CRIMES TRIALS

From the first, I urged Castro and his ministers to improve the procedures for the trials of persons accused of crimes during the Batista regime. On January 12, 1959, I sent the following cable to President Urrutia of Cuba:

Dear Mr. President: For your private information and I hope action let me suggest that Cody Fowler, president of the Inter-American Bar Association, Miami, an able man and good friend of mine, would favorably entertain invitation from you to set up advisory committee from that association to help reconstitute the judicial system of Cuba. Please don't think me presumptuous. The trials of your war criminals and the revival of confidence in Cuba's administration of justice are certainly vital problems on which men of good will could be of tremendous and sympathetic assistance. All I ask now is that you ask Fowler for the help of the Inter-American Bar Association in the delicate and formidable task of fairly judging the accused criminals among the prisoners.

Three days later I said in the House of Representatives:

No one should be executed without a fair trial. It is my hope that the Inter-American Bar Association will be asked to consult with the Cuban Government. Leading lawyers from the Western Hemisphere could be of timely assistance in reestablishing the Cuban court system and in assuring everyone, including Cubans, that the new government is not embarking on the bloody road of Batista.

Unfortunately, Castro did not see fit to accept the help of the Inter-American Bar Association. I think this was an error.

When I visited Cuba in January and sat next to Fidel Castro at an informal dinner, I told him that I thought it was wrong to hold war crimes trials in the Sports Palace and to allow unrestrained press, radio, and TV coverage. The following day he radioed from Caracas to stop the trials in the Sports Palace and take away the TV and radio coverage. Upon my return from Cuba, I reported regarding the trials to the House of Representatives, on January 26:

The trials should be slowed down. Cuba is at peace, and civil judges, not military judges, should sit on the bench. * * * I urged these changes in policy in writing before I went to Cuba and personally when I was there to Preisdent Urrutia, Castro, and Secretary of Justice Angel Fernandez.

Subsequently, I continued to urge that the military trials be halted and further trials be held in civil courts. I pressed Castro himself to do this in a letter dated April 1, 1959. On April 29 and again on May 5, I repeated the recommendation in remarks in the House.

The retrial of the 43 airmen in Santiago at Castro's orders was a flagrant violation of judicial process. Again, I criticized Castro, openly in the CONGRESSIONAL RECORD, and privately to Castro himself. In the CONGRESSIONAL RECORD of April 7, I stated:

We can insist that verdicts of acquittal by duly authorized tribunals not be reversed by executive decision.

To Castro, I wrote on April 1:

The 43 airmen whose acquittal you overthrew ought to have their original verdict reinstated. They should be released.

COMMUNIST INFILTRATION

The question of Communist infiltration into the Cuban revolutionary administration has caused concern among Cuba's real friends. The smokescreen of accusations of communism which the dictatorships have been accustomed to blow at their democratic enemies has complicated sincere and intelligent efforts to deal with the problem.

There can be little doubt that dedicated Communists are trying to take advantage of the postrevolutionary confusion to gain positions of strength. As I have said before, I do not believe that Fidel Castro is a Communist. But I do think that he can lose his revolution to them if he is not careful.

Nor have I been hesitant in saying this to Cubans. In a speech in Santiago, Cuba, attended by some 250 businessmen, on February 9, I said:

Finally, and this injunction is not needed by most of you, beware of Communists who would try to make you believe they speak as Cubans, Cubans devoted to Cuba and speedy social and economic changes. Communists, of course, thrive on disorganization and are trained to take advantage of it. Their social-justice anti-U.S.A. and pro-Cuba themes should fool no one, certainly not any Cuban who hated Batista and would fight against the resurgence of his counterpart in Cuban politics.

In a letter to a high Cuban Government official, a friend of mine, on May 30, I wrote:

It is good to see the Communists smarting under criticism by Fidel and continuing to lose in union elections. I'm sure that the "unity" did them far more good than it ever did the 26th of July. I still would like to see Fidel take steps to bar them from holding any governmental or union offices.

To Fidel Castro himself I wrote on April 1:

You should not allow Communists or their tools to use you and your Government for their purposes. Communists are not working for Cuba except as it may serve their plan to seize power for the Soviet Union.

Finally, on April 29, in open suggestions in the House of Representatives, I urged Fidel to "bar Communists from holding executive or judicial offices in the Cuban Government or in labor unions."

Prior to Castro's visit in April, I wrote to him as follows:

Your visit can be a tremendous success and a real shot in the arm for freedom everywhere, provided your policies are consistent with the ideals for which you risked your life many times and for which many of your movement suffered and died.

Please, by actions as well as words, reassure me and others like me who want to see Cuba thrive under your leadership.

FREE ELECTIONS

Those ideals for which Castro and many fellow Cubans risked their lives are summed up in the seven points of the declaration of Santiago mentioned earlier. How does Castro measure up to the declaration?

The application of these standards to Cuba at this time would find Castro's government lacking in points 1, 2, and 3. Under the one-man rule in Cuba today, there is no separation of power. Nor has the government been derived from free elections. And it would seem, since elections have not been scheduled, that Castro can with some plausibility be accused by his enemies of "the exercise of power without fixed term and with the manifest intent of perpetuation."

Castro, in an interview with Look's foreign editor, William Attwood, published on September 15, 1959, stated:

We will have elections when the revolution has advanced enough, when the social reforms are carried out, when everyone has a decent standard of living, when we have eliminated unemployment and lifted up the country. When will this be? It depends on circumstances. Our job could be interrupted. So I do not want to set an exact date for elections. But I can tell you it will be inside of 4 years. You must remember that the Cubans are a passionate peeople who are now in a revolutionary process. Our first duty is for all to work. Elections would be distracting just now. Of course, if public opinion turns against me, I will not try to hold the power 1 minute more.

This in indeed an ominous perspective. As I stated in remarks in the House of Representatives on May 5, 1959:

No nation can put off elections pending the elimination of corruption, illiteracy, and misery.

It is true that Castro sees his revolution, not purely as an end to political corruption, but as a social and economic revolution. Nevertheless, he cannot hope to achieve permanent reforms without a legitimate and organized opposition based on free elections.

For months now I have been urging that elections be scheduled before 1961. In a letter to Mr. José Sanchez, president

of the 26th of July movement in New York, I wrote on July 22:

Your movement thrived on military opposition. Now it must as a democratic group arrange forthwith for political opposition. This means free elections should be scheduled before the end of 1960. Nothing is more important for the realization of the great dreams of your historic movement. Nothing less will honor the thousands who died as victims of Batista and fighters against Batista.

NEED FOR FREE ELECTIONS

In letters to one of Castro's ministers, I have repeatedly pressed for elections. On May 11 I wrote:

I hope there will be an official announcement soon setting a date for the elections and that that date will be sometime before January 1, 1961. I think this is highly important.

Again on May 30 I stressed the importance of elections, as follows:

I look everyday in the New York Times hoping that I will see a story announcing the date for elections sometime in 1960. I cannot over-emphasize the importance of this step. This is the only practicable way to consolidate the great support the 26th of July has among the people of Cuba to insure popular support for the many important reforms which are necessary.

In July, to the same high official, I again reiterated the theme:

I have no doubt that Castro and his government has almost unanimous support among the Cuban people but I do believe that it is important that the opposition be given a formalized platform by having the election of a Congress.

On the House floor on a number of occasions I have also raised the subject of elections in Cuba. In remarks commemorating the anniversary of the 26th of July movement, I said:

It is also an occasion for friends of freedom to remind Castro and the 26th of July that every democracy must have an active and legitimate internal opposition. The only way such an opposition can arise is through free elections. The date for these elections should be held before the end of 1960.

A week later, in the House, I repeated my position:

Castro needs to understand the necessity for a legitimate, organized opposition, a development that can only come through setting a date for elections in the reasonable future, that is, an immediate announcement of an election date sometime before the end of 1960.

Castro's Cuba has come a long way from the Batista days. People are no longer tortured and assassinated. Reporters are free to roam the island and to report their findings.

But the fundamental freedoms which Castro and his men rescued from tyranny will be secured only when a constitutionally elected government, responsible to the people, is instituted.

I hope Castro will ponder the first seven points of the Declaration of Santiago. He must realize that he will be judged throughout the Americas by the very standards he fought to establish.

Not only do Castro's fate and Cuba's fate hang in the balance, but the wistful hopes of millions in Latin America who look to Castro as more than the hero who led his fellow citizens victoriously against a cruel and greedy dictator. They are depending on his social and economic revolution to provide them with an example of a nation emerging from misery and ignorance to happiness and dignity for everyone.

This is a tremendous burden for any man and any nation. The effort deserves our sympathy, our understanding, and our assistance. What is going on in Cuba is going on in many underdeveloped nations in Asia and Africa as well as in Latin America. With patience and the perspective of the "revolution of rising expectations," we can help Cuba, and Cuba can help us win new and ever stronger friends, allies, and customers throughout the world and assure the victory of the free nations in the cold war.

STEEL STRIKE INVESTIGATION

Mr. RHODES of Pennsylvania. 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 Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, as the steel strike drags on with its far-reaching impact on the economy and on the public, the need for a full scale congressional investigation becomes more evident.

I realize that there is no chance at this time for the naming of a select bipartisan committee of the House of Representatives for this purpose. Nevertheless, in the public interest, a searching study is needed to bring to public attention facts about this dispute which the people have every right to know. Whether the strike ends today or 6 months from now, I believe that a thorough probe should be conducted.

We must consider the far-reaching effects which threaten our national economy and the welfare of all citizens.

Much more is involved in this dispute than the economic conflict between the United Steelworkers of America and the steel industry. We are witnessing a dramatic exhibition of the monopoly power of one industry and its interdependent relationship to the rest of our economy. The chain reaction to a shutdown of a major portion of the steel industry is felt over a period of months in vast numbers of other industries throughout the country.

Many statements have been made by the United Steelworkers Union and conflicting statements have been issued by the steel companies. The public, as well as the Congress, cannot be certain which of the statements are important and relevant and true.

If there is no impartial tribunal to find the facts, there can be no such thing as an "enlightened public opinion" and strikers become a test of power in a whirl of propaganda and prejudice.

The national interest in these great conflicts between workers and management must be represented and asserted by the Federal Government. The invocation of the Taft-Hartley law will bring no final or fair solution to these problems. The George Humphrey influence in the executive department of the Government naturally arouses fear among steelworkers that there will be no fair and just decision.

The half million striking steelworkers are seeking a better share of what they charge are fantastically high profits of steel companies. The companies object to a wage increase claiming it would be inflationary.

I hope and believe this dispute will be settled before Congress reconvenes. A congressional investigation is needed now. But if not now, the need for a probe will be with us even after the strike ends.

A bipartisan probe committee should study the basic problems and let the public have an inside look at administered pricing practices, wage policies, inflationary effects, stock options, stock splits, and salary and pension policies of both management and labor. It should study tax loopholes and cost-plus defense contracts.

There is a growing public feeling that corporate salaries of $100,000 to $500,000 a year and gigantic pensions and other fringe benefits for executives in the steel industry and other giant corporations are immoral and in conflict with the public interest, particularly when not approved in a secret vote of stockholders.

It raises the question of public interest because it is the people who must finally pay the bill through Federal taxes and prices of manufactured goods.

WHO MADE THE CONSTITUTION?

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 30 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, on Thursday, September 17, the Nation in observing Constitution Day will take stock of the blessings that have come to us and to the world from the labor, the dedication, and the inspired wisdom of the men who met in convention, deliberated long and prayerfully, and came forth with a Constitution that is universally recognized as the greatest of all political documents, a Constitution that embodies as no other similar document ever conceived in any period of the world's history the deepest sentiments of mankind and the governmental instrumentalities by which they could be implanted and preserved in an organized society.

Who were these men who wrote our Constitution? For the reading on Constitution Day by my colleagues who may be interested I am including in my remarks today excerpts from a book of some years ago, "Who Made the Constitution?" written by me in collaboration with Marie Crowe, at present my administrative assistant.

I would call special attention to the sketches by Maj. William Pierce which preface the biographies of the members of the Constitutional Convention. The

sketches by Major Pierce were penned while he was working side by side in the Convention with his fellow delegates of whom he wrote.

Here are the sketches of all the men who participated in the Constitutional Convention as given in "Who Made the Constitution?":

GEORGE WASHINGTON, VIRGINIA, PRESIDENT OF THE CONVENTION THAT FRAMED THE CONSTITUTION

"General Washington is well known as the Commander of the late American Army. Having conducted these States to independence and peace, he now appears to assist in framing a Government to make the people happy. Like Gustavus Vasa, he may be said to be the deliverer of his country; like Peter the Cincinnatus he returned to his farm perfectly contented with being only a plain citizen, after enjoying the highest honor of the Confederacy, and now only seeks for the approbation of his countrymen by being virtuous and useful. The general was conducted to the chair as President of the Convention by the unanimous voice of its members. He is in the 52d year of his age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Washington—"First in peace, first in war, first in the hearts of his countrymen"—was first in the Convention. He was its presiding officer, and in the chair, presiding over the deliberations, he was same stern disciplinarian, the efficient leader, that he had proved on the battlefields of his country. His authority the delegates accepted without question. It is related that one day, during the proceedings, someone handed to the President some notes which a careless member had lost. In a tone which said better than words that in the Washington code of a soldier carelessness had no excuse, he announced that the owner might claim the notes at the close of the session. But no one ever had the courage to confess his carelessness by asking for them.

ABRAHAM BALDWIN, GEORGIA, YALE GRADUATE, MINISTER OF GOSPEL, WAR CHAPLAIN, LAWYER, U.S. SENATOR

Mr. Baldwin is a gentleman of superior abilities, and joins in a public debate with great art and eloquence. Having laid the foundation of a complete classical education at Harvard College, he pursues every other study with ease. He is well acquainted with books and characters, and has an accommodating turn of mind, which enables him to gain the confidence of men, and to understand them. He is a practicing attorney in Georgia, and has been twice a Member of Congress. Mr. Baldwin is about 38 years of age." (Maj. William Pierce, (Georgia) a fellow delegate.)

Delegate Baldwin, at 17, was graduated from Yale, and at 24 was licensed as a minister of the Gospel. He served in the war as a chaplain. Elected professor of divinity at Yale, he declined and took up the profession of law. At 30 he went as representative to the Georgia Legislature, where he was responsible for the adoption of a measure creating a complete educational system. The organization of Franklin College, around which centers the University of Georgia, is also credited to him.

He was 32 when he came to the Convention at Philadelphia. Of the three delegates from Georgia, he was generally esteemed the ablest. He was a Member of the House of Representatives of the First Congress under the new Constitution, and in 1799 entered the U.S. Senate as a stout and consistent supporter of Jefferson. His vote was cast for the conviction of Mr. Justice Chase of the U.S. Supreme Court on the charge of unfitting himself for his high judicial office by participating in politics as a stump speaker. He died March 4, 1807, in his 53d year.

RICHARD BASSETT, DELAWARE, OFFICER OF THE REVOLUTION, U.S. SENATOR, GOVERNOR, FEDERAL JUDGE

"Mr. Bassett is a religious enthusiast, lately turned Methodist, and serves his country because it is the will of the people that he should do so. He is a man of plain sense, and has modesty enough to hold his tongue. He is a gentlemanly man, and is in high estimation among the Methodists. Mr. Bassett is about 36 years old." (Maj. William Pierce (Georgia), a fellow Delegate.)

Delegate Basset was born in April of 1745 in Maryland. During the Revolutionary War he was captain of a troop of Dover Light Horse. He was a member of the council of safety, of the State constitutional convention, and of both houses of the Delaware State Legislature. He was a member of the U.S. Senate from 1789 to 1793, and from 1793 to 1799 was chief justice of the Delaware court of common pleas. In 1790 he was elected Governor of Delaware, and in 1801 was appointed by President Adams as one of the "midnight judges." He died in 1815 in his 70th year.

GUNNING BEDFORD, JR., DELAWARE, THE FAT DELEGATE—PRINCETON GRADUATE— 23 YEARS OF SERVICE AS U.S. JUDGE

"Mr. Bedford was educated for the bar, and in his profession I am told, has merit. He is a bold and nervous speaker, and has a very commanding and striking manner, but he is warm and impetuous in his temper, and precipitate in his judgment. Mr. Bedford is about 32 years old, and very corpulent." (Maj. William Pierce (Georgia), a fellow Delegate.)

Delegate Bedford was the fat member of the Convention; to such an extent that Major Pierce, sitting with him in the Philadelphia hall, was much impressed and left to history the record that "Mr. Bedford was very corpulent." He was born in Philadelphia, 1747, was graduated from Princeton, served in the Federal Congress, and was several years attorney general of Delaware. At 42, by appointment of Washington, be became U.S. judge for the Delaware district. In this capacity he served for 13 years until his death in 1812 in his 65th year.

JOHN BLAIR, VIRGINIA, LAWYER AND JURIST—MEMBER OF THE FIRST SUPREME COURT OF THE UNITED STATES

"Mr. Blair is one of the most respectable men in Virginia, both on account of his family as well as fortune. He is one of the judges of the Supreme Court in Virginia and acknowledged to have a very extensive knowledge of the laws. Mr. Blair is, however, no orator, but his good sense, and most excellent principles compensate for other deficiencies. He is about 50 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Blair for 18 years was a judge, first on the bench of his native Virginia and then as an Associate Justice of the Supreme Court of the United States, of which he was made a member by President Washington in the establishment of the first Court. He was born in 1732, attended William and Mary College, studied law in London, was a member of the Virginia House of Burgesses, and at 46 started on his judicial career as judge of the General Court of Virginia. As a member of the Constitutional Convention, he held himself aloof and maintained a dignified silence throughout. He resigned from the Federal Supreme Court in 1796. Four years later, 1800, he died, in his 68th year.

WILLIAM BLOUNT, NORTH CAROLINA, PAYMASTER OF TROOPS DURING REVOLUTIONARY WAR, TERRITORIAL GOVERNOR, EXPELLED FROM U.S. SENATE FOR PLOT TO TURN SPANISH FLORIDA AND LOUISIANA TO BRITISH

"Mr. Blount is a character strongly marked for integrity and honor. He has been twice a Member of Congress, and in that office discharged his duty with ability and faithfulness. He is no speaker, nor does he possess any of those talents that make men shine; he is plain, honest, and sincere. Mr. Blount is about 36 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Blount was 38 years of age (he was born March 26, 1749) when these words in praise of his "integrity and honor" were written by Major Pierce. A decade later, while a Member of the U.S. Senate, he was charged with complicity in a conspiracy to transfer Spanish Florida and Louisiana to the British, and was expelled from the Senate by a vote of 25 to 1. Despite this charge and the attendant disgrace, he retained the confidence of Tennessee, was elected to the State senate and at the time of his death in 1800 was speaker of the Tennessee house.

During the Revolutionary War, Blount was paymaster for North Carolina troops. He was four times a member and once speaker of the North Carolina House of Commons, twice State senator, twice a delegate to the Congress of the Confederation. As a member of the Constitutional Convention he took no part in debate, signed the Constitution, and later was a member of the North Carolina ratifying convention.

Blount ran for the U.S. Senate under the new Constitution, was defeated, then turned his footsteps and interest beyond the Alleghenies. He was appointed territorial Governor in 1790. Six years later he was president of the convention which made the former Territory into the State of Tennessee. The first State legislature elected him to represent the State in the U.S. Senate, from which he was expelled a short time later. Impeachment proceedings were begun in the House, but dismissed by the Senate for lack of jurisdiction. Blount then returned to Tennessee.

DAVID BREARLY, NEW JERSEY, ARRESTED BY ENGLAND FOR HIGH TREASON, FREED BY MOB OF AMERICAN PATRIOTS, LIEUTENANT COLONEL AT 21, CHIEF JUSTICE STATE SUPREME COURT, U.S. DISTRICT JUDGE

"Mr. Brearly is a man of good rather than of brilliant parts. He is a judge of the Supreme Court of New Jersey, and is very much in the esteem of the people. As an orator he has little to boast of, but as a man he has every virtue to recommend him. Mr. Brearly is about 40 years of age." (Maj. William Pierce (Georgia), a fellow Delegate.)

Delegate Brearly (born 1745) was so outspoken in his sentiments during the pre-Revolutionary days that he was arrested for high treason. He never went to trial, however, for a mob of fellow Revolutionists freed him. He entered the Continental Army with the rank of lieutenant colonel in November 1776 and resigned August 4, 1779, after having accepted an appointment as chief justice of the supreme court of the State.

The next year, at the age of 35, he established a precedent in New Jersey by holding unconstitutional a law which allowed a jury of six men. In view of his record, it is surprising that Judge Brearly took no part in the debate in the Federal Convention on the subject of the power of the court. As a matter of fact, he was far more concerned about the status of small States.

With the establishment of the new Government under the Constitution, Brearly was appointed judge of the U.S. district court,

where he served until his death, August 16, 1790, in his 45th year.

JACOB BROOM, DELAWARE, THE QUIET DELEGATE THAT HISTORY HAS ALMOST FORGOTTEN, "A PLAIN GOOD MAN"

"Mr. Broom is a plain good man, with some abilities, but nothing to render him conspicuous. He is silent in public, but cheerful and conversable in private. He is about 35 years old." (Maj. William Pierce (Georgia), a fellow Delegate.)

Delegate Broom was a quiet man, but he spoke eight times in the debates of the Convention. He was born in 1752, and the first notice of him as a participant in public affairs was his appointment as a Delegate to the Annapolis Convention. The National Cyclopaedia of American Biography briefly states that "he held many positions of trust in Delaware." The Dictionary of American Biography makes no mention of him. He died in Philadelphia on April 25, 1810, in his 58th year.

PIERCE BUTLER, SOUTH CAROLINA—BORN IN IRELAND, OFFICER IN BRITISH ARMY, RESIGNED AND MARRIED AMERICAN GIRL, CHAMPION OF "BACKWOODS DEMOCRACY"—U.S. SENATOR

"Mr. Butler is a character much respected for the many excellent virtues he possesses. But as a politician or an orator, he has no pretentions to either. He is a gentleman of fortune, and takes rank among the first in South Carolina. He has been appointed to Congress, and is now a member of the legislature of South Carolina. Mr. Butler is about 40 years of age; an Irishman by birth." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Butler was born in Ireland, 1744, was a major in His Majesty's 29th regiment, but resigned his commission in 1773 and married Mary Middleton, of South Carolina. He was elected several times to the Legislature of South Carolina and won popular applause by fighting for the "cause of backwoods democracy." In 1786 he was named as a member on a commission to fix State boundaries and the following year went as a delegate to the Constitutional Convention.

He was elected to the U.S. Senate as a Federalist, but broke from partisan lines in opposing the judiciary act and the Jay treaty. He returned to the Senate for an unexpired term, 1802 to 1804, and died in Philadelphia on February 15, 1822, in his 78th year.

DANIEL CARROLL, MARYLAND, BROTHER OF THE ARCHBISHOP OF BALTIMORE, LANDED PROPRIETOR, U.S. SENATOR

"Mr. Carroll is a man of large fortune and influence in his State. He possesses plain good sense, and is in the full confidence of his countrymen. This gentleman is about — years of age." (Maj. William Pierce (Georgia), a fellow delegate.) [It is apparent from the omission that Major Pierce was in doubt as to Mr. Carroll's age.]

Delegate Carroll was the brother of the Catholic bishop of Balitimore. He was born on July 22, 1730, and was educated at St. Omer, in Flanders, which was then a popular school with the young men of well-to-do Maryland families. Except that he married Elizabeth Carroll, of the family of the Charles Carroll who signed the Declaration of Independence, little is known of his later life until at 51 he signed the Articles of Confederation. He was at that time a landed proprietor living on an estate which he had inherited from his father.

He took his seat in the Constitutional Convention on Monday, July 9, just 13 days before his 52d birthday. He signed the Constitution and worked for its ratification, opposing on that score, Samuel Chase, who urged delay.

Chosen Senator from Maryland in the First Congress, Carroll ardently supported the first amendment to the Constitution, providing for religious toleration. He also advocated the location of the District of Columbia on the Potomac. In 1791 Washington appointed him Commissioner to survey the land. In this capacity, he served 4 years. Then ill health forced his resignation. The following year he died at his home at Rock Creek, in his 66th year.

GEORGE CLYMER, PENNSYLVANIA, MERCHANT, A FIGHTING REVOLUTIONIST, CAPTAIN OF VOLUNTEERS, SIGNER OF THE DECLARATION OF INDEPENDENCE, CONGRESSMAN, CHAMPION OF PENAL REFORMS

"Mr. Clymer is a lawyer of some abilities; he is a respectable man and much esteemed. Mr. Clymer is about 40 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Clymer was 48 when he entered the deliberations of the convention. He had prospered as a merchant in Philadelphia. In his patriotism he was ardent and zealous. He had thrown himself into the cause of the colonies, attended prohibited revolutionary meetings, and accepted the chairmanship of the Philadelphia tea party that compelled the resignation of merchants designated by the British to sell tea.

As a Member of the Continental Congress appointed with others to replace those who had refused to sign the Declaration of Independence, he attached his name to this historic document. During the war he served as a captain of volunteers in General Cadwalder's brigade. As a Member of the First Congress, he supported Washington but leaned toward the policies of Jefferson. While in the Congress, he worked to mitigate the penal code. He was responsible for the reduction in the number of capital crimes and the betterment of the conditions of convict servitude. He retired from public life in 1796 and died on January 24, 1813, in his 73d year.

JONATHAN DAYTON, NEW JERSEY, BOY SOLDIER OF THE REVOLUTION—YOUNGEST OF THE CONSTITUTION MAKERS—LAWYER, SPEAKER OF THE FIFTH CONGRESS, U.S. SENATOR—INDICTED WITH AARON BURR FOR HIGH TREASON

"Captain Dayton is a young gentleman of talents, with ambition to exert them. He possesses a good education with some reading; he speaks well, and seems desirous of improving himself in oratory. There is an impetuosity in his temper that is injurious to him; but there is an honest rectitude about him that makes him a valuable member of society, and assures to him the esteem of all good men. He is about 30 years old, served with me as a brother aid to General Sullivan in the western expedition of 1779." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Dayton was the youngest member of the Convention. Indeed, he did not celebrate his 27th birthday until after he had signed his name to the Constitution of the United States. He was only 15 when, with his father, he enlisted in the Army under Washington. He served throughout hostilities, advanced to the rank of captain, and 3 days after his 21st birthday was present at Yorktown on the surrender of Cornwallis.

After the war Dayton, who had been graduated from Princeton, studied law. He was a Member of the Congress for several successive terms, was Speaker of the House of the Fifth Congress, and from 1799 to 1805 was a Member of the U.S. Senate. His public career in the national arena, which began at 15 as a soldier, ended at 45. With Aaron Burr, he was indicted for high treason on June 25, 1807. Later the case against him was dropped, but Dayton did not return to national prominence. That his constituents did not lose faith in him, however, is evidenced by the fact that he held local offices and was twice a member of the New Jersey Assembly. He died in 1824, a few days after Lafayette had visited him, in his 63d year. The city of Dayton, Ohio, was named in his honor.

JOHN DICKINSON, DELAWARE, RICH LAWYER BETTER KNOWN AS THE "PENNSYLVANIA FARMER"—VOTED AGAINST THE DECLARATION OF INDEPENDENCE—A PRIVATE AT BRANDYWINE—OPPOSED JUDICIARY VOIDING ACTS OF CONGRESS

"Mr. Dickinson has been famed throughout all America for his 'Farmers Letters'; he is a scholar, and said to be a man of very extensive information. When I saw him in the convention I was induced to pay the greatest attention to him whenever he spoke. I had often heard that he was a great orator, but I found him an indifferent speaker. With an affected air of wisdom he labors to produce a trifle, his language is irregular and incorrect; his flourishes (for he sometimes attempts them) are like expiring flames, they just shew themselves and go out; no traces of them are left on the mind to cheer or animate it. He is, however, a good writer and will be ever considered one of the most important characters in the United States. He is about 55 years old, and was bred a Quaker." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Dickinson was a lawyer of distinction and of wealth, but he delighted in designating himself as "the Pennsylvania Farmer," under which name his letters were widely circulated throughout the Nation and made him famous. He was born, 1732, in Maryland, spent his boyhood on the large family estates near Dover, Del., and was educated by private tutors until he was 18 and went to Philadelphia to study law. But the best in America did not seem enough and at 21 he enrolled in the Middle Temple in London. He began law practice in Philadelphia at 25. James Wilson, also later to be a member of the Constitutional Convention, was a student in his office.

Always the student, Dickinson was a moderate during the pre-Revolutionary period. As a delegate to the Stamp Act Congress, a member of the legislature, chairman of the Philadelphia Committee of Correspondence, his influence remained on the side of reconciliation. As late as 1776, still clinging to a forlorn hope, he cast his vote in the Continental Congress against the Declaration of Independence. When war broke out, however, he enlisted and served as a private at the Battle of the Brandywine.

Evidently, Dickinson was a man of standing in Delaware as well as in Philadelphia, for during the last year of the war he served on the Supreme Executive Council in both places. It was his home State that chose him as delegate to the Constitutional Convention. There his utterances were always marked by moderation. When John Francis Mercer remarked that judges would void laws repugnant to the Constitution, Mr. Dickinson seems almost to be thinking out loud as he said: "He thought no such power ought to exist. He was at the same time, at a loss what expedient to substitute. The Judiciary of Arragon * * * became by degrees the law-giver." (Madison Journal, 543.)

Evidently, this doubt remained, for writing under the name "Fabius" while the Constitution was under discussion, he said:

"Constitutional properties are only, as has been observed at the beginning of this letter, parts in the organization of contributed rights. As long as those parts preserve the orders assigned to them respectively by the Constitution, they may be so far said to be balanced; but, when one part, without being sufficiently checked by the rest, abuses

its power to the manifest danger of public happiness. * * * The people must restore things to that order from which their functionaries have departed." (Ford, P.L. Pamphlets, 183.)

Having seen the Nation through the war, and after helping to launch the new Government, Dickinson retired to the seclusion of his historical and political studies. He died at Wilmington in his 76th year.

WILLIAM FEW, GEORGIA, OFFICER OF THE REVOLUTION, U.S. SENATOR, FEDERAL DISTRICT JUDGE, BANK PRESIDENT

"Mr. Few possesses a strong natural genius, and from application has acquired some knowledge of legal matters; he practices at the bar of Georgia, and speaks tolerably well in the legislature. He has been twice a Member of Congress, and served in that capacity with fidelity to his State and honor to himself. Mr. Few is about 35 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Few was a forerunner of a numerous procession of men who came from the South and the Middle West to the headship of the financial institutions of New York City. As a boy in North Carolina, he had witnessed the destruction of his father's farm by the British. This was 4 years before Bunker Hill, but from that moment the boy Few was a revolutionist. The family moved to Georgia, and when war broke the three sons at once enlisted and were commissioned. William rose to the rank of lieutenant colonel.

Twice elected to the Georgia Assembly and twice a delegate to the Continental Congress, he later represented Georgia at the Congress of the Confederation and at the Constitutional Convention. He and Baldwin were the only two of the six Georgia delegates who remained to sign the Constitution.

Under the new Constitution, he was a Member of the U.S. Senate for one term. From 1796 until 1799 he was U.S. district judge for Georgia. This position he resigned at the age of 52 to seek his fortune anew in the metropolis of New York. After 4 years in the New York General Assembly, he became inspector of State prisons, alderman, director of the Manhattan Bank, and finally president of the City Bank of New York. He died in 1828 in his 80th year.

THOMAS FITZSIMONS, PENNSYLVANIA—BORN IN IRELAND—MAKES FORTUNE AS MERCHANT—COMPANY COMMANDER IN REVOLUTION—CONGRESSMAN

"Mr. Fitzsimons is a merchant of considerable talents, and speaks very well I am told, in the legislature of Pennsylvania. He is about 40 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Fitzsimons, born in Ireland, 1741, emigrated to Philadelphia as a youth and had established himself as a merchant by the time he was 20. When the war broke out he had a prosperous business, especially with the West Indies. He recruited and commanded a company of volunteers, and was of great service to the American cause in supplying fire ships and equipment. At one crucial time during the war he and his brother-in-law made a contribution of $25,000 for the use of the army.

As a member of the Congress of the Confederation, he championed the cause of the veteran soldiers under Washington, insisting that the Government pay them in full their back wages and before demobilization.

He was a Member of the House of Representatives of the First Congress, and retained his membership in that body until 1795, when he retired to private life. He died in 1811 in his 70th year.

BENJAMIN FRANKLIN, PENNSYLVANIA—OLDEST MEMBER OF THE CONVENTION—PUBLISHER, WRITER, SCIENTIST, DIPLOMAT

"Dr. Franklin is well known to be the greatest philosopher of the present age—all the operations of nature he seems to understand—and the very heavens obey him, and the clouds yield up the lightning to be imprisoned in his rod. But what claim he has to the politician, posterity must determine. It is certain that he does not shine much in public council; he is no speaker, nor does he seem to let politics engage his attention. He is, however, a most extraordinary man, and tells a story in a style more engaging than anything I ever heard. Let his biographer finish his character. He is 82 years old, and possesses an activity of mind equal to a youth of 25 years of age." (Maj. William Pierce, of Georgia, a fellow delegate.)

Delegate Franklin was the oldest member of the Convention. Born in 1706, he was 81. His career had been most distinguished. As almanac publisher, writer, scientist, diplomat, he had won world renown. As a philosopher and a personality he stood alone among the Americans of his time. St. Andrews and Oxford had delighted to bestow honorary degrees on him.

To the Convention he gave a prestige not second to that of Washington's. He permitted the younger men to do most of the talking. It was a young land, a new government that was being molded, and Franklin evidently wished it to have the virility and dash of youth rather than the conservatism of the years. Only occasionally did he interpose a few words, chiefly in the interest of harmony. His longer speeches he scratched out on paper, which he handed to his colleague, James Wilson, to read. He mingled much among the delegates in the off hours, telling stories and relating reminiscences, in general keeping up the good spirits of the men who were engaged in a very serious undertaking and not overly certain how their work would be regarded by the people at home.

In the ripeness of his years, Franklin was determined on one point. He did not believe in giving the judges the right to negative the acts of the Congress. Even Prof. Charles A. Beard concedes that Franklin was opposed to any such grant or exercise of power by the judiciary. It was probably Franklin's influence that twice carried the Pennsylvania delegation against the revisionary power by the judges and once divided the vote. At any rate, during the discussion Franklin said, in reply to King's remark that the judges would stop the operation of such laws as would appear repugnant to the Constitution that "* * * it would appear improper to put it in the power of any man to negative a law passed by the legislature, because it would give him control of the legislature." (William Pierce on the Federal Constitution, American Historical Review, III, 322.)

Franklin died less than 3 years after the close of the Convention, in his 84th year.

NICHOLAS GILMAN, NEW HAMPSHIRE—AT 20 A SOLDIER OF THE REVOLUTION, U.S. SENATOR—DESERTS FEDERALISTS FOR JEFFERSON

"Mr. Gilman is modest, genteel, and sensible. There is nothing brilliant or striking in his character, but there is something respectable and worthy in the man. About 30 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Gilman, a native son of New Hampshire (born, 1755) and educated in the common schools, was 20 years old when Lexington and Concord ushered in the war of the Colonies to break from the grasp of England. He answered the call to arms immediately. He, therefore, went to the Convention as a young veteran soldier of the Revolutionary War. In 1786–88 he represented his State in the Congress of the Confederation, and, after the adoption of the Constitution, continued to represent New Hampshire in the new Congress from 1789 to 1797. In 1804 he was elected as a Jeffersonian to the U.S. Senate, in which body he served until his death in 1814 in his 59th year. Originally a Federalist, he gradually lost faith in the Conservative Party.

NATHANIEL GORHAM, MASSACHUSETTS—SUCCESSFUL BUSINESSMAN WHO STAKED HIS FORTUNE AND CREDIT ON REAL ESTATE AND LOST

"Mr. Gorham is a merchant of Boston, high in reputation and much in the esteem of his countrymen. He is a man of very good sense, but not much improved in his education. He is eloquent and easy in public debates, but has nothing fashionable or elegant in his style—all he aims at is to convince, and where he fails it never is from his auditory not understanding him, for no man is more perspicuous and full. He has been president of Congress, and 3 years a Member of that body. Mr. Gorham is about 46 years of age, rather lusty, and has an agreeable and pleasing manner." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Gorham (born 1738) was a businessman, established at the head of his own business at 21. He represented his town, Charlestown, in the Colonial Legislature during the stormy years from 1771 until the outbreak of the Revolution. During the war, he was a member of the War Board, a delegate to the State Constitutional Convention, and a State senator. During the last year of the war, he was elected to the State house of representatives, where he remained until 1787, serving as speaker for three terms. At the same time, he sat in the Federal Congress, 1782–83–85–87, and served 1 year as judge of Middlesex Court of Common Pleas.

Gorham's experience and ability won for him the position of chairman of the Committee of the Whole at the Constitutional Convention and he acted as presiding officer for several weeks. In the Convention he opposed the motion to grant the judges power of review over legislation, maintaining that judges possessed no peculiar knowledge of public policy.

His life was shortened by worry. He had been a land enthusiast. In a sense, a real estate promoter of the type of which there have been many since in America. Heavily he speculated in public lands. It had been said at the time the ratification of the Constitution was under discussion that the establishment of the new Government would increase the price of land 20 percent (Ford's Pamphlets.) Gorham remained fixed in his conviction that price of land under the new Government would continue to soar. Into his land speculations he threw his own fortune, and as well his credit—contracting for annual payments in installments. Then the crash. The price of Massachusetts scrip advanced faster than the price of land; Gorham found himself unable to meet his installments. His resources, both financial and physical, proved unequal to the strain. In 1796, at 58, he died of apoplexy.

ALEXANDER HAMILTON, NEW YORK, LAWYER—A GENERAL AT 24, FIRST SECRETARY OF THE TREASURY AT 32, KILLED IN A DUEL AT 47

"Colonel Hamilton is deservedly celebrated for his talents. He is a practitioner of the law and reputed to be a finished scholar. To a clear and strong judgment he unites the ornaments of fancy, and whilst he is able, convincing, and engaging in his eloquence the heart and head sympathize in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory. It is my opinion that he is rather a convincing speaker, that (than) a blazing orator, Colonel Hamilton requires time to think—

and inquires into every part of his subject with the searchings of philosophy, and when he comes forward he comes highly charged with interesting matter, there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on. His language is not always equal, sometimes didactic like Bolingbroke's, at others light and tripping like Stern's. His eloquence is not so defusive as to trifle with the senses, but he rambles just enough to strike and keep up the attention. He is about 33 years old, of small stature, and lean. His manners are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreeable." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Hamilton was born in the Leeward Islands, West Indies, in 1757, came to America at 15 and the following year entered King's College (Columbia). At 19 he was commissioned an officer of artillery, saw active service, and, coming into the favor of Washington, was promoted to the rank of lieutenant colonel and assigned as secretary to the commanding general. He longed for duty in the field, became dissatisfied, resigned, indulged in heated remarks reflecting upon Washington's ability. Overlooking this, or attributing it to the hot headedness of youth, Washington appointed him as a commander under Lafayette. Thus, at 24 Hamilton was with the triumphant American Army at the surrender of Cornwallis at Yorktown. He was there in no mean capacity. He commanded a division.

Hamilton then studied law. He became the champion of the merchants and the capitalists. He was a Member of the Congress of the Confederation, the Annapolis convention, and the New York Legislature. At 30 he went to the Constitutional Convention, but, not enjoying the confidence of the other delegates from New York, his part in the deliberations was not extensive and his influence negligible. His fellow delegate, Dr. Johnson, described him as "a gentleman from New York with boldness and decision * * * and though he has been praised by everyone, he has been supported by none." (Yates Minutes, Elliott's Debates, I, 431.) He remained, however, to the close of the convention, and was the only delegate from New York to sign the Constitution, Lansing and Yates having taken their leave on July 10. In the campaign for ratification Hamilton rose to the heights of leadership. The Federalist, in which he advanced his arguments for ratification, was extensively read and a powerful factor.

When he was 32 Washington appointed him the first Secretary of the Treasury of the United States. He resigned in 1793 when wide speculation in Federal and State securities led to a panic. In his 47th year, on July 12, 1804, he was killed in a duel with Aaron Burr.

JARED INGERSOL, PENNSYLVANIA, SON OF A LOYALIST—SENT TO ENGLAND TO ESCAPE REVOLUTION—LAWYER, ATTORNEY GENERAL OF PENNSYLVANIA, JUDGE

"Mr. Ingersol is a very able attorney, and possesses a clear legal understanding. He is well educated in the classics and is a man of very extensive reading. Mr. Ingersol speaks well, and comprehends his subject fully. There is a modesty in his character that keeps him back. He is about 36 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Ingersol—born in Connecticut, 1749, and graduated from Yale, 1766—was the son of a Loyalist. With the revolutionary clouds gathering, his father dispatched him to England. Here in 1773 he was admitted to the Middle Temple, where he studied law for 3 years. The war clouds in America had then burst. Lexington had been fought. American youth at home was flocking to the banners of independence. Ingersol left England and went to France. Two years passed there. France entered into the treaty of alliance with the American Revolutionists. The cause of American independence was looking up. In 1778 Ingersol—the son of the Loyalist—returned to his native land. He opened a law office in Philadelphia and quickly won standing of distinction in his profession. In 1780—2 years after his return from Europe—he was appointed to membership in the Continental Congress. This was the extent of his public service until 1787, when with Franklin, Clymer, and Mifflin he joined the Pennsylvania delegation to the Constitutional Convention. He spoke in debate on but one occasion. Pierce explains this reticence by saying that "there is a modesty in his character that keeps him back." It is possible that there may have been another reason. Many in that convention were veterans of Washington's army. Washington himself sat as chairman. Quite natural if this son of a Loyalist, who because of his father's support of England's cause had been kept abroad in the early years of America's struggle, should have felt some reticence in speaking in such a gathering.

He was Attorney General of Pennsylvania from 1790 to 1799 and from 1811 to 1817. Appointed in March of 1821 the presiding judge of the district court for Philadelphia, he lived but 7 months to occupy the judicial office, dying on October 31, 1822, in his 73d year.

DANIEL OF ST. THOMAS JENIFER, MARYLAND, PERENNIAL BACHELOR, RICH, MOTHER SWEDISH, JUDGE—CLOSE FRIENDSHIP WITH WASHINGTON

"Mr. Jenifer is a gentleman of fortune in Maryland; he is always in good humor, and never fails to make his company pleased with him. He sits silent in the Senate, and seems to be conscious that he is no politician. From his long continuance in single life, no doubt but he has made the vow of celibacy. He speaks warmly of the ladies notwithstanding. Mr. Jenifer is about 55 years of age, and once served as an aide de camp to Major General Lee." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Jenifer was the perennial bachelor of the convention. Major Pierce has given him that place in history. He was jolly and always companionable. Good nature must have kept him looking young for Pierce remarks that he was about 55, underestimating his years by nine, for he was born in Maryland in 1723. Jenifer deserves also to be remembered especially by Americans of Scandinavian descent. While English on his father's side, his mother was Swedish. His father is described as a man of unusual wealth for the time.

He was a justice of the peace, later judge of the western circuit and at 43 was a member of the provincial court. At 50 he served on the governor's council, hoping for reconciliation with England; but when the warclouds deepened he took his place as president of the council of safety and later as delegate to the Second Continental Congress. His friendship with Washington was close. Although he was a general favorite, he spoke only three times in the Constitutional Convention. In 1790, 3 years after the convention, he died, in his 67th year.

WM. SAM. JOHNSON, CONNECTICUT, LAWYER, JUDGE, U.S. SENATOR—FIRST PRESIDENT OF COLUMBIA UNIVERSITY

"Dr. Johnson is a character much celebrated for his legal knowledge; he is said to be one of the first classics in America, and certainly possesses a very strong and enlightened understanding.

As an orator, in my opinion, there is nothing in him that warrants the high reputation which he has for public speaking. There is something in the tone of his voice not pleasing to the ear—but he is eloquent and clear—always abounding with information and instruction. He was once employed as an agent for the State of Connecticut to state her claims to certain landed territory before the British House of Commons; this Office he discharged with so much dignity, and made such an ingenious display of his powers, that he laid the foundation of a reputation which will probably last much longer than his own life. Dr. Johnson is about sixty years of age, possesses the manners of a gentleman, and engages the hearts of men by the sweetness of his temper, and that affectionate style of address with which he accosts his acquaintance." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Johnson (born, 1727) was indeed "one of the first classics in America" at the time the delegates gathered for the Convention. The son of the first president of King's College, New York, he was graduated from Yale at the age of 17 and 3 years later received his M.A. degree from Harvard. Oxford University, in England, bestowed upon him the honorary degree of doctor of laws. The same year he attended as a delegate to the Convention, he was named the first president of Columbia University, serving until 1800 and establishing a college of law over which James Kent presided.

For years he was a leader at the bar, one of the outstanding lawyers of his period. He was a member of the Connecticut legislature, colonial agent in London, judge of the superior court, and a member of the U.S. Senate. He retired from the senatorial office when the capital was moved from New York to Philadelphia, and died in 1819 in his 92d year.

Dr. Johnson was a conservative during his entire public life. His marriage to the daughter of a loyalist strengthened his connections in England, and 4 years before the signing of the Declaration of Independence he was a candidate for a crown appointment. In 1774 he was elected a delegate to the First Continental Congress, but declined. During the war he appears to have maintained the position of a conservative rather than that of a loyalist. In 1784 he attended the Confederation Congress as a delegate.

RUFUS KING, MASSACHUSETTS, SOLDIER IN THE REVOLUTION, LAWYER—MARRIED TO WEALTH—U.S. SENATOR, BANK DIRECTOR, DIPLOMAT

"Mr. King is a man much distinguished for his eloquence and great parliamentary talents. He was educated in Massachusetts, and is said to have good classical as well as legal knowledge. He has served for 3 years in the Congress of the United States with great and deserved applause, and is at this time high in the confidence and approbation of his countrymen. This gentleman is about 33 years of age, about 5 feet 10 inches high, well formed, a handsome face, with an expressive eye, and a sweet, high-toned voice. In his public speaking there is something peculiarly strong and rich in his expression, clear, and convincing in his arguments, rapid and irresistible at times in his eloquence but he is not always equal. His action is natural, swimming, and graceful, but there is a rudeness of manner sometimes accompanying it. But take him toutensemble, he may with propriety be ranked among the luminaries of the present age."—Maj. William Pierce (Georgia), a fellow delegate.)

Delegate King was born in Massachusetts in 1755, was educated at Harvard, and in 1786, when 31, married and moved to New York. A strange thing happened. In 1787, 1 year after his removal to New York, he sat in the Philadelphia Convention, accredited to his native State. In 1789, 2 years

later and within 3 years after his removal to New York, he was elected to the U.S. Senate to represent the latter State. His rapid rise in the State of his adoption was aided by the wealth of his wife and the connections he made with the representatives of the large interests of the times.

His political and financial connections made natural his election as director of the Bank of the United States. He served three terms in the U.S. Senate, where in his later years he advocated the abolition of slavery with the same zeal shown in that subject by him when a young Member of the Congress of the Confederation. By profession he was a lawyer, and had served in the Revolutionary War as an aide to General Glover in the Rhode Island campaign. Twice he was appointed to the diplomatic service, once by Washington as Minister to England, and once by John Quincy Adams to the same post. He died in 1827, in his 72d year.

JOHN LANGDON, NEW HAMPSHIRE—RUGGED INDIVIDUAL OF THE PERIOD—SAILOR, BUSINESSMAN, SOLDIER, GOVERNOR, U.S. SENATOR

"Mr. Langdon is a man of considerable fortune, possesses a liberal mind, and a good, plain understanding—about 40 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Langdon celebrated his 46th birthday during the period of the Convention. He was born on June 26, 1741. His death occurred in his 78th year, on September 18, 1819.

He was a native son of New Hampshire, educated in the local grammar school, and as a boy went to sea. He made the most of his opportunities, and at 34, when the Revolution swept the colonies, he had considerable property. He was a typical rugged individual of the period.

He plunged into the Revolution from the outset. He was dashing and fearless. The seizure of Portsmouth Fort, and the removal of its munitions to serve the cause of the colonists, was one of the adventures of war in which early he participated. He organized and financed Stark's expedition against Burgoyne; he commanded a body of the militia; he was present at the surrender of the British at Saratoga. A good war record. Yet he apparently found time in the midst of his soldiering to care for his private business. We are informed that he came through the war with his private fortune unimpaired.

With the same fervor he threw himself into politics and the field of peacetime public service. He was Speaker of the State Legislature of New Hampshire. He was State senator. He was a delegate to the Federal Congress. He was Governor of his State. Under the new Constitution, which he aided in framing, he served two terms in the Senate of the United States, and during his second term was the President pro tempore.

Major Pierce's designation of Delegate Langdon as a man "of liberal mind and good plain understanding"—the impression made on Pierce during his association with Langdon in the Convention—was justified by Langdon's course in the U.S. Senate. He began his political career as a moderate Federalist. More and more, however, he swung from the conservative to the liberal viewpoint, finally breaking completely from the ultra-conservative policies of President Adams against which there was a rising revolt which later swept Jefferson into the Presidency on a wave of democracy. The pro-British features of the Jay treaty incensed him, and his opposition to this treaty was as stubborn and as relentless as his attacks on the British soldiery during the Revolution.

He retired from the Senate in 1801. But every year from 1805 to 1811 he was elected Governor of New Hampshire. He had then lived his "three score ten"—an active life marked with success in every field he entered—and announced his retirement. In 1812 he declined the nomination for Vice President of the United States.

WILLIAM LIVINGSTON, NEW JERSEY—"DON QUIXOTE OF THE JERSEYS"—FOURTEEN YEARS GOVERNOR OF NEW JERSEY—CHAMPION OF HOME RULE

"Governor Livingston is confessingly a man of the first rate talents, but he appears to me rather to indulge a sportedness of wit, than a strength of thinking. He is equal to anything, from the extensiveness of his education and genius. His writings teem with satire and a neatness of style. But he is no orator, and seems little acquainted with the guiles of policy. He is about 60 years old, and remarkably healthy." (Maj. William Pierce of Georgia, a fellow delegate.)

Delegate Livingston was born in Albany, N.Y. (1723), but it was in New Jersey that he came to prominence and fame. Graduated from Yale at the age of 18, he studied law in the office of James Alexander, an outstanding champion of the freedom of the press. He was New Jersey's first delegate to the Continental Congress, commanded New Jersey's militia during the war, and was New Jersey's first Governor under the new government, serving for 14 years. He was popular, what is termed a "hale fellow well met," and bore the appellation, affectionately bestowed, of the "Don Quixote of the Jerseys." He was especially active in opposition to all attempts to curb the power of home rule in local affairs. He died on July 25, 1790, less than 3 years after he had signed the draft of the Constitution.

JAMES MADISON, VIRGINIA, CHRONICLER OF DEBATES OF THE CONVENTION, CONGRESSMAN, SECRETARY OF STATE, WARTIME PRESIDENT OF THE UNITED STATES

"Mr. Madison is a character who has long been in public life; and what is very remarkable every person seems to acknowledge his greatness. He blends together the profound politician, with the scholar. In the management of every great question he evidently took the lead in the Convention, and though he cannot be called an orator, he is a most agreeable, eloquent, and convincing speaker. From a spirit of industry and application which he possesses in a most eminent degree, he always comes forward the best informed man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any man in the Union. He has been twice a Member of Congress, and was always thought one of the ablest Members that ever sat in that council. Mr. Madison is about 37 years of age, a gentleman of great modesty—with a remarkable sweet temper. He is easy and unreserved among his acquaintance, and has a most agreeable style of conversation." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Madison, fourth President of the United States, was the historian of the Constitutional Convention. His notes of the debates, kept in long-hand, have come down as the only complete record of what transpired. He was but 37 at the time. Born in Virginia in 1750, he was educated at Princeton, at 26 was a member of the Virginia Convention which framed the State constitution, and at 30 was a Member of Congress. He also was a member of the Virginia House of Delegates, and found time to study law. After the adoption of the Constitution, in the framing of which he had been so prominent, he was elected to the First Congress as a Representative, was Jefferson's Secretary of State, and succeeded Jefferson as President. It was during his administration that the War of 1812 was fought. He died in 1836, in his 86th year, his last years having been spent in preparing his notes of the Federal Convention for publication.

Madison foresaw the Constitution as "possibly the cause of liberty throughout the world." He explained the manner of his reporting of the Convention proceedings:

"I chose a seat in front of the presiding member, with the other members on my right and left hands. In this favorable position for hearing all that passed, I noted in terms legible and in abbreviations intelligible to myself, what was read from the chair or spoken by the members; and, losing not a moment unnecessarily between the adjournment and reassembling of the Convention, was enabled to write out my daily notes during the session, or within a few finishing days after its close. It happened also that I was not absent a single day, nor more than a casual fraction of an hour in any day, so that I could not have lost a single speech, unless a very short one." (Madison's Introduction to the Journal of the Federal Convention.)

JAMES M'HENRY, MARYLAND—IRISH IMMIGRANT WHO BECAME WASHINGTON'S SENIOR SURGEON AT VALLEY FORGE, LATER HIS SECRETARY OF WAR, AND WHOSE SON INSPIRED WRITING OF NATIONAL ANTHEM

"Mr. McHenry was bred a physician, but he afterward turned soldier and acted as aid to General Washington and the Marquis de la Fayette. He is a man of specious talents, with nothing of genius to improve them. As a politician there is nothing remarkable in him, nor has he any of the graces of the orator. He is, however, a very respectable young gentleman, and deserves the honor which his country has bestowed on him. Mr. McHenry is about 32 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate McHenry was Irish. He was born in County Antrim, educated in the classics in Dublin, and was 18 when he landed in America. In Philadelphia, under Dr. Benjamin Rush, he studied medicine, and it was to hospital duty that he was assigned when, at the outbreak of hostilities, he hurried to Cambridge to offer his services to Washington. Facilities for hospitalization were crude, experienced workers were few, and McHenry's service so impressed the Continental Congress that it gave him public recognition.

But he longed for active service in the field. The Irish blood within was crying for the combat. He was transferred to field service with a Pennsylvania battalion, and during the retreat of the American Army across New Jersey fell into the hands of the British, a prisoner of war. He managed, somehow, to secure a parole; for he served as senior surgeon at Valley Forge, although his exchange was not completed until March 1778. He was then just past 25 years old. Appointed to LaFayette's staff, he remained with the French Army until the close of the war.

Dr. McHenry's political career began with his election to the Maryland senate when he was 28. He also served as secretary and member of the Federal Congress. Eleven years of legislative experience fitted him for the Constitutional Convention, in which he was one of but three medical members. Nine years later Washington made him Secretary of War to succeed Pickering. The senior surgeon amid the suffering of Valley Forge had become the head of the Nation's War Department. He retained his Cabinet position under Adams, but relations were strained between the two men. Finally the President demanded the Secretary's resignation. This ended his public career.

During the War of 1812, however, the name McHenry was again identified with the cause of patriotism. Because of the gallant defense of Fort McHenry by the doctor's son, John, the fort bears the family name.

It was in the morning, after a night of anxiety, that the sight of the Stars and Stripes still floating over the fort, inspired Francis Scott Key to write "The Star-Spangled Banner."

THOMAS MIFFLIN, PENNSYLVANIA, SON OF QUAKER PARENTS WHO BECAME A MAJOR GENERAL UNDER WASHINGTON—MERCHANT, GOVERNOR—"A VERY HANDSOME MAN"

"General Mifflin is well known for the activity of his mind, and the brilliancy of his parts. He is well informed and a graceful speaker. The general is about 40 years of age, and a very handsome man." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Mifflin was born in Philadelphia, 1744, and his parents were Quakers. Educated at the College of Philadelphia, he toured Europe and on his return became a merchant. Had legislative experience as a member of the Pennsylvania Legislature and of the First Continental Congress. He left for the war, as major aide-de-camp, with one of the first regiments raised in Philadelphia, and later was commissioned by Washington as major general, assigned to duty as quartermaster general and member of the War Board. He was president of the Congress of the Confederation, 1782, member of the Supreme Executive Council of Pennsylvania, 1788–90, and president of the Pennsylvania Constitutional Convention, 1790. He was elected Governor of Pennsylvania in 1791 and served in the Office of Chief Executive until his death in 1800 in his 56th year.

GOUVERNEUR MORRIS, PENNSYLVANIA—THE ARISTOCRAT WHO WANTED A PRESIDENT FOR LIFE AND THE CONGRESS UNDER THE THUMB OF THE JUDGES—LAWYER, MERCHANT, DIPLOMAT, UNITED STATES SENATOR

"Mr. Gouverneur Morris is one of those geniuses in whom every species of talents combine to render him conspicuous and flourishing in public debate. He winds through all the mazes of rhetoric, and throws around him such a glare that he charms, captivates, and leads away the senses of all who hear him. With an infinite stretch of fancy he brings to view things when he is engaged in deep argumentation, that renders all the labor of reasoning easy and pleasing. But with all these powers he is fickle and inconstant—never pursuing one train of thinking—nor ever regular. He has gone through a very extensive course of reading, and is acquainted with all the sciences. No man has more wit—nor can anyone engage the attention more than Mr. Morris. He was bred in the law, but I am told he disliked the profession, and turned merchant. He is engaged in some great mercantile matters with his namesake Mr. Robt. Morris. This gentleman is about 38 years old, he has been unfortunate in losing one of his legs, and getting all the flesh taken off his right arm by a scald, when a youth." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Morris was born, 1752, in Morrisania on the extensive estates of his family in New York. He was of the landed aristocracy. At 16 he was graduated from King's College (Columbia) and at 19 became a lawyer. He was at first opposed to a breaking away from the established order through the bringing on of the Revolution, but in 1776 sat as a member of the State constitutional convention and helped in the establishment of a government for New York. He also served in the Continental Congress.

He was 35 when he entered the Federal Constitutional Convention. He remained unshaken in the aristocratic principles to which he was born. He distrusted legislative bodies. He thought that the President should be elected for life, the right to vote should be limited to the propertied classes, only aristocrats should sit in the Senate. He was fearful that "emissions of paper money, largesses to the people, a remission of debts and similar measures" would at some time be popular and "coincide with the interests of the legislatures themselves" (Madison's Journal, 401–402). He spoke of the "instability of legislative assemblies," and regretted that the Convention had not seen fit to check it by giving power to the judges. (Madison's Journal, 534.) He placed emphasis on "the importance of the public credit," and seemed to fear that if the people had much to do with it, or their elected representatives, it would suffer. A typical and consistent aristocrat. An ultraconservative standing out against the rising tide of democracy. Disappointed that he could not get the Convention to place the judiciary as a barrier to the tide.

At 40, Morris was named Minister to France. He was recalled 2 years later at the request of France. At 47, he entered the U.S. Senate to fill an unexpired term as a Federalist. The proposal for the Erie Canal had his support, but so bitterly was he opposed to the War of 1812 that he advocated the repudiation of the war debt. He died on November 6, 1816, in his 64th year.

ROBERT MORRIS, PENNSYLVANIA—BORN IN ENGLAND—FINANCIER OF THE REVOLUTION, OUTSTANDING AMERICAN BANKER OF HIS TIME, U.S. SENATOR, RUINED BY SPECULATION, 3 YEARS IN A DEBTOR'S PRISON

"Robert Morris is a merchant of great eminence and wealth; an able financier, and a worthy patriot. He has an understanding equal to any public object, and possesses an energy of mind that few men can boast of. Although he is not learned, yet he is as great as those who are. I am told that when he speaks in the Assembly of Pennsylvania, that he bears down all before him. What could have been his reason for not speaking in the Convention I know not, but he never once spoke on any point. This gentleman is about 50 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Morris was the financer of the Revolution. His career is interesting. It carried him to the heights and left him in the depths. He was born in England, 1734, and came to America at 13. Seven years later he was "a member of the firm." His business and social standing in Philadelphia was established. Not bad for an emigrant boy of 20.

He was active in the cause of independence, but never failed to take his profit on contracts for arms and ammunition that he executed for the secret committee of the Continental Congress. The Dictionary of American Biography (XIII 220) states that this profit-taking, while known to his colleagues, did not shake their confidence in him.

As the war progressed Morris was busy buying supplies and borrowing money. It was not always an easy job. Toward the end there was neither money nor credit, Morris was made financial dictator, $200,000 was borrowed from France, and the Bank of North America established. Some of the money was loaned to the merchants, and there was some complaint among the soldiers that it was not used to better their condition. Morris could have written a book on the trials and tribulations of a banker that would have many understanding and sympathetic readers among the financiers of this period. He was typically the banker. His Bank of North America was not popular, and he sought and won a seat in the State assembly to be in position to defend the bank.

At the Constitutional Convention he was a silent spectator. Major Pierce remarks: "What could have been his reason for not speaking, I know not, but he never spoke on any point." Washington wished to appoint him to his Cabinet as Secretary of the Treasury, but Morris declined. He did go to the U.S. Senate as one of the first two Senators from Pennsylvania. His term expired in 1795. He was then 61. Land speculation had ruined him. The man who had financed the revolution, the outstanding American banker of his period, like many American financiers in recent years, sunk in a sea of speculation. He could pay neither interest nor taxes. Less than 3 years after his retirement from the U.S. Senate, and little more than a decade after he had signed the Constitution of the United States, he was unceremoniously thrown into a debtor's prison. For 3 years he languished in jail. Then came the bankruptcy law, and he was released. But his spirit was broken, his health gone. He died in 1806 in his 72d year.

WILLIAM PATTERSON, NEW JERSEY—BORN IN IRELAND, PRINCETON GRADUATE, LAWYER, U.S. SENATOR, GOVERNOR, JUSTICE OF THE FEDERAL SUPREME COURT

"Mr. Patterson is one of those kind of men whose powers break in upon you, and create wonder and astonishment. He is a man of great modesty, with looks that bespeak talents of no great extent, but he is a classic, a lawyer, and an orator; and of a disposition so favorable to his advancement that everyone seemed ready to exalt him with their praises. He is very happy in the choice of time and manner of engaging a debate, and never speaks but what he understands his subject well. This gentleman is about 34 years of age, of a very low stature." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Patterson was born in Ireland, County Antrim, and on the day before Christmas, 1745. At the age of 2 he was brought to Delaware and at 14 entered the College of New Jersey (Princeton). He was graduated at 17, and at 22 was admitted to the bar. As a member of the New Jersey Congress, he assisted in framing the State constitution. He served as attorney general of New Jersey and during the war was an officer in the Somerset County Battalion of Minute Men.

As a member of the Constitutional Convention he advocated the New Jersey plan, but, overruled, accepted the judgment of the majority and worked for the adoption of the Constitution in New Jersey.

He was elected to the U.S. Senate as one of the two first Senators from his State. The Judiciary Act of 1789 was drawn by him in collaboration with Oliver Ellsworth. In 1790 he became Governor of New Jersey and in 1793 accepted appointment as Justice of the Supreme Court of the United States. He died on September 9, 1806, in his 61st year. The city of Paterson, N.J., is named in his honor.

CHARLES PINCKNEY, SOUTH CAROLINA—SON OF A RICH FATHER, LAWYER, DIPLOMAT, FOUR TIMES GOVERNOR, UNITED STATES SENATOR, JEFFERSONIAN—INFLUENTIAL FIGURE IN CONVENTION

"Mr. Charles Pinckney is a young gentleman of the most promising talents. He is, although only 24 years of age, in possession of a very great variety of knowledge. Government, law, history, and philosophy are his favorite studies, but he is intimately acquainted with every species of polite learning, and has a spirit of application and industry beyond most men. He speaks with great neatness and perspicuity, and treats every subject as fully, without running into prolixity, as it requires. He has been a Member of Congress, and served in that body with ability and eclat." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Pinckney, a cousin of delegate Charles Cotesworth Pinckney, was born at Charleston in 1757. His father was a planter and a lawyer, and rich. Most of his education he received in Charleston, although for a time he was a student of law in the Middle Temple in England.

During the Revolution he served with troops from his hometown, his rank being

that of lieutenant, and was taken prisoner of war at the seige of Savannah. The efforts of his captors to seduce him to the cause of Britain he indignantly repulsed. After the war he was a Member of Congress of the Confederation for several years, then to the Constitutional Convention, where he was an outstanding figure and presented the "Pinckney Plan of a Federal Constitution," of which James M. Beck in his book, "The Constitution of the United States," says (p. 77): "Indeed, Pinckney's plan was the future Constitution of the United States in embryo."

He was four times Governor of South Carolina, served one term as U.S. Senator, was 5 years in Spain as the American Ambassador, and during the presidential campaign of 1800 was Jefferson's campaign manager in South Carolina. He died on October 29, 1824, in his 67th year.

CHARLES C. PINCKNEY, SOUTH CAROLINA—EDUCATED AT OXFORD, STUDIED LAW UNDER BLACKSTONE, ACTIVE CAMPAIGNING AS A SOLDIER, FOUNDER OF A COLLEGE, FEDERALIST CANDIDATE FOR THE PRESIDENCY

"Mr. Charles Cotesworth Pinckney is a gentleman of family and fortune in his own State. He has received the advantage of a liberal education, and possesses a very extensive degree of legal knowledge. When warm in a debate he sometimes speaks well—but he is generally considered an indifferent orator. Mr. Pinckney was an officer of high rank in the American Army, and served with great reputation through the war. He is now about 40 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Pinckney was born in Charleston, N.C., 1746, and as a boy of 7 went to England with his father, who had been appointed agent in London for the Colonies. At 18 he entered Oxford, continuing his studies in the law in the Middle Temple, and attending the lectures of Blackstone. At 23 he was admitted to the English bar and rode the circuit; then for a tour of the Continent; then home to South Carolina and the beginning of his professional and public career.

He was elected to the Provincial Assembly. With the opening of hostilities with England, he threw himself into the fray. His first active military service was with the defenders of Fort Sullivan. He was with Washington, as an aide, at the battles of Brandywine and Germantown. He was a regimental commander in the Florida campaign, participated in the siege of Savannah and was the commanding officer of Fort Moultrie during the attack on Charleston. When he was captured by the British, he was treated with great consideration in the hope that, educated as an English schoolboy, he might be wooed from the cause of his native land and his loyalty to the motherland restored. Pinckney, however, was of the stuff of which patriots are made. He remained steadfast in his devotion to the Colonies. His exchange was effected in 1782, and he was made brevet brigadier general.

Prior to going to the Constitutional Convention he served in the South Carolina Legislature. He was an active and influential member of the Philadelphia gathering of Constitution makers. He was for religious toleration, the complete separation of church and state, and introduced the measure prohibiting any religious test as qualification for officeholding in America. An outstanding member of the bar, he nevertheless opposed giving the judges any control in the legislative domain, and three times in the Convention the South Carolina delegation voted "No" on the question of giving the Supreme National Judiciary revisionary powers over the enactments of the Congress.

After the convention, Pinckney devoted his public service largely to his native State, although he found time in 1796 to undertake a mission to France by appointment of Washington, and in 1804–8 was a candidate for the Presidency as a Federalist. He was responsible for the establishment of the College of South Carolina in 1801. He died August 16, 1825, in his 79th year.

GEORGE READ, DELAWARE—SIGNER OF THE DECLARATION OF INDEPENDENCE, LAWYER, JUDGE, U.S. SENATOR

"Mr. Read is a lawyer and a judge; his legal abilities are said to be very great, but his powers of oratory are fatiguing and tiresome to the last degree; his voice is feeble, and his articulation so bad that few can have patience to attend to him. He is a very good man, and bears an amiable character with those who know him. Mr. Read is about 50, of a low stature, and a weak constitution." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Read was born in Maryland, 1733, of an Irish father and a Welsh mother. He was educated in Pennsylvania, and admitted to the bar when he was 20. He practiced his profession for 10 years in Delaware, when he received a political appointment as attorney general for the lower counties of Delaware. He served in the State assembly and also as a delegate to the First and Second Continental Congresses. He was among the signers of the Declaration of Independence. He was, by appointment of the Congress of the Confederation, a judge of the Court of Appeals in Admiralty cases, later a delegate to the Constitutional Convention, and a Member of the U.S. Senate, from which he resigned in 1793 to accept appointment as chief justice of Delaware. He died, 1798, in his 65th year.

JOHN RUTLEDGE, SOUTH CAROLINA—SON OF A MINISTER, LAWYER, GOVERNOR, ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT—CONFIRMATION AS CHIEF JUSTICE DENIED—DIED INSANE

"Mr. Rutledge is one of those characters who was highly mounted at the commencement of the late revolution; his reputation in the First Congress gave him a distinguished rank among the American worthies. He was bred to the law, and now acts as one of the chancellors of South Carolina. This gentleman is much famed in his own State as an orator, but in my opinion he is too rapid in his public speaking to be denominated an agreeable orator. He is undoubtedly a man of abilities and a gentleman of distinction and fortune. Mr. Rutledge was once Governor of South Carolina. He is about 48 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Rutledge was the son of an Episcopalian clergyman. He was born in Charleston, S.C., in 1739, and early was sent to England to study law in the Middle Temple. At 21 he was called to the English bar, returned to America and soon was a leader in his profession.

At 22 he was elected to the South Carolina House of Commons, and later was a delegate to the First Continental Congress. He was a member of the committee that wrote the constitution for South Carolina, and was the first president of that State. The original constitution, which Rutledge had assisted in framing, established the Episcopal Church as the church of South Carolina. But the spirit of religious tolerance was growing in the land. The popular demand was for the separation of church and state. Two years after the adoption of South Carolina's constitution it was revised to disestablish the Anglican church. President Rutledge—the son of a clergyman of the favored church was brought up to believe in the English system of the union of the church and the state—at once vetoed the revised constitution and resigned. A year later, with the British armies menacing South Carolina with invasion, he was recalled to the presidential office.

He was an active member of the Constitutional Convention. President Washington appoined him a Justice of the first Supreme Court of the United States, and on the resignation of Jay nominated him to succeed as Chief Justice of the Court. But he had previously denounced the Jay treaty, and for this reason the Senate refrained from voting confirmation. His mind became unbalanced—probably from the intensity with which he had applied himself to a lifetime of study, although by some it is attributed to his keen disappointment in failing, by the action of the Senate, in reaching the judicial pinnacle as Chief Justice; he retired to South Carolina, and died in 1800 in his 61st year.

ROGER SHERMAN, CONNECTICUT—SIGNER OF THE DECLARATION OF INDEPENDENCE, COBBLER, SURVEYOR, LANDOWNER, MERCHANT, PUBLISHER, BOOKSELLER, LAWYER, JUDGE, CONGRESSMAN, U.S. SENATOR

"Mr Sherman exhibits the odest character I ever remember to have met with. He is awkward, unmeetning, and unaccountably strange in his manner. But in his train of thinking there is something regular, deep, and comprehensive; yet the oddity of his address, the vulgarisms that accompany his public speaking, and that strange New England cant which runs through his public as well as his private speaking make everything that is connected with him grotesque and laughable; and yet he deserves infinite praise;—no man has a better heart or a clearer head. If he cannot embellish he can furnish thoughts that are wise and useful. He is an able politician, and extremely artful in accomplishing any particular object; it is remarked that he seldom fails. I am told he sits on the bench in Connecticut, and is very correct in the discharge of his judicial functions. In the early part of his life he was a shoemaker; but despising the lowness of his condition, he turned almanac maker, and so progressed upwards to a judge. He has been several years a Member of Congress, and discharged the duties of his office with honor and credit to himself, and advantage to the State he represented. He is about 60." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Sherman came from an old American family that settled in Watertown, Mass., in 1636. He was born on April 19, 1721, received a common school education, and learned the trade of shoemaker under his father. On the death of his father, he moved to New Milford, Conn., walking the distance with his cobbler's tools on his back. He became active in village affairs, was appointed surveyor, and acquired a considerable wealth in land. He established the first store of Milford, wrote and circulated a treatise on the "Evil Consequence of a Fluctuating Medium of Exchange," and published a series of almanacs filled with classical quotations as well as his own writings in prose and poetry.

At 33 he was admitted to the bar, the following year went to the State legislature, and later was a justice in the county court. At 40 he abandoned his law practice to go into business as an importer and merchant in the book line. He catered especially to the trade of the students of Yale. At 51, however, he retired from business to give his attention to public affairs.

He was a member of the Continental Congress, serving on the committee to draft the Declaration of Independence, and was among signatories of that document. He was also a member of the Congress of the Confederation, where he stood in opposition to fiat currency and large loans and championed high taxes both by the Congress and the States. In 1783 he revised the laws of Connecticut, in 1784–86 was judge of the superior court, and in 1787 was major of

New Haven. As a member of the Constitutional Convention, he advocated the dominion of the executive by the legislative, the election of both representatives and Senators by the State legislature, and putting into effect of the Constitution without ratification by the people.

He was elected to the new Congress in 1789, opposed amendments to the Constitution, favored the sale of western lands to settlers (not speculators) to pay up the national debt, and was against the location of the capital on the Potomac. In 1791—he was then 70—he was chosen to fill a vacancy in the U.S. Senate. He served in that position until his death on July 23, 1793. He was married twice and the father of fifteen children. A painting of him hangs in the Yale gallery of fine arts. Of him John Adams had once said: "An old Puritan, as honest as an angel and as firm in the cause of American independence as Mount Atlas."

RICHARD D. SPAIGHT, NORTH CAROLINA—EDUCATED IN IRELAND AND SCOTLAND, SOLDIER, THRICE GOVERNOR, CONGRESSMAN—KILLED IN DUEL

"Mr. Spaight is a worthy man, of some abilities and fortune. Without possessing a genius to render him brilliant, he is able to discharge any public trust that his country may repose in him. He is about 31 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Spaight was born in North Carolina, 1758, his father being a native of Ireland, and on the death of his mother when he was 8 he was sent to Ireland to be educated. He continued his studies at the University of Glasgow and returned to America when he was 21. He was elected to the North Carolina House of Commons and, being named an aide-de-camp to General Caswell, was present at the Battle of Camden. At 32 he was speaker of the North Carolina House, and 2 years later was chairman of a legislative committee that made a sweeping investigation of State judges and alleged corruption in public office. He was pronounced in his opposition to the courts of North Carolina passing upon the validity of the acts of the legislature, and asked who, if the judges passed upon the acts of the legislature, would control the judges?

He was a Member of the Continental Congress, 1783–85, and chosen as delegate to the Constitutional Convention. The year following the Convention he was defeated for Governor of North Carolina, and a year later ran for U.S. Senator as an anti-Federalist and was again defeated. His health broke, and for a while he withdrew from public affairs, but in 1792 was back. He was then only 34. He was elected Governor three times, then to the National House of Representatives, where he advocated the repeal of the alien and sedition laws and voted for Jefferson for President, then back to the Legislature of North Carolina as a State senator.

Spaight was decidedly of the Irish character. While Governor he issued a proclamation of North Carolina's neutrality in European affairs, and when he learned that three French privateers were being fitted out in Wilmington Harbor had them seized. In 1802, in his 44th year, he was killed in a duel.

HUGH WILLIAMSON, NORTH CAROLINA—ONE OF THE TWO PHYSICIAN SIGNERS OF THE CONSTITUTION, TEACHER, MERCHANT, SURGEON, SCIENTIST, WRITER

"Mr. Williamson is a gentleman of education and talents. He enters freely into public debate from his close attention to most subjects, but he is no orator. There is a great degree of good humor and pleasantry in his character; and in his manners there is a strong trait of the gentleman. He is about 48 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Williamson studied for the ministry, but because of ill health turned to medicine. He was a teacher of mathematics, a merchant, an army surgeon, and a scientist at different periods in his life, and at 58 moved to New York City and gave the remainder of his life to writing.

He was born in Pennsylvania in 1735, was graduated from the College of Philadelphia, in which for 3 years he taught mathematics, studied medicine at Edinburgh and Utrecht, in 1776 traveled abroad as a scientist and the following year set up his business as a merchant in Edenton, N.C. During the war he was an army surgeon.

He was a Member of the Congress of the Confederation and of the Constitutional Convention from his adopted State of North Carolina. Six years after the Convention he left North Carolina, after a residence there of 16 years, and went to New York. He died in 1819 in his 84th year.

JAMES WILSON, PENNSYLVANIA—SCOTCHMAN AND A PHILADELPHIA LAWYER, JUSTICE OF THE SUPREME COURT—DIED IMPOVERISHED

"Mr. Wilson ranks among the foremost in legal and political knowledge. He has joined to a fine genius all that can set him off and show to advantage. He is well acquainted with man, and understands all the passions that influence him. Government seems to have been his peculiar study, all the political institutions of the world he knows in detail, and can trace the causes and effects of every revolution from the earliest stages of the Grecian commonwealth down to the present time. No man is more clear, copious, and comprehensive than Mr. Wilson, yet he is no great orator. He draws the attention not by the charm of his eloquence, but by the force of his reasoning. He is about 45 years old." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Wilson was born in Scotland, 1742, was educated in Glasgow and Edinburgh, and was 23 years old when he came to America. He settled in Philadelphia and gave himself to the study of law in the office of John Dickinson. He was 34, and but a decade in his adopted land, when he attached his name to the Declaration of Independence.

For a number of years he had legislative experience in the Continental Congress, during the war was a member of the Board of War and advocate general for France, and as an attorney for Pennsylvania won his spurs by defeating Connecticut's claims to some of the lands of Pennsylvania.

At the Constitutional Convention, he fought persistently for enlarged powers for the judges. Twice he introduced motions for joining the judiciary in the revision of laws. On August 15 he seconded Madison's motion to give to the judiciary the power of a suspensive veto. All three motions lost, never mustering more than three States; while Wilson's own State voted against him twice and was divided once. His best efforts to give to the Supreme Court some power, or control, over legislation failing, Wilson, "after viewing the subject with all coolness" (Madison's Notes 536), still insisted that he was right, despite the fact that the Convention, and even his own delegation, did not agree with him. He was most apprehensive that the Government would end by the legislature swallowing up the executive and judiciary, which, he thought, had been left without sufficient self-defensive power because the judges had been excluded from participation in or control over legislation.

When the Supreme Court was organized, Washington named Wilson as one of the first Justices. He wrote and delivered the widely discussed opinion in *Chisholm v. Georgia*, upholding the right of an individual citizen to hale a sovereign State into court, in a private litigation. The idea of an individual dragging a proud State to court, like any ordinary individual, did not appeal; and the 11th amendment of the Constitution was rushed through to protect the sovereignty of the States from this indignity.

He died, while a Justice of the High Court, in 1798 in his 56th year. At the time he was a poor man, even in adversity, embarrassed by the pressure of his creditors. Having speculated his private fortune in bank scrip and Federal securities, the panic that ruined the fortunes of Alexander Hamilton likewise ruined his. He was pinioned under a load of debt, and did not long survive.

(Delegates to Convention who participated in debates, but did not sign the Constitution (16) and names of those who were appointed but did not serve—the list of those who muffed a great opportunity (10).)

WILLIAM R. DAVIE, NORTH CAROLINA—BORN IN ENGLAND, ADOPTED SON OF CLERGYMAN, WOUNDED IN BATTLE, LAWYER, HELPED FOUND A UNIVERSITY

"Mr. Davie is a lawyer of some eminence in his State. He is said to have a good classical education, and is a gentleman of considerable literary talents. He was silent in the Convention, but his opinion was always respected. Mr. Davie is about 30 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Davie was born in England, 1756, taken to South Carolina at 7, adopted by an uncle, a Presbyterian clergyman. At 20 he was graduated from Princeton with first honors; at 21 was a soldier in Pulaski's regiment, and on his 22d birthday was wounded in action. At 23 he was licensed as a lawyer, used the money left him by his uncle to equip a company of volunteers and kept biting at Cornwall's army until its retreat into South Carolina. He was renowned as a lawyer, and was keenly interested and active in the establishment of the University of North Carolina, for which he selected the instructors and mapped the course of study. In the Constitutional Convention he joined on four or five occasions in the debates. He died in 1820 in his 64th year.

OLIVER ELSWORTH, CONNECTICUT—THE CONGRESSMAN WHO WANTED GUNS TURNED ON WASHINGTON'S VETERANS BECOMES U.S. SENATOR AND CHIEF JUSTICE OF THE SUPREME COURT

"Mr. Elsworth is a judge of the Supreme Court in Connecticut; he is a gentleman of a clear, deep, and copious understanding; eloquent, and connected in public debate; and always attentive to his duty. He is very happy in a reply, and choice in selecting such parts of his adversary's arguments as he finds make the strongest impressions, in order to take off the force of them, so as to admit the power of his own. Mr. Elsworth is about 37 years of age, a man much respected for his integrity, and venerated for his abilities." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Elsworth is remembered as one of the three members of the Congress of the Confederation who demanded that the guns of the State militia of Pennsylvania be turned on Washington's veteran soldiers who surrounded Congress to demand the payment of arrearages for services during the Revolutionary War. His own part in the war had been as a member of a committee of five supervising expenditures. His interest was more in "balancing the budget," to use a modern phrase, than in caring for the veteran soldiers who had made the Republic possible.

He was born in 1745, entered Yale, switched to Princeton, studied for the ministry, switched to law, and became a leader of the Connecticut bar. He served as a State's attorney and delegate to the Continental Congress, was judge of the Connecticut Supreme

Court of Errors, Judge of the Superior Court of that State, and one of Connecticut's two first U.S. Senators. He resigned from the Senate in 1796 to accept the appointment as Chief Justice of the Supreme Court of the United States. He died 11 years later (1807) in his 62d year.

As a member of the Constitutional Convention he had fought doggedly for the vesting of more power in the judges, who, he said, "alone will have competent judgment." He wanted power "given to the few to save them from being destroyed by the many" (Madison's Journal, 274). Despite the decisive defeat in the Convention of all proposals to give the judges control over legislation, Elsworth continued to proclaim that he was right and carried his contentions, the following year, into the Connecticut convention. The abolition of the foreign slave trade he opposed.

ELBRIDGE GERRY, MASSACHUSETTS—MADE FORTUNE IN CODFISH, SIGNER OF DECLARATION OF INDEPENDENCE, OPPOSED RATIFICATION OF CONSTITUTION, CONGRESSMAN, GOVERNOR, VICE PRESIDENT OF THE UNITED STATES

"Mr. Gerry's character is marked for integrity and perseverance. He is a hesitating and laborious speaker—possesses a great degree of confidence and goes extensively into all subjects that he speaks on, without respect to elegance or flower of diction. He is connected and sometimes clear in his arguments, conceives well, and cherishes as his first virtue, a love for his country. Mr. Gerry is very much of a gentleman in his principles and manners; he has been engaged in the mercantile line and is a man of property. He is about 37 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Gerry has the unique distinction of having his name preserved in a coined word that has come into general usage—gerrymander. His was a fiery career. He was never without a scrap on his hands. He was born in Massachusetts in 1744, was graduated from Harvard, made a fortune in the dried codfish business. He served in the Continental Congress, signed the Declaration of Independence, demanded the recall of Franklin, whom he thought corrupted by the French, and was so bitterly opposed to profiteering that he quarreled with and left the Congress. As a member of the Constitutional Convention, although he was militant in his advocacy of a strong central government, he left the Convention, refused to sign the Constitution and campaigned against its ratification. He was nevertheless elected as a Representative to the First Congress, and in 1810 was chosen Governor of Massachusetts. His administration was colorful. There was constant and bitter fighting with the Federalists, climaxed by the saving of the Governor's party by the famous gerrymandering bill. He was Vice President of the United States, with Madison, and died in office in 1814 in his 70th year.

WILLIAM HOUSTOUN, GEORGIA—FAT AND AMIABLE, LAWYER, REFUSED TO SIGN CONSTITUTION, ALMOST FORGOTTEN

"Mr. Houstoun is an attorney at law, and has been Member of Congress for the State of Georgia. He is a gentleman of family, and was educated in England. As to his legal or political knowledge he has very little to boast of. Nature seems to have done more for his corporeal than mental powers. His person is striking, but his mind but little improved with useful or elegant knowledge. He has none of the talents requisite for the orator, but in public debate is confused and irregular. Mr. Houstoun is about 30 years of age, of an amiable and sweet temper, and of good and honorable principles." (Maj. William Pierce (Georgia), a fellow delegate.)

Fat, amiable, sweet-tempered William Houstoun was evidently popular among his fellow Georgians for he held such positions as member of the Congress of the Confederation, agent in a boundary dispute between Georgia and South Carolina, and trustee of the State college. He was a member of the Georgia bar. He spoke only once in the Convention, and refused to sign the Constitution. A very brief mention is made of him in Appleton's Cyclopaedia of American Biography (III, 275). That is about the extent of the place given him in recorded history.

WILLIAM C. HOUSTON, NEW JERSEY, ONLY DELEGATE WHO HAD WORKED HIS WAY THROUGH COLLEGE, CAPTAIN IN REVOLUTION, LAWYER, VICTIM OF TUBERCULOSIS

Major Pierce makes no mention of Houston. Doubtless Houston's illness, then rapidly reaching the final stages, kept him, for the most part, inactive.

Delegate Houston was the only member of the Convention who had worked his way through college. He taught in grammar school to support himself while going through Princeton. He was born in 1746, saw active service in the Revolution as a captain of infantry, served in the Continental Congress and the New Jersey Legislature, and practiced at the New Jersey bar. Illness hastened his departure from the Convention before he had signed the Constitution. He was suffering from tuberculosis, and died shortly afterward, in 1788, in his 42d year.

JOHN LANSING, NEW YORK—DUTCH DESCENT, WAR SERVICE, LAWYER, JUDGE, OPPOSED RATIFICATION OF CONSTITUTION, DISAPPEARED, BELIEVED MURDERED

"Mr. Lansing is a practicing attorney at Albany, and mayor of that corporation. He has a hesitation in his speech, that will prevent his being an orator of any eminence; his legal knowledge I am told is not extensive, nor his education a good one. He is however a man of good sense, plain in his manners, and sincere in his friendships. He is about 32 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Lansing was of Dutch descent. He was born in Albany, N.Y., in 1754, during the war was military secretary to Gen. Philip Schuyler, was a member and Speaker of the New York Assembly, and served in the Congress of the Confederation. With Hamilton and Yates, he went to the Constitutional Convention as a member of the New York delegation. On July 10, however, he, with Yates, quit the Convention, and later he opposed the ratification of the Constitution. He was many years a justice of the New York Supreme Court and chancellor of state. His standing as a lawyer was high. In 1829—a week or two before Christmas—he suddenly dropped out of sight. Search was made everywhere. No trace of him—he then was 75, but robust—was ever found. It was the great mystery of the time. The general belief was that he had been murdered.

ALEXANDER MARTIN, NORTH CAROLINA—COURT-MARTIALED FOR COWARDICE IN BATTLE, BUT ACQUITTED—JUDGE, GOVERNOR, U.S. SENATOR

"Mr. Martin was lately Governor of North Carolina, which office he filled with credit. He is a man of sense, and undoubtedly is a good politician, but he is not formed to shine in public debate, being no speaker. Mr. Martin was once a colonel in the American Army, but proved unfit for the field. He is about 40 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Martin, at 47, came to the Convention to help in framing the government of the young nation. It had been but 10 years since he had faced a military court-martial for cowardice at the Battle of Germantown. Happily, he was acquitted. Had it been otherwise—but that is merely one of the "ifs" of history. He was born in 1740, at 34 was a judge, served as lieutenant colonel with North Carolina troops and later with Washington, and was Governor of his State and Member of the Federal Congress, from which he resigned to go to the Constitutional Convention. In late August, however, he quit the Convention without signing the Constitution. He was again elected Governor and later U.S. Senator, but was defeated for reelection to the Senate, after supporting the alien and sedition laws. Six years later he returned to public office as a State senator. He died in 1807, in his 67th year.

LUTHER MARTIN, MARYLAND—SCHOOL TEACHER, LAWYER, DEFENDER OF AARON BURR AND JUSTICE CHASE, JUDGE, OPPOSED RATIFICATION OF CONSTITUTION.

"Mr. Martin was educated for the bar, and is attorney general for the State of Maryland. This gentleman possesses a good deal of information, but he has a very bad delivery, and so extremely prolix, that he never speaks without tiring the patience of all who hear him. He is about 34 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Martin was what you would call a fighting lawyer. As attorney general of Maryland he was a bull-dog prosecutor against the loyalists. As defense counsel he stood with Mr. Justice Chase in the famous impeachment trial in the United States Senate and with Aaron Burr when, close to the presidency, the latter's queer twist of fortune had brought him to trial for high treason. His battle with Webster in the celebrated case of *McCullough* v. *Maryland*, in which the question of state's rights was involved, was near the close of his spectacular career, which carried him to the leadership of the American bar. He was born in New Jersey, 1758, was graduated from Princeton, taught school for a number of years, was admitted to practice law in Virginia, and finally located in Baltimore. He was a delegate to the Congress of the Confederation and to the Constitutional Convention, which he quit in protest and turned his oratorical guns against it in an atttempt to defeat the ratification of the Constitution. For three years he was judge of the Court of Oyer and Terminer for Baltimore. He was a Federalist and strongly opposed to Jefferson. He died in 1826, in his 78th year.

GEORGE MASON, VIRGINIA—ABLE BUT RETIRING, AN UNLICENSED LAWYER, CAMPAIGNS AGAINST CONSTITUTION, TRIUMPHS OVER MARSHALL

"Mr. Mason is a gentleman of remarkable strong powers, and possesses a clear and copious understanding. He is able and convincing in debate, steady and firm in his principles, and undoubtedly one of the best politicians in America. Mr. Mason is about 60 years old, with a fine strong constitution." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Mason was a back seat driver from preference. He was an exceptionally able lawyer, but he never took the trouble to be licensed as an attorney. He disliked public life, kept from the limelight, but his counsel was constantly sought by Washington and others. He did take an active part in the Philadelphia convention, but he disapproved of the Constitution as drawn, refused to sign it and campaigned against its ratification. He triumphed in debate over John Marshall, later to become Chief Justice of the Supreme Court and the author of the opinion giving the courts the right to declare laws unconstitutional. Marshall, then a lawyer, ridiculed Mason's contention that under the Constitution sovereign States would be haled into court by citizens; yet *Chisholm* v. *Georgia* and the 11th amendment to the Constitution prove that Mason

knew whereof he spoke. Mason was born in 1725 and died in 1792.

JOHN FRANCIS MERCER, MARYLAND—SOLDIER AT 16, HELPED FRAME THE CONSTITUTION AT 28, LAWYER, TWICE GOVERNOR OF MARYLAND

Major Pierce makes no mention of Mercer in his biographical sketches.

Delegate Mercer was just 16, when in 1776 he enlisted in the 3d Virginia Regiment. A graduate of William and Mary College, and the son of a wealthy lawyer—who had been an Irish immigrant—the young man was naturally commissioned a lieutenant. Later he was promoted to a captaincy and made an aide to General Lee. When his superior was court martialed, Captain Mercer resigned. Later, however, he returned to the army and was present at Yorktown.

While he was a civilian, Mercer studied law with Thomas Jefferson. He preferred politics to law, however. Although he was only 28 at the time of the Federal Convention, he took an active part in debate. He left without signing the Constitution. He was a Republican until the trouble with England, when he broke away from his party and joined the Federalists. Mercer was twice Governor of Maryland. He died in 1821, in his 63d year.

JAMES M'CLURG, VIRGINIA—EDUCATED IN MEDICINE IN SCOTLAND, ARMY SURGEON IN REVOLUTION, RENOWNED AS PHYSICIAN

"Mr. McClurg is a learned physician, but having never appeared before in public life, his character as a politician is not sufficiently known. He attempted once or twice to speak, but with no great success. It is certain that he has a foundation of learning, on which, if he pleases, he may erect a character of high renown. The doctor is about 38 years of age, a gentleman of great respectability, and of a fair and unblemished character." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate McClurg was one of three physicians in the Philadelphia convention. He was born in Virginia, 1746, educated at William and Mary College, received his M.D. at the University of Edinburgh, was an army surgeon during the war, became one of the outstanding physicians in Virginia and at one time was president of the State Medical Society. His selection as a delegate to the Constitutional Convention followed the refusal to serve of Patrick Henry and Richard Henry Lee. He did not sign the Constitution.

WILLIAM PIERCE, GEORGIA—PAINTER OF HUMAN SIDE OF THE CONVENTION, BRILLIANT MILITARY RECORD, BRAVERY EXTOLLED BY CONGRESS, EARLY DEATH

"My own character I shall not attempt to draw, but leave those who may choose to speculate on it, to consider it in any light that their fancy or imagination may depict. I am conscious of having discharged my duty as a soldier through the course of the late Revolution with honor and propriety; and my services in Congress and the Convention were bestowed with the best intention toward the interest of Georgia and toward the general welfare of the Confederacy. I possess ambition, and it was that, and the flattering opinion which some of my friends had of me, that gave me a seat in the wisest council in the world, and furnished me with an opportunity of giving these short sketches of the characters who composed it." Maj. William Pierce (Georgia), speaking of himself.

Delegate Pierce humanized for all time "the wisest council in the world." To him America must ever be indebted for the sketches, reproduced in this volume, which preserve the memory of his fellow members of the Convention, not as "fathers" etched in bronze, but as human beings seen through the eyes of one who mingled with them, on the floor of the Convention, and in the sportive and the somber off-hours. It was a stirring time. A great work was in the making. This gathering of the young and the aged, men of varied experiences and of varying temperaments, was building the framework of a new representative government that should supplant the tottering structure of government of monarchy. Madison faithfully reported their deliberations. It remained for Pierce to add the human touch. He makes of the delegates not automatons that move on the stage of history, far, far away from the audience of the present; but living, breathing human beings that, at his introduction, become as close to us as our next door neighbors. The reading of these intimate pen pictures by Major Pierce enhances the understanding of the Constitution. Yet they are practically unknown to Americans of this generation. The writers of this volume inquired of a dozen ordinarily well-informed persons if they had even heard of Pierce's sketches, and the answer in each instance was "No." It is hoped that the revival of the sketches in this volume will aid in restoring them to their proper place in the imperishable literature of the great Convention. The human side is the side least of all to be lost.

Pierce's life was comparatively brief. He did not long survive the Convention. He was born in 1740, served brilliantly in the Revolution, was publicly commended by Congress for his bravery at Eutau Springs, and was breveted a major. His legislative experience consisted of a few months in the Congress of the Confederation prior to his resignation to take his seat in the Constitutional Convention. A failure of his business interests compelled him to leave before the work was completed, and he did not return to sign the Constitution. He died, 2 years later, in 1789, in his 49th year.

EDMUND RANDOLPH, VIRGINIA—WASHINGTON'S AIDE-DE-CAMP, GOVERNOR AT 33, ATTORNEY GENERAL AND SECRETARY OF STATE IN WASHINGTON'S CABINET

"Mr. Randolph is Governor of Virginia, a young gentleman in whom unite all the accomplishments of the scholar and the statesman. He came forward with the postulata, or first principles, on which the convention acted, and he supported them with a force of eloquence and reasoning that did him great honor. He has a most harmonious voice, a fine person and striking manners." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Randolph came from a long line of noted Virginians. His was a proud name. He was born in 1753, educated at William and Mary, studied law with his father, then King's attorney, was an aide-de-camp for Washington, and at 23 the youngest member of the Virginia Convention. He served as attorney general of Virginia and as a Member of the Second Continental Congress. At 33, he was Governor of Virginia, and the following year went to the Constitutional Convention. It was his persuasion that induced Washington to accept appointment as a delegate. But he refused to sign the Constitution. He did not believe it as liberal as he thought proper. Still, he did not stand in the way of its adoption and worked for its ratification. He served in Washington's Cabinet as Attorney General and as Secretary of State, resigning as a protest against the meddling of Hamilton. He died in 1813, in his 60th year.

CALEB STRONG, MASSACHUSETTS—GOVERNOR DURING WAR OF 1812, HE REFUSED TO PERMIT MILITIA TO FIGHT FOR UNITED STATES, LAWYER, SENATOR

"Mr. Strong is a lawyer of some eminence, he has received a liberal education, and has good connections to recommend him. As a speaker he is feeble, and without confidence. This gentleman is about 35 years of age, and greatly in the esteem of his colleagues." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Strong was Governor of Massachusetts during the War of 1812. He refused to permit the militia to enter the Federal service, and to fight for the United States. When the invasion of Massachusetts was threatened, however, he called out the militia on his own—to fight for Massachusetts and its defense. He was born in 1745, educated at Harvard, and at 27 was admitted to the bar. He was a member of the Massachusetts State Senate at the same time he held membership in the Constitutional Convention. He was called home before the adjournment, and did not sign the Constitution. He served in the First U.S. Senate as well as Governor of his State. He was a strong Federalist. He died in 1819, in his 74th year.

GEORGE WYTHE, VIRGIANA—EDUCATOR—THOMAS JEFFERSON AMONG HIS PUPILS, SIGNER OF DECLARATION OF INDEPENDENCE, A SELF-MADE AND SELF-EDUCATED MAN

"Mr. Wythe is the famous professor of law at the University of William and Mary. He is confessedly one of the most learned legal characters of the present age. From his close attention to the study of general learning he has acquired a complete knowledge of the dead languages and all the sciences. He is remarked for his exemplary life, and universally esteemed for his good principles. No man it is said understands the history of government better than Mr. Wythe, nor anyone who understands the fluctuating condition to which all societies are liable better than he does, yet from his too favorable opinion of men, he is not a great politician. He is a neat and pleasing speaker, and a most correct and able writer. Mr. Wythe is about 55 years of age." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Wythe was one of the noted educators of Virginia, Thomas Jefferson being among his pupils. He was born in 1726, was self-made and self-educated, was a signer of the Declaration of Independence, and a member of the committee which revised the laws of Virginia. His prestige among the delegates to the Philadelphia convention was great, but he took small part in the debates, seemed only mildly interested, and did not sign the Constitution. He died in 1806, in his 80th year.

ROBERT YATES, NEW YORK—AN HONEST LAWYER—A JUDGE WHO SERVED "WITH A HALTER AROUND HIS NECK"—YEARS ON THE BENCH, BUT SO POOR HE HAD NOTHING FOR HIS OLD AGE

"Mr. Yates is said to be an able judge. He is a man of great legal abilities, but not distinguished as an orator. Some of his enemies say he is an anti-Federal man, but I discovered no such disposition in him. He is about 45 years old, and enjoys a great share of health." (Maj. William Pierce (Georgia), a fellow delegate.)

Delegate Yates was known as the honest lawyer and fairminded judge. An easy advocate of the cause of liberty, his essays in defense of the rights and liberties of his country won him a reputation as a Whig, and as a writer. With the outbreak of the Revolution, he became a member of the Committee of Public Safety, a body invested with almost inquisitorial powers. Although Yates hated Tories, he insisted upon fair treatment for them, with the result that patriotic zeal was confined within just and moderate limits. An active member of the convention which framed his State constitution, in 1777, Yates was offered the position of judge of the Supreme Court of New York, during the same year. Accepting such a position at that time was a daring act, for the Revolutionary cause hung in the balance,

and Yates sat on the bench "with a halter about his neck." Nevertheless, he accepted, giving up a lucrative law practice to do so, although his year's salary, paid in Continental currency, was, as he said, "just sufficient to purchase a pound of green tea for his wife."

Yates was 49 at the time of the Philadelphia Convention. He opposed the strong Central Government planned by his colleagues. Believing that the delegates were exceeding their authority, yet unwilling to remain as a disrupting influence, Yates, with Lansing, left the Convention July 10. Yates' ability as a writer was called into play in opposition to the Constitution. With almost prophetic vision, he pointed out that the courts would become superior to the legislature, because of lack of checks upon them. Once the Constitution was adopted, however, he believed it his duty to support it. Named chief justice of his State in 1790, he held that position until his 60th year when the law required his retirement. Always indifferent to his private interest, Yates retired from the bench, a poor man. To make provision for him the legislature appointed him commissioner to settle land titles, a position which he held almost to his death, September 9, 1801, at 63.

The absent 10

Ten delegates were appointed, but neither attended the Convention nor signed the Constitution. As far as the history of the Constitution is concerned, they are interesting only as furnishing the list of those who muffed a great opportunity. The 10 were:

John Pickering, New Hampshire.
Benjamin West, New Hampshire.
Francis Dana, Massachusetts.
John Neilson, New Jersey.
Abraham Clark, New Jersey.
Patrick Henry (declined), Virginia.
Richard Caswell (resigned), North Carolina.
Willie Jones (declined), North Carolina.
George Walton, Georgia.
Nathaniel Pendleton, Georgia.
Rhode Island made no appointments.

THE CONGRESSIONAL RECORD DAILY DIGEST

The SPEAKER. Under the previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 15 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, twice this week I have taken the floor of the House to call to the membership's attention a serious abuse of the Daily Digest section of the CONGRESSIONAL RECORD.

The Daily Digest has been a regular part of the CONGRESSIONAL RECORD since 1947. Its purpose has been to inform.

Authority for printing the Daily Digest in each day's CONGRESSIONAL RECORD comes from the Legislative Reorganization Act of 1946, section 221.

IMPROVEMENT OF CONGRESSIONAL RECORD

SEC. 221. The Joint Committee on Printing is authorized and directed to provide for printing in the daily RECORD the legislative program for the day, together with a list of congressional committee meetings and hearings, and the place of meeting and subject matter; and to cause a brief résumé of congressional activities for the previous day to be incorporated in the RECORD, together with an index of its contents. Such data shall be prepared under the supervision of the Secretary of the Senate and the Clerk of the House of Representatives, respectively.

The table of appropriation bills has appeared in the Daily Digest on a monthly basis since the beginning, as part of the monthly "Résumé of Congressional Activity," appearing on the first day of each month during the session. It had been provided by the Senate Daily Digest employees who received the data from the Senate Appropriations Committee. It had been factual and fair.

However, the situation was changed on July 7, 1959, without any authority from either the House or the Senate or the Joint Committee on Printing. Instead of being printed at the beginning of each month the Table of Appropriations was published daily. At the same time the daily table was no longer provided by the Senate Daily Digest employees, but by the House Daily Digest employees who I presume received their data from the House Appropriations Committee.

On August 21, 1959, without notice to the minority I am informed, the Democratic leaders of the Senate obtained unanimous consent on the floor of the Senate to have a table II added to table I. No similar permission has ever been obtained in the House. In the unanimous-consent request, nothing was said about table II, or table I for that matter, being part of the Daily Digest. Reference was made to the fact that table I was being printed every day but there was no reference to the fact that this was a deviation begun on July 6 without authority or without notification to either the House or the Senate or the Joint Committee on Printing. After this action by the Senate a table II was added to table I. This is the most controversial of the two tables and as I shall develop is unquestionably the result of political partisanship and is designed to be political propaganda. The title of table II is "New Obligational Authority Provided Outside the Appropriation Process (So-Called Backdoor Financing)." I leave it up to any fair observer as to what the phrase "so-called backdoor financing" means and whether it is an objective title. After the August 21 unanimous consent request in the Senate, the column heads in table I were changed without authority. The column heads which, until August 21, read thus:

Budget estimates to House.
Budget estimates to Senate.
Increase or decrease compared to budget estimates to date.
Date approved.

Now reads:

President's budget estimates to House.
President's budget estimates to Senate.
Increase or decrease compared to President's budget estimates to date.
Date approved by President.

None of this manipulation of the Daily Digest was done with the knowledge or approval of the Joint Committee on Printing. Up until these shenanigans started on July 6, 1959, even minor changes made in the format of the Daily Digest were cleared with the Joint Committee on Printing. The employees of the Daily Digest, both House and Senate, let it be said to their credit, have generally resisted suggestions that extraneous materials be added to the Daily Digest on the grounds that the body of the RECORD is available to individual Senators and Congressmen for matters of special interest to them.

In checking into this matter, I have been told that some of these changes that I have referred to were cleared with the staff of the Joint Committee on Printing. If this is so the staff of the Joint Committee on Printing has something to answer to to the committee members and to both the House and Senate. I have checked with the minority member of the Joint Committee on Printing of the House, Congressman PAUL SCHENCK, of Ohio, as to whether any of these changes have been brought to the attention of the Joint Committee on Printing or authorized by them. His answer was an unequivocal "No." He further stated the Joint Committee on Printing had not even met for the past couple of months.

I pointed out that table I has been provided by the Senate Appropriations Committee employees to the Senate Daily Digest employees until July 6, when the first switch was made. However, it is quite interesting to see who is preparing table II. It is not being prepared by a professional staff of either the Senate or House Appropriation Committees. Table II apparently is being prepared by an employee of the Senate Space and Aeronautics Committee, a Mr. Max Lehrer. Judging by the bunkum that is in table II, I can well believe that it comes from outer space. It certainly has no relationship to reality.

Mr. Speaker, there is no question that the Democratic leaders in the Congress and members of the Democrat Party are smarting under the charge that they are the "spenders" and that it is they who through unfinanced Federal spending programs have caused the Federal debt ceiling to have to be raised and the Federal Government to have to go into the money market to borrow more and more money and so cause interest rates to rise. Certainly the Democrat Party wants to avoid having the responsibility for inflation and for high interest rates pinned on it. But let them argue their case fairly on the floor of the House and on the floor of the Senate in honest debate, not through destroying the reputation for fairness and impartiality the Daily Digest and CONGRESSIONAL RECORD have established over a period of years. This is a type of political chicanery which all of us have experienced from time to time in our political careers but it is a kind of chicanery that as soon as it is called to the attention of responsible politicians is stopped and certainly not condoned. I took the floor of the House Monday to call attention to the errors in both table I and table II and to further point out that table I and table II did not give a fair and complete picture of Federal appropriations, expenditures and budgeting. I called the Members attention on the floor of the House to the "rigging" of the Daily Digest and stated I would put in the RECORD correct tables. On Thursday, September 10, I again took the floor of the House to call attention of the Members of the leadership to the violation of the Daily Digest and at this time I put the corrections to tables I, II and a new table III in the RECORD. I had

hoped that my actions on Monday would have been sufficient to have put a stop to the continued violation of the Daily Digest. I was wrong. I had hoped after my remarks yesterday that I would have received a call from some responsible Member of the leadership of the Congress suggesting that the matter would be corrected. This has not been the result and the matter is still uncorrected.

If the violation of correct congressional procedures as I have outlined them in this instance is not stopped and if the Daily Digest is continued to be used improperly as a piece of partisan political propaganda after the notice that the leadership of the Congress has now received, there is no alternative other than to say to the people of the country that this is in accordance with the considered political morality of the Democrat Party at the highest level.

Mr. Speaker, I believe that the preservation of the Congress as an effective and independent legislative body transcends any issues of partisan politics. Indeed, an independent legislative body is the cornerstone of a free society. It is important to maintain impartial and fair rules of procedure in the Congress if we are to attain these goals. The CONGRESSIONAL RECORD, the Library of Congress and the committee staffs must all be protected if we are to do an effective job. I would request that this matter that I have presented be looked into immediately, be immediately corrected, and those who are responsible for it be put in a position where they cannot cause such a thing to happen again.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I want to compliment the gentleman for bringing this matter to the attention of the House. It is, indeed, a serious thing when official records are used in a manner which attempts to mislead and to draw false conclusions from. I call the gentleman's attention—maybe he has mentioned it in prior remarks that he has made to the House—that it seems to me perfectly clear that an effort is now being made to use this table, which was intended basically for informational purposes, for the purpose of trying to prove that the Congress has reduced the President's budget. Yet, I call the gentleman's attention to one particular item which shows the phoniness of that kind of a proposition. Under "Appropriations" there is the legislative appropriation bill. Now, we all know that under the law the President has to submit to the Congress a budget for the legislative branch that the Congress itself asks for. It is not the President that determines those figures. The Congress determines that. And, yet, if you look at the table, you will find that they now take credit for reducing the President's request by about $5 million in the area of appropriations for the operation of the Congress, when it is the Congress itself that makes the original estimate in the first place.

Mr. CURTIS of Missouri. I thank the gentleman for his comment.

I want to say this, that this is a perfectly fair subject for debate on the floor of the House and the Senate. I think these tables that have been put back there are phony. I have tried to show the phoniness of them. But, if people believe those figures are accurate, let them take the floor of the House and let them take the floor of the Senate and argue their case, but let us not violate the CONGRESSIONAL RECORD and the Daily Digest by putting in political propaganda.

I want to say this further. I am going to take this speech that I just delivered out of the RECORD, and I am going to mail it to every newspaper and magazine in the country, because I think it is the kind of information that they need to know about, because the CONGRESSIONAL RECORD has been for the past month and a half sent out in the fashion I have described. They all subscribe to it, and they have been misled by this kind of chicanery. I only hope that the responsible leadership of the House and the Senate will correct this immediately so that there will be an end to it and this kind of thing will not occur again.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Have you a table that you think is accurate?

Mr. CURTIS of Missouri. Yes. I put it in the RECORD yesterday.

Mr. SMITH of Iowa. In yesterday's RECORD?

Mr. CURTIS of Missouri. Yes. But, the point is, if the gentleman has followed my speech, that even if that were to be put in, there are correct procedures to follow in getting the CONGRESSIONAL RECORD changed or the Daily Digest changed.

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

Mr. CURTIS of Missouri. I yield to the gentleman from Michigan.

Mr. MEADER. I first want to commend the gentleman for calling this matter to the attention of the House. I would like to inquire whether the gentleman ascertained the source of the figures which appeared in the tables to which he has referred. Do they come from the Committee on Appropriations?

Mr. CURTIS of Missouri. I believe one used to come from the Senate Appropriations Committee. Since the switch on July 6, when those who had been handling this since 1947 no longer handled it and it came over to the House side, I do not know where those figures come from. But, I will say that they are in error in many instances, and I pointed this out in detail. Table 2 comes from outer space, a committee employee; at least, as near as I can gather, he is the one that has been gathering it and furnishing it. It is political propaganda and does not even make much of a pretense of being factual and objective.

Mr. MEADER. The reason I asked the question, I was wondering what corrective action we might take in the House, whether it would be through a resolution of the House instructing the Committee on Appropriations to compile accurate tables or whether the action should be taken by the Committee on Appropriations on its own motion.

Mr. CURTIS of Missouri. In my judgment, this is in complete violation of the rules already. There was no consent ever obtained in the House of Representatives to do anything to change the Digest. There was a unanimous-consent request that went through the other body, as I pointed out, without notification of the minority members.

The SPEAKER. The time of the gentleman from Missouri [Mr. CURTIS] has expired.

PEACEFUL COEXISTENCE OR WAR

Mr. JOHANSEN. 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 Michigan.

There was no objection.

Mr. JOHANSEN. Mr. Speaker, whether or not we have the wit to know it or the honesty and courage to admit it, the Congress of the United States has already received its first official message from Communist Dictator Khrushchev.

It has been delivered without the necessity of a personal appearance before a joint session.

It has even preceded by several days Mr. Khrushchev's scheduled arrival in this country.

The fact that this communication appeared in the guise of an article prepared for the American publication, Foreign Affairs, does not alter or conceal its true character.

This incredible document confronts this Government—and thus the Congress itself—with the clear ultimatum: "peaceful coexistence" or war.

It lays down some of the Khrushchev terms and specifications for "peaceful coexistence"—terms and specifications which, under our form of government, only the Congress could implement, and which Congress in turn could implement only by reversal of longstanding American policies. For example, agreement to the Soviet basis for settling the German question, "absolutely unrestricted international trade," recognition of Red China, acceptance of the preposterous claim that international communism always has stood and stands today for noninterference in the internal affairs of other countries.

Finally, this document specifically and by name condemns the U.S. Senate and House of Representatives for adoption of the captive nations resolution, branding this as "an act of provocation" and warning that any thought or talk of a rollback of communism or of future opportunities of free choice by unwilling victims of that system must be taboo under peaceful coexistence.

As a Member of Congress I contemptuously reject this arrogant impudence.

I was not elected to accept or underwrite the Communist blueprint of world conquest.

Presumably this is only the beginning of the Khrushchev propaganda campaign to which we are to be subjected during his visit.

Presumably this is only the first of his brazen messages to the Congress of the United States.

So be it.

Much as I have deplored, and still deplore, this unwelcome visit and visitor, perhaps his foolish brashness may awaken America and prove once again that "the Lord makes the works of evil men to praise him."

Perhaps we may even recall and emulate the spirit, the courage, and the terse bluntness of the American general of World War II who, when his forces were confronted with the alternatives of surrender or annihilation, replied with a single word: "Nuts."

INFLATION, TIGHT MONEY, HIGH INTEREST RATES, AND THE PRESIDENT'S BUDGET AND CONGRESSIONAL APPROPRIATIONS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. MULTER] is recognized for 60 minutes.

Mr. MULTER. Mr. Speaker, one of the matters I intended to comment upon is the very subject that the gentleman from Missouri [Mr. CURTIS] has dilated upon in his remarks a few minutes ago. I listened attentively to him and I read his statements in the RECORD from time to time as they appeared with reference to this matter. Whether the Digest as it appears on the last page of the daily RECORD is by virtue of authorization of law or rule or regulation of the House is quite unimportant. The question is, Are the figures correct or incorrect? And to find out whether or not the gentleman's charge of chicanery and phoniness is correct I looked at the figures that he put into the RECORD.

I am sure the gentleman knows that neither House alone can do anything with reference to the President's budget or with reference to an appropriation. So when he takes some figures and says that the House added *X* dollars to an appropriation bill and the Senate added *Y* dollars to an appropriation bill and adds that up and says this is the amount by which this Democratic Congress has increased the budget figures of the President, then he is, indeed, indulging in phoniness and chicanery. As I read the figures in the Digest at the end of the RECORD each day, they indicate first what the President's budget asked for, then what the House did, then what the Bureau of the Budget asked the Senate for, then what the Senate did. Then there is one figure as to each item, as to what both Houses of Congress did with the President approving what we did. The last column of the RECORD on that page shows the public law number. It is only after both Houses have acted and the President has approved the bill that we have an appropriation. When you take those figures of the President's budgetary estimates as submitted to either House and compare it with what this Congress has done with the approval of the President, then I say to this House, we have indisputable facts that all can rely on. Those facts conclusively establish that the total as of today of $1,380-million-odd is the amount that was taken from the President's budget estimates by authorized appropriation of Congress. That figure, by the time this Congress closes, I daresay, will be close to $2 billion that the Congress, with the approval of the President, will have taken from his budgetary estimates. You cannot take the figures as put into the RECORD by the gentleman from Missouri [Mr. CURTIS] and add up what the House did and what the Senate did and say we have increased the President's figures by the figures that he has in the RECORD.

Mr. Speaker, I want to make this point, that these figures in the Digest in the CONGRESSIONAL RECORD can be taken as accurate by the Members of the House, by the Members of the other body, by the President, and by all the lay people of the country, unless and until somebody comes forward and says that these figures are wrong. Just saying that they are wrong is not sufficient. Those who challenge them must give us the facts by chapter and verse; by taking the budget estimate, the bill as passed and enacted into law, and compare those figures. I say they will show that this Democratic Congress is a very responsible body and that we of the majority party are fiscally responsible in what we have done.

Mr. Speaker, bear this in mind, that we in both Houses of the Congress with the approval of the President may authorize appropriations and appropriate the money to meet the authorizations, but only the President and his appointees can spend the money. Even though we direct him to spend it for a particular project or projects he still has the right, as he has done time and time again, to say, "Do not spend this money this year," or, "Suspend that operation," or, "Spread this money out over 1, 2, 3, or 5 years," as he sees fit, and his appointed officials see fit to do.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Missouri, who I think wants to contradict me or take umbrage at something that I have said with reference to his statement.

Mr. CURTIS of Missouri. As a matter of fact, I was going to make this comment. I think the gentleman is now doing what I think is perfectly proper, reporting the point of view that his side has in regard to these figures and interpretations. I was disappointed to hear him say that he did not think how this got on the back of the CONGRESSIONAL RECORD was an issue that mattered. If he would examine my remarks I think he would have noted that I said that if we have an issue on these matters, let us argue it out on the floor of the House and the Senate. But let us not "sneak" this thing—and I use that word advisedly—on the back page of the CONGRESSIONAL RECORD without notifying the other side—to destroy what had once been accepted as a factual presentation of the daily activities of the Congress. Furthermore, I might say that these figures, and I think I have documented why the figures from my standpoint are not accurate—but why this change? Why was it switched from the way it had been handled for some 9 years—well, for some 12 years, and handled properly, and something that we should take a little pride in? Why was it switched on July 7 and the people doing it discharged from that task and handled by another group? And why the political overtones that were placed in it? That is the point, if I may say, that the Congressional Digest or the Daily Digest has been violated. I would be very pleased to engage in debate with the gentleman from New York with whom I have a real admiration, and anyone else on the other side to substantiate the position I take on these figures in argument with the position that you take. But the issue I have called attention to is this violation of the Daily Digest.

Mr. MULTER. Let me say, Mr. Speaker, I do not want to get sidetracked into an issue on whether this is parliamentarily correct or incorrect. I do not care how these figures got into the RECORD. I might say that the fact that they appear outside of the RECORD and on the last page is an indication that the gentleman from Missouri, for whom I have the highest respect, has the right to take issue with these figures. But the issue I am tendering now is the correctness of the figures. I am sure the gentleman will agree with me, no action by one House increases the budgetary allowances, authorizations, or appropriations by one single dollar. It is only when both Houses have agreed on the precise bill in its entire form, in all of its details, and have agreed on every last period and on every crossing of every "t" and dotting of every "i", that it can go to the President. Only after the President has approved it, or we have overridden his veto, do we then have a result which shows whether it is higher or lower than the budgetary estimate.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CURTIS of Missouri. I think the gentleman has a misconception. Of course, this is a running commentary. The tables I put in, both of them, show a date as of September 8. Incidentally, I want to say, about table II, that I failed to put it in as of September 4. So this is an up-to-date running commentary following exactly the commentary that has been carried in the back of the RECORD. It does the same thing, I may say to the gentleman, it gives the progress of the bill and it has only gone through the House, then there is where we are.

Mr. MULTER. The gentleman has every right to argue, if he wants to, that one House by its unilateral action has done something, which if enacted into law, will then increase or decrease the budgetary estimate. He may do that as to the other body as well. But I say that is unfair and I say that is an improper argument, in my opinion. He has the right to make it, of course. But, he has no right to give to the public a set of figures and say that this is what the House did and this is what the other

body did, and ask the public to assume that if they totaled those two figures, they have what did result. That is not so. What you do get is what is shown on these last pages of the RECORD from time to time showing the action in each House, which is not final, and then showing with finality the action by indicating the chapter of the law which has been enacted by both Houses with the approval of the President. That is where we get our figures, establishing beyond dispute that the Congress has reduced the President's budgetary estimates very substantially.

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

Mr. MULTER. I yield.

Mr. LEVERING. I have listened with great interest to the statements by the gentleman from Missouri who indicated that there might be some politics in the factual statement made on the back part of the CONGRESSIONAL RECORD for yesterday, September 10. I wonder if he remembers several months ago when the highest spokesman for the Republican Party including the President of the United States made some pretty reckless charges about the Democratic Members of the Congress being "wild-eyed spenders." I wonder if the gentleman believes, in view of the fact that this Democratic Congress has cut the President's budget by over $1 billion, and in view of the fact that the Congress has cut the budgetary estimates and figures every year since 1955, whether there was any politics in those charges made against the Democratic Members of the Congress.

Mr. MULTER. Let me say, I took this time today to be political—yes, political. And in using the word "political" I mean just this—I mean it in the sense that the word "politics" means—the science of government. That is what we are indulging in here. I say that the Democratic Party of this Congress and that of other Congresses is doing and has done a scientific job of good government. Part of that good job that they are doing is cutting this budget where it can be cut, and not doing it where it will hurt. We do not take the position in our party that we have enough money to take care of housing abroad, but not enough money to take care of housing at home. We do not take the position that we have enough money to take care of reclamation projects abroad, but that we do not have enough money to take care of our own reclamation projects at home. We do not take the position in our party that we have enough money to take care of an international bank to take care of problems abroad and an inter-American bank to take care of problems that exist in Latin America, Central America, and South America, but that we do not have the money to do the same thing at home. I say we have enough money to do the whole job, and if we do not have enough money to do the whole job, we will take care of our needs at home, and if there is any surplus, we will take care of the problems abroad too. I have voted for every measure for aid to foreign countries, for mutual security under all the various titles by which those measures have been carried—since 1947. I have never voted against any of them. But I say if there is going to be discrimination, or if there has to be a division, and we do not have enough to go around, as the President seems to intimate—with his public works veto message, and the housing bill veto message, and other messages, stating that there is not enough for all of these things—then we should take care of our people at home and take care of those abroad out of what is left.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CURTIS of Missouri. This is a political charge. I have made them myself. I make them here now again. I think that your party has been the spending party. But the point I am making is that the gentleman has a perfect right, and the Democratic Party the right, to make such arguments, but the body of the CONGRESSIONAL RECORD is the place where they should be made, not the Daily Digest section, which has been factual. For political purposes we use the body of the RECORD. There is where we have disputes. The Daily Digest should be entirely factual.

Mr. MULTER. May I say I respect the right of the gentleman to disagree, but instead of discussing whether this matter is properly in the RECORD why not discuss whether the figures are right or wrong? Let us spend some time on that, because I maintain that the Democratic Party is a fiscally responsible party, and if there is any fiscal irresponsibility in the Congress or in this administration it rests with the Republican Party and its titular head, President Eisenhower.

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

Mr. MULTER. I yield.

Mr. LAIRD. I would like to discuss some of the figures with the gentleman, as a member of the House Committee on Appropriations. I feel that the use of these tables is completely phony. I agree with the gentleman from Missouri as far as the method of getting them in here is concerned, but let us be specific. Let us take the figures for HEW, the Health, Education, and Welfare appropriation bill. Let us take the figure reported as passed by the Senate.

Mr. MULTER. Never mind taking the figures passed by the Senate. Wait a minute.

Mr. LAIRD. Then let us look at the final figure in the bill.

Mr. MULTER. No; I refuse to yield if you are going to talk about what one branch of Congress did. Talk about what the Congress did and what the President signed.

Mr. LAIRD. I am talking about what the Senate amendment did.

Mr. MULTER. I refuse to yield for that purpose.

Mr. LAIRD. Did not the gentleman refuse to discuss this figure?

Mr. MULTER. I refuse to yield to discuss what one branch of the Congress did. If you want to talk to me, or discuss here or debate here on this floor what Congress as a whole has done with the approval of the President, I will discuss it with you; I will not discuss what one branch of the Congress did.

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

Mr. MULTER. I yield.

Mr. PRICE. Is the gentleman discussing the table on the back of the RECORD as of yesterday or the day before?

Mr. MULTER. I am discussing the RECORD of Thursday, September 10, which we have before us today.

Mr. PRICE. I looked at that RECORD. That is a mere factual statement of the background of the various appropriation bills as they passed through the Congress up until it is enacted as a public law.

Mr. MULTER. That is precisely what I was saying. It shows the complete factual picture up to and including the action of the President.

Mr. PRICE. As a statement of fact.

Mr. MULTER. As a statement of fact.

Mr. PRICE. It is information that the average Member of Congress seeks to obtain before the adjournment of Congress so he can report to the people back home.

Mr. MULTER. And just what the Members and the public are entitled to know.

I will yield now to any Member who desires to show wherein these figures are not accurate.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. LAIRD. Mr. Speaker, will the gentleman yield to me?

Mr. MULTER. For the purpose of having the gentleman point out wherein these figures are inaccurate as passed by both Houses and approved by the President.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BYRNES of Wisconsin. Is the gentleman saying that the first part of this table, for instance, the column under House, headed "The amount as reported," then the column "Amount as passed"; and then against the other column of the Senate the amount as reported and the column under "Amount as passed," it does not make any difference whether those are included or not?

Mr. MULTER. You can make any argument you want about whether they should be included, but are they inaccurate?

Mr. BYRNES of Wisconsin. Then why are they included? That is the point the gentleman from Missouri made.

Mr. MULTER. I refuse to yield. I say the other figures as to what each House did, are being used as a part of a campaign of chicanery and phoniness—to borrow the language of a speaker who preceded me—they are used for chicanery and phoniness when they are used to indicate what the Congress has done. What Congress has done is reflected accurately in the bills that become law.

Mr. PRICE. Are they not here showing the action of the House on the appropriation bill?

Mr. MULTER. Precisely.

Mr. PRICE. And anybody should be able to see that point. I might call the gentleman's attention to the fact that he

has not yet received any reply to his request that any inaccuracy be shown.

Mr. MULTER. I will yield again to anyone who wants to point out any inaccuracy or anything phony about these figures as passed by the Congress and approved by the President. If anybody wants to do that I will yield for that purpose.

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

Mr. MULTER. Anyone who wants to do that I will yield to.

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

Mr. MULTER. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman knows that in several appropriation bills, specifically the Labor-HEW bill, certain definite appropriations were changed to unlimited appropriations, taking the area of medical care for the Public Health Service employees and for certain merchant seamen. In both requests we had a definite appropriation, a fixed appropriation, for this particular work. The Senate—and I have to go to the Senate—amended the bill to provide there would be no fixed-sum appropriation. This shows up in a budget reduction on the table that the gentleman is referring to because it is not a specific appropriation. It is an indefinite appropriation, a sum sufficient to be made available. But it does show up in a reduction.

Mr. MULTER. I do not know what the gentleman refers to. I have the figures. Let us stick to the figures.

Mr. LAIRD. There are other figures like that.

Mr. MULTER. I refuse to yield further at this moment. Let us take the figures on Public Health—HEW—in the record in front of us. Take it out and look at it. It shows an increase of a quarter of a billion dollars for that one item over the budgetary estimate and I for my part am proud of that increase. I say it was not enough.

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

Mr. MULTER. I yield to the gentleman from New York.

Mr. ROONEY. Is it not a fact that the President approved that quarter of a billion dollar increase over and above his own budget?

Mr. MULTER. Yes, sir; on August 14, 1959. The Public Law is 86–158. Does anybody want to dispute that?

Mr. LAIRD. I am not disputing the figure with the gentleman.

Mr. MULTER. Then what does the gentleman dispute?

Mr. LAIRD. But I do feel that the gentleman should admit there were certain changes made from a definite appropriation as sent up by the Bureau of the Budget.

Mr. MULTER. I am not referring to what either House recommended, only what both Houses agreed to.

I think the gentleman has made the point as strongly as anybody can make it as to where the phoniness and the chicanery lies. Is there any figure anyone wants to dispute? I yield only to talk about the figures as they were finally approved by both Houses of the Congress and the President. Anybody want to dispute that?

Mr. CURTIS of Missouri. Yes.

Mr. MULTER. I yield to the gentleman.

Mr. CURTIS of Missouri. When we go to point it out, the gentleman will not yield further. I want to refer to it in my own way.

Mr. MULTER. The gentleman may say it the way he wants, but refer to the final figures. I do not want to waste any more time on what either House recommended. I want to address myself to what both Houses agreed on and what the President approved. If you want to talk about anything else, then I most respectfully urge you to take your own time.

Mr. CURTIS of Missouri. I have already taken some time. I spoke on 2 different days to point out some specific errors.

Mr. MULTER. I want to brush aside all the parliamentary maneuvers and the "ifs," "ands," and "buts"——

Mr. CURTIS of Missouri. I talked about the table. I see errors in it. One of the things that the gentleman believes will not show up in bare figures is whether a program is for 2 years, 4 years, or 1 year, or whether it is an open-end program. That is why you have to go into the details in these appropriations to explain the figures.

Mr. MULTER. You do not have to go into what either House wanted to do or recommended before they agreed on something.

Mr. CURTIS of Missouri. The gentleman is not paying attention to what I am saying. When you try to compare a figure that has to do with a 2-year appropriation and a figure that actually is a 1-year figure, you are comparing oranges and apples, and, therefore, your figures can be phony because they do not relate to the same thing.

Mr. MULTER. If you have a barrel full of apples and oranges, it does not matter whether you eat them all in 1 year or in 2 years; you still start with only one barrel. Let us talk about the appropriations enacted, with the approval of the President.

Mr. CURTIS of Missouri. I can see the gentleman does not want to discuss this matter.

Mr. MULTER. All of that is immaterial. I want to talk about the obligation which the Government must meet. That is what I call fiscal responsibility.

Mr. CURTIS of Missouri. I want to say it is obvious the gentleman does not want to discuss the issue, and the only way to do it is to get my own time.

Mr. MULTER. The gentleman wants to make his point based upon partial action of the Congress and will not talk about final action after both Houses have agreed and the President has approved.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. I would like to ask the gentleman about this possibility of comparing an appropriation with a 1-year program with an appropriation for a 2-year program. Since serving as a member of the Committee on Education and Labor I have had an opportunity to do some work in connection with the proposed Federal assistance to schools. The Murray-Metcalf bill, which runs for 4 years, is referred to by the opposition as a $4.4 billion bill. The President requested through the gentleman from New Jersey [Mr. FRELINGHUYSEN] that we begin a 30-year program and they always speak of that program in terms of appropriations for the first year of the program. I think it depends upon whose ox has been gored. If we want an example of phoniness I do not think we have to search very far. We can merely go to the Export-Import Bank request earlier this year when the President asked for funds for the fiscal 1959 budget that would not be needed or used until the appropriation for fiscal 1960 would have been made. It was admitted on the floor by the ranking member of the Committee on Banking and Currency that this was purely for the purpose of distorting the 1960 budget figures to get this appropriation out of the 1960 budget into the 1959 budget so that it would not show up in the deficit.

Mr. MULTER. Let me say that the statement by the ranking member of the Committee on Banking and Currency was based upon the testimony adduced before our Committee on Banking and Currency by no one less than the Secretary of the Treasury himself.

Mr. O'HARA of Michigan. I thank the gentleman.

Mr. HIESTAND. Mr. Speaker, if the gentleman will yield, the gentleman will admit, I am sure, that that was not mentioned by the ranking member on the floor here as purposely being distorted.

Mr. MULTER. I am sure the gentleman did not mean to attribute distortion by the gentleman in his statement.

Mr. Speaker, let us go to another subject, and that is the question of inflation. I think we are all concerned about it, not so much because there is any real inflation as of the moment but because of the semantics indulged in and, shall I say, the Madison Avenue tactics of the Republican Party and the big business interests of this country. We see it day after day in the newspapers, full page ads in all of the magazines, weekly and monthly. I think most of you have received letters and read all sorts of stories about how we have got to beat down inflation, how inflation is robbing the country blind, and things to that effect. I think you have all seen the big page ads of a loaded pistol and headlines in big black heavy type indicating that somebody is stealing from the country and that this thief is inflation, and we in the Democratic Party are labeled as the spenders who are responsible for this inflation.

Let me say now, to the extent that Government spending is responsible for any inflation, the Republican Party must bear its full share of the burden, because all we in the Congress here can do is to authorize and to appropriate. It is the Republican President or the President who happens to be leader of the Republican Party who holds the purse strings

and says how much of it shall be spent and how much of it shall not be spent. If their test is a balanced budget, meaning by that that the income equals the outgo, then we have beaten inflation. The Republican propaganda they are shouting from the rooftops is that we have balanced our budget. If we have then we have beaten inflation. If we have beaten inflation, there is no reason for this story that we get day after day from the Treasury Department and the Federal Reserve Board that we have to increase the interest rates on Government obligations, particularly the long-term obligations. If the interest rate is increased, it means increasing the cost of our Government, and if the interest rate is 4 percent and you increase it to 5 percent, you are increasing that cost by 25 percent. If you take the figures as we have them—and they cannot be denied—when this administration took office, the interest rate was 2½ percent. It is 4½ percent today, and that is an increase of almost 100 percent in the cost of interest, which is a very big part of the cost of operating this Government. The people responsible for it are the President and his advisers and no one else.

I say to this Congress as earnestly and as sincerely as I can that there was no excuse and there is no excuse for increasing the interest rate on the long-term obligations of the U.S. Government. If the city of New York and if the State of New York can offer its long-term securities on the auction block to the lowest bidder, that is, the bidder who is willing to buy at the lowest interest rate, and if the interest rate bid is too high, they withdraw the offer and they offer it again at a later date; in every instance—maybe it is only coincidental that the comptroller of the city of New York is a Democrat and the comptroller of the State of New York is a Democrat—in every instance when they found the rate bid was too costly or too high, they withdrew the offering and offered it again 2 or 3 weeks later and each time they sold at a lower interest rate. Cannot this U.S. Government of ours, cannot the Secretary of the Treasury do the same thing? Of course he can. He will not do it. He would rather sit down with the bankers and decide in advance what the bids should be and what the interest rates should be. Do not let them kid you as they have been doing year in and year out. I have heard it until it almost nauseates me in my Committee on Banking and Currency, that the Government interest rate follows the market rate. Bunk and nonsense. The Government rate determines the market rate and the market rate follows the Government rate; because, as long as this country has been in existence—and I dare say as long as it will exist—Government obligations of these United States will always be a riskless security. They will be securities that are going to be met on the day they are due. They will be paid with interest in full, without any reduction in the amount of the principal and without any reduction in the interest due.

When you take a riskless security and say that this is the interest rate, the rest of the market, which is lending at risk—even those FHA and VA-guaranteed mortgages have some risk in them, even though guaranteed by the Government—all of those interest rates, whether on conventional mortgages or on business loans or on utility bonds, follow the trend as set by the U.S. Government in its treasury offerings and the rediscount rate as fixed by the Federal Reserve Board.

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

Mr. MULTER. I yield to the gentleman.

Mr. PUCINSKI. Mr. Speaker, I want to congratulate and compliment the gentleman on his very eloquent explanation of this very difficult problem. I wonder if the gentleman from New York would venture a guess as to who really is behind this drive to raise these long-term interest rates.

Mr. MULTER. My considered opinion is that it is the big-moneyed interests of the country that are behind this.

Let me make this point with reference to the interest rate and how the general market follows that which is fixed by the Government. There is not a financier in the country worthy of the title "financier," there is not a businessman small or large, who refinances long term during a high-interest-rate market. Whenever they have been in a high-interest-rate market, every good businessman and every good banker will advise the businessman not to refinance long term but to take the short-term money now until the interest rate comes down. Surely, it cannot cost more. If you pay that high-interest rate on short-term securities for even as much as 5 years, it is going to cost less in the long run than refinancing at the high-interest rate for 10, 20 or 30 years. Just take your pencil and make the computation.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I thought I heard the gentleman say that the Government actually sets the interest rate in the marketplace.

Mr. MULTER. I said that the market rate follows the Government rate.

Mr. CURTIS of Missouri. Well, that is the same thing.

Mr. MULTER. It is not the same thing.

Mr. CURTIS of Missouri. What is the difference?

Mr. MULTER. If the gentleman thinks it is the same thing, that is all right with me; I shall not argue with him.

Mr. CURTIS of Missouri. I am asking the gentleman what is the difference?

Mr. MULTER. I say that the free market rate in this country, as well as elsewhere, follows the rate fixed by our Government through its Secretary of the Treasury in offering bonds, long-term and short-term, and the rediscount rate as fixed by the Federal Reserve Board.

Mr. CURTIS of Missouri. I am asking the gentleman, in making that statement does he want the implication to be drawn that it is his belief that it is in fact the Government that sets the interest rate in the free marketplace?

Mr. MULTER. To the extent that the free market follows it; yes.

Mr. CURTIS of Missouri. The gentleman said that it did follow it.

Mr. MULTER. Yes; I do say it follows it, and I say that the Government rate does not follow the free market rate.

Mr. CURTIS of Missouri. All I can say to the gentleman is this. I have not yet heard any economist—I think possibly Mr. Keyserling advances that economic theory, but does the gentleman know of any other economist who advances such a theory?

Mr. MULTER. There is a Library of Congress full of books to the same effect, if the gentleman wants to read theory. If the gentleman just does not want to read theory, let him look at the facts of life as reported all through the years in every factual document, including the very bulletins that come from the Federal Reserve Board.

Mr. CURTIS of Missouri. Just one final comment, if the gentleman will permit. Of course, the phenomenon of the interest rate that the Government is paying being about the same as that in the marketplace is bound to be, but it does not have the implication that I thought the gentleman was trying to insinuate and that he now has said, that it is the result of Government action.

Mr. MULTER. I cannot follow the gentleman's argument.

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

Mr. MULTER. I yield to the gentleman from Iowa.

Mr. GROSS. About a month or a month and a half ago the Government held an auction, as I am sure he will recall, which involved several billions of dollars of refinancing and, perhaps, financing, one or the other or both. Those securities were sold at a discount. Some of those securities ran for a term of 9 and 12 years. Those securities were all sold at a discount at auction. Will the gentleman comment upon that sort of a process in fixing the interest rate.

Mr. MULTER. I do not recall the particular incident. Will the gentleman elaborate on that? What Government securities were sold at auction?

Mr. GROSS. I do not have the information right at hand, but they were certificates or notes, securities of one kind or another.

Mr. MULTER. I do not recall the incident. The gentleman may be perfectly right.

Mr. GROSS. Oh, yes.

Mr. MULTER. But I do not recall it.

Mr. GROSS. Several million dollars of securities were involved. Now, is not that fixing the interest rate in a different way?

Mr. MULTER. That is letting the free market fix the interest rate. I do not say that that did or did not happen, I do not recall it. I am willing to take the gentleman's word for it. But that is letting the free market fix the interest rate. When you sell securities at public auction, you must always retain

the right to withdraw them, so that you do not have to give them away, so that you are not going to lose too much money on them. But this is a good way of having the free market fix the interest rate. But when you call the bankers into the conference room and seat them around the table and say, "Boys, what are you going to pay this month?" that is not the free market. That is a fixed market.

Mr. GROSS. But does the gentleman agree that that is the alternative to increasing the interest rate on long-term securities?

Mr. MULTER. That is one way it can be done; yes.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I will yield to the gentleman in a moment.

Let us remember this too. It was not so long ago that the United States Treasury issued some securities for sale to the public. It was oversubscribed. Do you know what happened? All of the individuals, the real savers and the real investors of the country who wanted to put their money into these bonds were disqualified. They got only a small part of them. Because it was oversubscribed the banks got their full quota first and to the extent that there was anything left, the balance went to the real investors of the country.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I promised to yield to the gentleman from Texas [Mr. PATMAN] first.

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

Mr. MULTER. I yield.

Mr. PATMAN. I appreciate the statement of the gentleman from New York. He is making a fine statement. I am glad he is bringing out these points. Is it not a fact that the Federal Reserve has been delegated the power by this Congress to do what the Congress cannot itself do, and having that power to create money and to buy Government bonds and to sell Government bonds and to fix the discount rate, that the free market is what the Federal Reserve says it is? In other words, the Federal Reserve System and the Federal Reserve Board and the Open Market Committee determine what the interest rates shall be in the United States.

Mr. MULTER. That is what I have just tried to point out. I thank the gentleman for his comment. But the important thing about it is this. There is nothing wrong with the Federal Reserve System and the Federal Reserve Board except the human frailties of the administrators of the policy. What they refuse to recognize is that the Federal Reserve Board is an independent agency of Government only to the extent that the Congress—the Congress—has delegated to it certain authority. When they tell us, the Congress, that they do not want to take any suggestions, recommendations, or directions from us, they are violating the very statute that brought them into being. We have the right to make that final mistake in this Congress or in any Congress. It is up to the Congress of the United States, which is charged by the Constitution with that duty. We have delegated it temporarily to the Federal Reserve Board and we have the right to make the final mistake—if a mistake is to be made—and it is their duty to listen to us and find out what our consensus of opinion is and follow it accordingly.

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

Mr. MULTER. I yield.

Mr. HIESTAND. I would like very much to be informed if the gentleman can name some instances where the Federal Reserve told the Congress what the Congress ought to do.

Mr. MULTER. No, no; the Federal Reserve Board never told us what to do. It is the opposite. The Federal Reserve Board said very precisely and exactly and repeatedly to our Committee on Ways and Means, "Don't you tell us what to do." When the Reuss amendment was put in by the Committee on Ways and Means on the bill that the committee wanted to report, the Treasury Department and the Federal Reserve came down and said, "Even though this is just an expression of intent, if you put it in, it is going to tie our hands and destroy our discretion." Their discretion, they should know, must come from the Congress and is limited by what the Congress thinks they should do.

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

Mr. MULTER. I yield.

Mr. TOLL. Would the gentleman from New York explain whether there is a conflict of policy between the present Director of the Board, Mr. Martin, and his predecessor with respect to some of these problems?

Mr. MULTER. I do not think it is going to do us any good to get into that discussion as to who is right and who is wrong and whether there is any conflict. I think what we have to determine is what must we do now. We must decide what are to be our financially responsible policies to follow now. That is what this Congress must decide, and that is what the Federal Reserve Board must take our word on and that is what the Secretary of the Treasury must do.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BYRNES of Wisconsin. On this matter of the Reuss proposal before the Committee on Ways and Means, the gentleman will recall also that the Chairman of the Federal Reserve Board said that the proper place to set down and establish a policy or changes in the Federal Reserve Act was before the Committee on Banking and Currency, on which the gentleman serves. Now if there is something wrong with the way the Federal Reserve Board is operating, why does not the gentleman's committee act on it instead of putting it off into some other area and tacking it onto something that has nothing to do with the Federal Reserve Board operations?

Mr. MULTER. Again I refuse to get mixed up in arguments of what is procedurally correct. The matter of operation of committees is a convenience of the Congress. When a bill comes to the floor, no matter what committee it comes from or whether it has not even gone to a committee, it is the Congress as a whole that enacts the legislation and tells the Board what they shall do. Whether it belongs in the Committee on Banking and Currency or in the Committee on Ways and Means means nothing so far as I am concerned. I take the substance of what he said. So far as I am concerned, if he had anything to submit to the Committee on Banking and Currency, he had the right to bring it before the committees. Insofar as I know, he has never asked the Committee on Banking and Currency to act on it. When the Committee on Ways and Means took the bull by the horns and said to the Federal Reserve, "This is what you should do," it was then up to the Board to let the Congress get that recommendation from the committee and act on it. Instead of that, they said, "Oh, you will destroy us if you dare to bring that to the floor."

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BYRNES of Wisconsin. Then I take it the gentleman feels that the primary obligation of the Federal Reserve Board is to so conduct its operations for the management of the public debt—or is it for the general stability of all our currency and the rights and privileges of all of our people?

Mr. MULTER. The gentleman is now getting into an academic question of principle with which nobody can argue. Whether it is academic or fundamental is unimportant. I say that even though they are charged with all of these general principles, they must listen to the Congress in the final analysis as to what they shall do and how they shall do it.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield.

Mr. CURTIS of Missouri. I was pained to hear the gentleman say that this is academic. Do you not believe that the basic issue involved is what part the Federal Reserve is to play in this?

Mr. MULTER. No, I do not agree. The basic issue here is whether or not the fiscal policy, as laid down by the Treasury in agreement with the Federal Reserve Board, is right or wrong—and I say it is wrong and my party says it is wrong.

Mr. CURTIS of Missouri. We are talking about fiscal policy. The gentleman said "fiscal policy." That is what we are talking about. That is not academic theory; that is a basic proposition.

Mr. MULTER. Let us not argue about semantics or get into a semantic argument; let us stick to the point at issue. I do not care whether the thing is academic or not. I would like to talk about what the policy should be. Whether this is right or wrong policy should be determined by us, the Congress. That is what we should address ourselves to.

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

Mr. MULTER. I yield.

Mr. STAGGERS. We have gotten away from the original intent; I would like to come back to it for just 1 minute.

I would like to ask this question: Would I be stating accurately to my people that they can rely on these being the facts as set forth here in this chart in the final end as to what the Congress and the President have done in comparison to what was suggested by the President?

Mr. MULTER. I will say to the gentleman that he is on the safest and the soundest of grounds to take these tables, especially what will appear in the last issue after the President has signed the last appropriation bill, because then I suggest that instead of the figure being $1,382 million it is going to be almost $2 billion by which this Congress has cut the President's budget estimates, what he asked for.

Mr. STAGGERS. To go a little further—and this is a theoretical question—would I be telling the people the truth as it comes out of Congress by using these tables? Should it turn out differently, would I be subject to libel?

Mr. MULTER. I do not think the gentleman would be subject to libel. The gentleman would be telling the truth, and truth is a defense to an action for libel. But I tell the gentleman he would be perfectly safe and perfectly truthful in stating that these figures may be relied on.

Mr. STAGGERS. Then I can assure the people that these are the things that Congress and the President approved.

Mr. MULTER. You certainly may, and no one can dispute the accuracy of your statement.

Mr. STAGGERS. I wanted to know what the facts were.

Mr. MULTER. Those are the facts.

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

Mr. MULTER. I yield.

Mr. GROSS. Suppose the other body carries out what it has started to do on the mutual security bill and makes it an omnibus appropriation bill, for instance, in their effort to tack on an amendment to take care of appropriations for the continuance of the Civil Rights Commission, and another one to build the Chantilly sewage-disposal plant; would the gentleman say that this would be an honest chart if those expenditures were included in the mutual security figures? Or would the gentleman want to break that down?

Mr. MULTER. To lump together 5, 6, or 10 items does not make much difference when you take the total figures. To say, for example, that something is included in the wrong bill, I do not care about that. When it gets to the House, if we do not strike it out or if it does not go out on a point of order and it is passed by both Houses of the Congress and the President approves it, that is the law.

Mr. GROSS. The gentleman knows my great concern about this mutual security bill, or this foreign giveaway program, whichever it is.

Mr. MULTER. I do not want to be understood or anything I say to be interpreted as agreeing with the gentleman that mutual security is a giveaway. I am concerned that the money of the U.S. taxpayers be used properly without waste for those purposes and policies that were enacted by the Congress and laid down as being proper expenditures of our Government.

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

Mr. MULTER. I yield.

Mr. ALGER. I see in the RECORD of yesterday the gentleman from Missouri made a statement, and I would like to ask the gentleman as to the accuracy of it. He says that it might have been appropriate to include table III which includes $1,683,700,000 in spending increases not requested by the President and blithely skipped over by the other two tables. Would it be appropriate to have a third table showing additional expenditures not included in the budget?

Mr. MULTER. Yes, it would be perfectly proper; and I say to my friends on the other side of the aisle who voted against doing things recommended by the President, instead of getting into a long argument over whether they were recommended in the budget or not, consider the question of whether they should be spent or not.

Mr. ALGER. And should we have a third table including those additional expenditures voted by Congress?

Mr. MULTER. I will make it as clear as I can; I do not care whether you have one table or fifty. I am interested in the ultimate facts, and the ultimate facts speak for themselves. The question is: Are we doing for our country what is right or what is wrong?

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

Mr. MULTER. I yield.

Mr. PRICE. I have been sitting here quite a while listening intently to what the gentleman has said. I think it is pretty well covered by the gentleman's statement that he was talking about what were the overall budget estimates and the reduction below the budget requests. There may be some differences but the final test is what is for the welfare of the most people, what is for the best interest of the country. Even with these differences, we have reduced the President's budget by close to a billion dollars or perhaps more than that.

Mr. MULTER. The gentleman is absolutely and completely correct. The answer is whether or not we did the right or wrong thing. I respect all of those on both sides of the aisle who may have voted against some of these items. That is their view and their opinion. But, in November 1960 the people will tell us whether we were right in spending this or they were right in voting against these expenditures.

Mr. PRICE. Does the gentleman from New York think there would be any criticism of the inclusion of this table in the Digest and the RECORD if the Congress had gone far beyond the recommendations of the President?

Mr. MULTER. You can be sure the same gentlemen now arguing about parliamentary procedure by which this should have been kept out would be yelling to put it in, not once but a dozen times.

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

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. TOLL. In using this chart, would it be advisable to explain in connection with the second Housing Act and the third Housing Act that while the tables are here the items may have been spread over a 2-year period instead of over a 1-year period? This is the gross total, is it not?

Mr. MULTER. Yes.

Mr. TOLL. Subject to the explanation concerning the number of years that it covers.

Mr. MULTER. The gentleman is right. And let me emphasize the point I tried to bring out. The Republicans are now talking about the President having gotten some of the changes in the Housing bill that he wanted. One of them was to put in a provision to require that this money for urban renewal be spent in 2 years. How phony can we get? The President has that authority without our giving it to him. He could have stopped it altogether. He has said many times: "Sure, you authorized it, but I am not going to spend it." So, to please him so he would approve the bill, we put in the words "he may spend it in 2 years." What are we going to do if he spends it in 1 year?

Let us take the other item. He wanted the expiration date of October 1960 taken out. He did not want an authorization for FHA of more than $8 billion. What are the facts? Five billion dollars has been committed already through invalid agreements which FHA is now going to validate. They have $3 billion left. That will be committed by April of 1960. We took out the date October 1960, which was a meaningless date anyway.

We took out the college classrooms. Sure, it does not belong in a housing bill, but I will vote for it in any kind of a bill because the country needs college classrooms. Let me tell you, the people of the country in 1960 will tell you they are not interested in parliamentary procedures, they want college classrooms. So we pleased the President and we took it out of the housing bill. We will have to wait until next year to get it back in the housing bill or get it in some bill from another committee. Next year is an election year and every Republican will be clamoring for it so they can go back home and tell the people, "We have given you college classrooms."

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. There are two items the gentleman has mentioned and I would appreciate it if he would dwell on them a little further. One is the matter of the authority of the President to freeze funds that are granted or orders that are given to him to spend certain moneys under either appropriation bills or under authorization bills. Does the gentleman believe that the President legally today has the right of an item veto?

Mr. MULTER. I am not now going to get into the legal aspects of whether he has the right or not. I am going to say that President Eisenhower from the day he took office has exercised the privilege, whether it is given to him by law or

not, saying what money will be spent, where it will be spent, and how it will be spent. He has stopped programs. He has done as he pleased.

Mr. BYRNES of Wisconsin. Would the gentleman be willing to vote for a resolution authorizing the President in this coming year to use his discretion to freeze expenditures, as in the bill we passed yesterday over his veto, and give him the authority to freeze any of those funds that are granted?

Mr. MULTER. The answer to that question is with this President we need no such legislation. Whether he has the authority or not, he has arrogated it to himself.

Mr. BYRNES of Wisconsin. The gentleman knows that is not true and he cannot prove it.

Mr. MULTER. It is proven by the record.

Mr. BYRNES of Wisconsin. President Truman——

Mr. MULTER. I will not yield for the purpose of blanket accusations. I have cited the facts. Let us not get into characterizations. I will yield to any gentleman, so that he may state the facts. I am stating the facts and I tell you the record shows what I have said is absolutely so, that time after time the President has spread out appropriations and even canceled contracts; he has told his departments what to spend, when to spend, and where to spend.

Mr. PRICE. Mr. Speaker, will the gentleman yield further?

Mr. MULTER. I yield.

Mr. PRICE. I have not heard the gentleman from New York advocate item veto, and he has not been talking about the item veto; he has not even mentioned it. He did state a fact, that the President had it within his power to withhold expenditures even though they be appropriated by the Congress. This has been frequently done. And, if I had the time, I could enumerate many instances that it has been done within the last 2 or 3 years on specific projects.

Mr. MULTER. The gentleman is absolutely correct.

Mr. PRICE. There is no doubt about that. It is a statement of absolute fact.

Mr. MULTER. Look what he has done in public housing. We have authorized the number and the money for public housing every year since he has been President. Has he allowed it to be spent? Of course not. That is why he was able to make the argument this year that we do not need an additional number of public housing units because we have not used up the authorization now in the law.

Mr. PRICE. There have been numerous instances where the President, in the Defense Department and Atomic Energy and many other agencies of the Federal Government, has used that authority.

Mr. MULTER. The gentleman is again correct.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MULTER. Does the gentleman want to dispute that?

Mr. BYRNES of Wisconsin. I do not want to dispute it over all. There have been instances of slowdown on projects. I have been talking about items specifically authorized by the Congress, that you have not found this President vetoing those items and saying we will not spend any money for this particular project.

Mr. PRICE. I think I could refute the gentleman's statement if I had the time to make a little research here. I can recall one instance of the gas reactor of the Atomic Energy Commission. I could enumerate many others if I had time.

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

Mr. MULTER. I yield to the gentleman from Iowa.

Mr. JENSEN. Now, if you start citing instances where the President has frozen funds which the Congress appropriated, we should not forget to cite the time in 1947, the day after Congress adjourned, after the Congress had appropriated money by the millions and hundreds of millions for flood control, irrigation, reclamation, and hydroelectric power, and related agencies, the President of the United States opposed 50 percent of the budget which Congress had just appropriated, and he did that the day after Congress left. That President was Mr. Truman. And, he did not unfreeze those funds until after the devastating flood in Oregon and in New York that cost the lives of a lot of people and millions of dollars of property damage. It was then he said that the Republican-controlled Congress did not appropriate enough money for flood control. Now, there is an instance. If you are proud of that, why, go ahead and be proud. I do not want any of that kind of business.

Mr. MULTER. Obviously, it is the old story. If you have not got an answer to the facts as presented now, talk about something that happened years ago. Maybe you will becloud the issue. Let us not get into that argument.

Mr. PRICE. The statement of the gentleman from Iowa merely supports the position of the gentleman from New York. That is exactly what the gentleman has been trying to tell the House, that it is possible for the President to do this; that it has been done in the past. And, I have cited instances where the present incumbent of the White House has done that. We make no apologies of either supporting or condemning the action of the President. The gentleman from New York merely stated that this was possible, and the statement of the gentleman from Iowa supports the gentleman from New York.

Mr. MULTER. Precisely. The gentleman made the point precisely. Let us talk about the issues, not what happened 5 years ago or 8 years ago or whether President Truman was right or wrong. I approved most of the things that President Truman did. If he arrogated unto himself certain powers, if he misused them, we should have condemned him at the time when he misused them. But, I am now speaking to the point that this President of the United States, Mr. Eisenhower, is misusing his powers.

Mr. PRICE. I think most of us did condemn that action the gentleman referred to. I know I did personally, because I was vitally concerned at that time with those particular projects.

Mr. MULTER. As strong an advocate as I am of most of the things President Truman stood for, I disagreed with him on occasion, too. But, I like to recall the occasions when I can agree with the President even though he is not of my party. Unfortunately, with this President I must disagree more frequently than I can agree.

There is one other point I want to make, to be sure you have it in your mind when you go home as soon as we adjourn, because you are going to be met with this time and time again. When you talk about fiscal responsibility and spending money, you always want to tell the people what the money is being spent for. In every good business, at least every good business that wants to remain solvent, you strike a balance sheet. On one side you have the assets and on the other side you have the liabilities. If your liabilities exceed your assets, you are insolvent. As long as your assets exceed your liabilities, you are solvent. Don't worry too much about how much you have expended, about how much you have authorized and appropriated, if the money is being used for a good purpose, if it is going to produce more assets in the asset column of the balance sheet of our Government. Every time we build an irrigation project, and there are none in my district; every time we build a reclamation project, and there are none in my district, you are taking money, even if you are borrowing it, and converting it into a good, solid asset in the asset column of the balance sheet of this Government, which is going to stand us in good stead for years ahead. It is going to mean better living conditions for our people. It is going to mean more real assets. You are going to take useless land and make it useful, fruitful land. The same thing applies to sanitary facilities and community facilities and all these other things we are doing. The one place where you may complain you are not going to get anything in the asset column of your balance sheet is in connection with the national security and your defense budget. Will any man or woman in this House dare to stand up and say that we can save that money today, that we do not have to spend that money, that that money may be wasted, because it is going into missiles and armament and materiel that we may never use? I hope that we will never use them, but if we must, then it will be a sorry day indeed if we had not spent that money and did not have that materiel, and those armaments and missiles ready to defend our homes and very lives.

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

Mr. MULTER. I yield.

Mr. KASEM. Mr. Speaker, I want to thank the gentleman for stating so eloquently why I am a Democrat.

Mr. Speaker, I ask unanimous consent that the time of the gentleman from New York [Mr. MULTER] be extended 5 minutes.

The SPEAKER pro tempore. The Chair will state that there are additional special orders scheduled and that request is not in order at this time.

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

Mr. MULTER. I yield to the gentleman.

Mr. MOORHEAD. Mr. Speaker, first I would like to commend the gentleman for his very able address. Then I should like to ask the gentleman if in his analogy of the assets and liabilities on the balance sheet, he would not also include on the asset side urban renewal funds?

Mr. MULTER. Of course. I did not try to enumerate all of them; but item-by-item these produce good, real assets, in the asset column of our balance sheet.

THE RURAL ELECTRIFICATION ADMINISTRATION

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

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

There was no objection.

Mr. PRESTON. Mr. Speaker, as I read the RECORD in recent weeks, I have observed that the REA program has come in for extensive discussion by some of my distinguished colleagues. I realize the REA program is not fully understood in many quarters. It is easy to reach erroneous conclusions under these circumstances. I also recognize the fact that philosophical differences of opinion on REA matters exist. My only purpose in speaking out today is to set the record straight.

It has been my pleasure to work enthusiastically for the REA program in Congress for more than a decade and to have supported it as a resident of Georgia and as a member of the legislature there for many years before that. I mention this only to establish the fact that I have had long association with the program and have had opportunity to become acquainted with many of the problems it has encountered and to know many of the people who have worked so hard to make it the great program it is.

It saddens me to see any attempt to discredit the fine record the REA program has established during the last quarter of a century. It is even more distressing that the work of good people—of whom there are so many throughout the country—should become the target of political epithets.

My State of Georgia, I am sure, has no monopoly upon the wonderful people who have worked to make the REA program the source of so much progress for the country and so much satisfaction for the farm and rural people of our Nation. Our Georgia REA-ers are typical of the kind of people who have contributed time, money, and intelligent effort to transform REA from three bureaucratic letters into a symbol of modern and happy living in rural America.

One of our rural electric leaders, Mr. Walter Harrison, last February was selected by the rural electric delegates at their national convention to be their association president for the current year. As a friend and neighbor of Walter Harrison, I am proud that he was the recipient of this great honor. He has earned it by the contributions he has made to the program through all these years, as director of the cooperative in his own area—the Planters Electric Membership Corp. at Millen, Ga.—and as a longtime official in the State organization of rural electric systems.

Mr. Harrison, of course, is one of many. I could mention Jim Polhill, Jr., at Louisville, Marshall Pollock of Monroe and many, many others. These are high-type people. And together with their counterparts in Missouri or Wisconsin or Pennsylvania they constitute the real backbone of the REA program. They are the people who organized the REA projects in the first place. They are the people who have set up the policies for operating the systems soundly and in the interest of the consumers they serve. They are the people who have fought for the program through their State and national associations.

They are intelligent, fearless, and outspoken, and to imply that they are gullible—that they are being hoodwinked with fake issues—as has been done recently, is to completely underestimate the wit and astuteness of Walter Harrison and his counterparts in all parts of the country. These men and women have not gotten this far in their 25-year fight for rural electrification without having learned how to spot a straw man or even a Trojan horse when they see one. A record that suggests the contrary must be corrected. The rural electric people deserve compliments for what they have done instead of suggestions that they are led around by the nose and are unable to speak up for themselves when they see the need.

Let us look at the record that the thousands of men and women working in the REA program have built over the years. Farm electrification had advanced very slowly in the United States during the 53-year period from 1882, when the first central generating system went into service, to 1935, when REA was created. In fact, you might say for most of the farmers the advance amounted to nothing. Only farms located on the city fringes had service and there were few of these.

In my own State of Georgia less than three farms in a hundred had electric service when REA was set up. For the country as a whole, the overall average was 1 out of 10 farms with service.

What is the story today? It is just about reversed. In Georgia now, only about three farms out of a hundred do not have electricity. Nationally the coverage is nearly as good.

It has been suggested on this floor that REA men have contributed a little to this dramatic change, that some farms may have had electricity sooner because of REA, but that if the existing utilities had been permitted to proceed in their own way the job would have been done anyway.

This part of the record has to be corrected. Those of us who saw the towns and cities modernized with electricity while the farm homes were left behind in an older era cannot understand why anyone would make such a suggestion. History must speak for itself. Half a century went by and nothing was done to electrify the countryside until REA came along. Surely, it must be evident to everyone that REA had a terrific effect in getting the ball rolling.

I do not know what purpose is served by discrediting the work done by this outstanding program and by the men and women who have made the program the success it is today. Again, I say that heartfelt compliments are very much in order.

It has been charged that the rural electric systems, now that they have reached most of the farms, are looking for new fields to conquer. Specifically, it is said that they are threatening to take away the cities from the power companies.

I would like to make two comments about this utterly fantastic suggestion.

First, I am reminded of the old story about the mouse and the elephant. If the big companies are really afraid their position is threatened in any way by the little co-ops, they are not as sound as I have thought.

Second, I have looked through the Rural Electrification Act and if I understand the American language correctly, I do not believe REA loan funds may be used to take a light and power customer away from another utility. The law prohibits the REA Administrator from making loans to serve persons who have service. That ought to take care of just about everybody in any town or city that I know of. Moreover, the law prohibits the REA Administrator from making loans to serve any person, who may or may not have service, in any incorporated town with a population of 1,500 or over. That makes two prohibitions written right into the law and I know of no legislation before the Congress to change this part of the law.

I will tell you, Mr. Speaker, what is undoubtedly back of statements charging that co-ops are in effect pirates. I know because I have seen it happen in Georgia. Here is what is happening. The towns and cities grow and they expand their city limits, sometimes way out where they include the area served by the rural electric system. Parenthetically, I would like to say, Mr. Speaker, that rural electrification has helped our towns and cities to prosper and expand. We are thankful it has and proud of its contribution. But there are those who would like to see the rural electric give up its customers to the city utility.

But is that fair? Remember that the rural electric went into the territory and brought service to the residents while

it was open countryside. They performed the job when the material rewards were unattractive; should they be thrown out now just when it has been proven rural areas can be served profitably?

There may be some honest differences of opinion on this matter. But I am sure that it won't be solved by accusing the rural electric people of unfair practices.

The assertion has been made that the REA program as we have known it should be abandoned and a new system of financing should be established. They want to throw overboard the low-interest, long-term type of financing that has made REA an effective economic tool of farmers and the Nation.

Let us consider for a moment how REA works now to see what we are being asked to abandon. First of all we should note that it is a lending program. No grants or gifts of any kind are involved. Neither does the Government do the electrification job. REA does not own or operate a single mile of powerline. Nor does it sell a single kilowatt-hour to anybody anywhere.

Rural electrification under the REA is a grass roots operation. Local businesses, organized by local people and run by local people, borrow from REA the capital they need to finance the construction of electric facilities in the rural areas. When the lines and plants are built the local people operate the facilities and pay back the loans with interest. For the last several years the interest charge has been 2 percent. The loans run for 35 years.

And what are we getting in return?

First. We are doing the rural electrification job in America on a free enterprise basis. Instead of Government business, we have local business. Instead of bureaucrats, we have local people running the show.

Second. We have a service program designed to serve entire rural areas, including less densely settled sections as well as the more populous areas. This area coverage policy has become increasingly important as the rural electrification job has progressed because it has meant the family way down on the back road is given the opportunity to enjoy the benefits of electric power just as much as the family up on the main highway.

Third. We have been able to proceed with the rural electrification job without interfering with the existing utilities. As a matter of fact they have gone ahead and made a good portion of the connections themselves. Perhaps they were stimulated into greater activity by the REA, but judging from the excellent financial statements of electric utilities today it would appear this stimulation has been to their advantage.

Fourth. We are creating as a result of the REA financed systems alone a market estimated at something in excess of a billion dollars a year for refrigerators, TV sets, motors, washing machines, water systems, transformers, freezers, poles, electric frying pans, barn cleaners, and so on and on.

Fifth. We have helped the farmer at least in some small measure to meet the cost-price squeeze by enabling him to utilize the low-cost services of Willie Wiredhand.

Sixth. We have put joy and happiness into the lives of millions of rural people who had come to think of modern living as something reserved for city folks.

Yes, but—they say. Yes, but we have to raise the interest rate to fight inflation. And there you have another point that is open to serious question because how can we fight inflation by adding to the cost of electricity? The up-and-up cycle has to be stopped somewhere. Isn't it time we tried to find ways of cutting down costs, rather than boosting them? Every citizen whether on an REA line or any other line has a concern with that.

Yes, but—they say. Yes, but the job is finished. I would like to quote from an REA report the following statement entitled "How Farmers Use Electricity":

> Farm use of electricity from REA-financed lines increased from a monthly average of 146 kilowatt-hours per farm in 1950 to an estimated 318 kilowatt-hours in 1959. Farmers are coming to depend more and more upon electricity as a production tool. More than 400 farm uses for electricity are known; at least 250 of them increase production or make farming more profitable.
>
> Farmers already use more electric energy for more farm tasks than was expected when the original lines were built. As a result, power distributors are faced with the necessity of "heavying up" the lines and substations to keep abreast of demand. A program of system improvements has been a major activity of most REA electrification borrowers in recent years.
>
> An important result of the expanding rural electrification program is the increased business it brings into rural communities. It stimulates private business, both locally and nationally. Surveys indicate that for every dollar invested in rural power facilities, the farmer spends $3 to $4 in wiring, plumbing, and electrical appliances. Also, when power is available, the establishment of industry in rural areas is encouraged.

The job is not yet finished.

The rural electric system undertook to provide dependable service when it hung the meter on the farmer's house. That means supplying enough power to meet that farmer's needs. Electric wires to a farm are of little value if they do not carry the juice in the quantity required to insure good service.

The rural electric system, therefore, has to keep up with load growth. And the point that Budget Director Stans overlooks when he talks to the millionaires' clubs and that Secretary Benson ignores when he says, in effect, "Stand up on your own feet in Wall Street," is this: Rural electrification capital—outside of REA—is just as scarce and high-priced today as it was when the systems were first being established out in the thin country areas.

I am one of those who believed that it was a good policy to set up REA to bring light and power to the farm family and I am one of those who believes it is good policy to keep REA so that the farm family may continue to have service and at rates it can afford.

It has been suggested that those of us who voted for the Humphrey-Price bill were voting for a phony issue. This seems to me to be an unfounded slur upon the judgment of those of us who are honestly concerned that the REA loan-making powers should not be changed from what they have been through the many successful years. Spokesmen for Secretary Benson said they have had no intention of changing the responsibility of the Administrator. If this is so, I see no harm whatsoever; on the contrary, I see much to be gained, in making that policy a part of the law. However, while we may have lost the bill, I believe we won the fight because there is no longer any doubt as to the sentiments of the Congress with regard to this matter. That was a great accomplishment and ought not be minimized.

So far as I know, all the electric co-op people in Georgia supported that bill. I think most of them urged me to vote for it. I did, and I am glad I did, and I would do it again.

These are some of the things I wanted to say about REA, Mr. Speaker; I hope they help clear the air a little.

AMENDING THE ATOMIC ENERGY ACT OF 1954

Mr. PRICE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2569) to amend the Atomic Energy Act of 1954, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BOLLING). Is there objection to the request of the gentleman from Illinois?

Mr. GROSS. Mr. Speaker, reserving the right to object, please explain this bill.

Mr. PRICE. This is a bill providing two minor amendments to the Atomic Energy Act of 1954. One of the amendments would authorize the Commission to enter into fuel element reprocessing agreements with fuel suppliers, and so forth, for the performance of certain services by the Commission.

The second amendment will permit qualified scientists to serve on AEC advisory committees without being subject to certain conflict-of-interest statutes, and so forth.

These are technical amendments. The Commission has requested them in order that they might expedite their work.

Mr. GROSS. This bill does not provide for an additional expenditure by the Federal Government or increasing personnel or anything of that kind?

Mr. PRICE. No.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VAN ZANDT. The gentleman might state that this bill has been the subject of hearings and careful study and consideration by the Joint Committee on Atomic Energy; and that the report is unanimous, which means that the minority supports the bill as well as the majority; is that correct?

Mr. PRICE. That is correct.

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

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 subsection 161 m. of the Atomic Energy Act of 1954, as amended, is amended by striking out "Section 103 or 104" and inserting in lieu thereof "Section 103, 104, 53 a. (4), or 63 a. (4)".

SEC. 2. Section 163 of the Atomic Energy Act of 1954, as amended, is amended by inserting after the words "from receiving compensation" the following words "from a source other than a nonprofit educational institution".

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.

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

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

There was no objection.

Mr. PRICE. Mr. Speaker, S. 2569 is a bill to amend the Atomic Energy Act of 1954 in two minor respects. The bill is recommended unanimously by the Joint Committee on Atomic Energy, with an amendment to strike out the original section 1, and in its amended form was passed by the Senate on Wednesday, September 9, 1959.

Section 1 of the amended bill—original section 2—amends subsection 161 m. of the Atomic Energy Act to authorize the Commission to enter into agreements for the performance of certain services by the Commission, including the reprocessing of fuel elements with material licensees—sections 53 and 63—as well as facility licensees — sections 103 and 104 — as presently authorized by the act.

Section 2 of the bill as amended—original section 3—amends section 163 of the act to provide, in substance, that members of AEC Advisory Committees will not be subject to certain conflict of interest statutes solely because of compensation received from nonprofit educational institutions.

An explanation of the bills, and a statement by AEC Chairman McCone in support of the legislation, is contained in the committee report.

I urge all Members of the House to vote in favor of S. 2569.

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

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

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I rise in support of this bill, H.R. 8754, as recommended by the Joint Committee on Atomic Energy. As explained in the committee report, this bill makes two minor amendments to the Atomic Energy Act of 1954, which will assist the Commission in the administration of the atomic energy program.

The first amendment is to subsection 161m of the act and will permit the Commission to enter into fuel element reprocessing agreements with fuel suppliers, as well as with reactor operators, as presently authorized by the act.

The second amendment is to section 163 and will permit qualified scientists to serve on AEC advisory committees without being subject to certain conflict of interest statutes because of compensation which might be received from nonprofit educational institutions.

As explained by the statement of AEC Chairman John A. McCone, included as appendix I of the Joint Committee report, both of these amendments have been requested by the Commission, and they are recommended by the Joint Committee on Atomic Energy.

Mr. Speaker, I therefore urge all my colleagues in the House to vote in favor of this bill, H.R. 8754—S. 2569.

COOPERATION WITH STATES, ATOMIC ENERGY COMMISSION

Mr. PRICE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2568) to amend the Atomic Energy Act, as amended, with respect to cooperation with States.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. PRICE. This is a bill reported unanimously from the Joint Committee on Atomic Energy which would amend the Atomic Energy Act with regard to setting up procedures under which there would be greater participation at the State and local level.

Lengthy hearings were held on this bill. It has been supported by the principal State organizations, including the Council of State Governments, the Governors Conference, the National Association of Attorneys General, and the Southern Governors Conference.

The bill represents months of effort to bring this program a little closer to the States and to have greater participation at the State level.

Mr. GROSS. Does this provide for an increase in Federal spending?

Mr. PRICE. No, it does not.

Mr. GROSS. Nor an increase in personnel?

Mr. PRICE. No.

Mr. GROSS. It does not open the door to more spending by the States or the setting up of a program that will eventually call for more spending on the part of the Federal Government?

Mr. PRICE. I do not see how it could open the door to any large-scale spending.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. PRICE. Permit me to say to the gentleman from Iowa, who mentioned additional personnel, that it could eventually involve some expenditure for training and inspection of personnel who would work with and for State and local governments as they set up their programs, but it would be a negligible amount.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

Mr. VAN ZANDT. Mr. Speaker, I should like to ask the gentleman, is it not true that as the atomic energy field is further explored and developed, especially in the peacetime uses of the atom, that the States and local communities must come into the effort?

Mr. PRICE. That is true.

Mr. VAN ZANDT. All we are trying to do here is to authorize the AEC to prepare a set of regulations that will assist the several States and communities in administering their affairs in the peaceful use of the atom.

There might be some expenses in training personnel and in administering such a program, but it would be minute, compared to the AEC budget as a whole.

Mr. PRICE. Yes, this is the type of legislation sought by some State governments.

Mr. GROSS. Mr. Speaker, further reserving the right to object, will this provide any program comparable with civil defense attempts to expand in municipalities and other local subdivisions of government?

Mr. PRICE. No; it would not. The most you could anticipate would be inspectors or licensing personnel or people who might be called upon to assist the State government in training inspectors.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VAN ZANDT. All this would do is this: It would permit the Federal Government to eventually withdraw from the area where the States and local communities would have jurisdiction over certain types of materials and give them the right of administering their affairs. It applies principally to the use of radioactive isotopes.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the Senate 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 following section be added to the Atomic Energy Act of 1954, as amended:

"SEC. 274. COOPERATION WITH STATES.—

"a. It is the purpose of this section—

"(1) to recognize the interests of the States in the peaceful uses of atomic energy, and to clarify the respective responsibilities under this Act of the States and the Commission with respect to the regulation of byproduct, source, and special nuclear materials;

"(2) to recognize the need, and establish programs for, cooperation between the States and the Commission with respect to control of radiation hazards associated with use of such materials;

"(3) to promote an orderly regulatory pattern between the Commission and State governments with respect to nuclear development and use and regulation of byproduct, source, and special nuclear materials;

"(4) to establish procedures and criteria for discontinuance of certain of the Commission's regulatory responsibilities with respect to byproduct, source, and special nuclear materials, and the assumption thereof by the States;

"(5) to provide for coordination of the development of radiation standards for the guidance of Federal agencies and cooperation with the States; and

"(6) to recognize that, as the States improve their capabilities to regulate effectively such materials, additional legislation may be desirable.

"b. Except as provided in subsection c., the Commission is authorized to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission under chapters 6, 7, and 8, and section 161 of this Act, with respect to any one or more of the following materials within the State—

"(1) byproduct materials;

"(2) source materials;

"(3) special nuclear materials in quantities not sufficient to form a critical mass.

During the duration of such an agreement it is recognized that the State shall have authority to regulate the materials covered by the agreement for the protection of the public health and safety from radiation hazards.

"c. No agreement entered into pursuant to subsection b, shall provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of—

"(1) the construction and operation of any production or utilization facility;

"(2) the export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

"(3) the disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

"(4) the disposal of such other byproduct, source, or special nuclear material as the Commission determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

Notwithstanding any agreement between the Commission and any State pursuant to subsection b., the Commission is authorized by rule, regulation, or order to require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license issued by the Commission.

"d. The Commission shall enter into an agreement under subsection b. of this section with any State if—

"(1) the Governor of that State certifies that the State has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by the proposed agreement, and that the State desires to assume regulatory responsibility for such materials; and

"(2) the Commission finds that the State program is compatible with the Commission's program for the regulation of such materials, and that the State program is adequate to protect the public health and safety with respect to the materials covered by the proposed agreement.

"e. (1) Before any agreement under subsection b. is signed by the Commission, the terms of the proposed agreement and of proposed exemptions pursuant to subsection f. shall be published once each week for four consecutive weeks in the Federal Register; and such opportunity for comment by interested persons on the proposed agreement and exemptions shall be allowed as the Commission determines by regulation or order to be appropriate.

"(2) Each proposed agreement shall include the proposed effective date of such proposed agreement or exemptions. The agreement and exemptions shall be published in the Federal Register within thirty days after signature by the Commission and the Governor.

"f. The Commission is authorized and directed, by regulation or order, to grant such exemptions from the licensing requirements contained in chapters 6, 7, and 8, and from its regulations applicable to licensees as the Commission finds necessary or appropriate to carry out any agreement entered into pursuant to subsection b. of this section.

"g. The Commission is authorized and directed to cooperate with the States in the formulation of standards for protection against hazards of radiation to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible.

"h. There is hereby established a Federal Radiation Council, consisting of the Secretary of Health, Education, and Welfare, the Chairman of the Atomic Energy Commission, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, or their designees, and such other members as shall be appointed by the President. The Council shall consult qualified scientists and experts in radiation matters, including the President of the National Academy of Sciences, the Chairman of the National Committee on Radiation Protection and Measurement, and qualified experts in the field of biology and medicine and in the field of health physics. The Special Assistant to the President for Science and Technology, or his designee, is authorized to attend meetings, participate in the deliberations of, and to advise the Council. The Chairman of the Council shall be designated by the President, from time to time, from among the members of the Council. The Council shall advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all Federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States. The Council shall also perform such other functions as the President may assign to it by Executive order.

"i. The Commission in carrying out its licensing and regulatory responsibilities under this Act is authorized to enter into agreements with any State, or group of States, to perform inspections or other functions on a cooperative basis as the Commission deems appropriate. The Commission is also authorized to provide training, with or without charge, to employees of, and such other assistance to, any State or political subdivision thereof or group of States as the Commission deems appropriate. Any such provision or assistance by the Commission shall take into account the additional expenses that may be incurred by a State as a consequence of the State's entering into an agreement with the Commission pursuant to subsection b.

"j. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State with which an agreement under subsection b. have become effective, or upon request of the Governor of such State, may terminate or suspend its agreement with the State and reassert the licensing and regulatory authority vested in it under this Act, if the Commission finds that such termination or suspension is required to protect the public health and safety.

"k. Nothing in this section shall be construed to affect the authority of any State or local agency to regulate activities for purposes other than protection against radiation hazards.

"l. With respect to each application for Commission license authorizing an activity as to which the Commission's authority is continued pursuant to subsection c., the Commission shall give prompt notice to the State or States in which the activity will be conducted of the filing of the license application; and shall afford reasonable opportunity for State representatives to offer evidence, interrogate witnesses, and advise the Commission as to the application without requiring such representatives to take a position for or against the granting of the application.

"m. No agreement entered into under subsection b., and no exemption granted pursuant to subsection f., shall affect the authority of the Commission under subsection 161 b. or i. to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material. For purposes of subsection 1611., activities covered by exemptions granted pursuant to subsection f. shall be deemed to constitute activities authorized pursuant to this Act; and special nuclear material acquired by any person pursuant to such an exemption shall be deemed to have been acquired pursuant to section 53.

"n. As used in this section, the term 'State' means any State, Territory, or possession of the United States, the Canal Zone, Puerto Rico, and the District of Columbia."

SEC. 2. Section 108 of the Atomic Energy Act of 1954, is amended by deleting the phrase "distributed under the provisions of subsection 53a.," from the second sentence.

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.

EXTENSION OF REMARKS

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks following the enactment of each of these bills.

The SPEAKER pro tempore (Mr. BOLAND). Without objection, it is so ordered.

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I make the same request.

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

There was no objection.

Mr. PRICE. Mr. Speaker, S. 2568 is a bill to amend the Atomic Energy Act of 1954 by adding a new section 274 to that act with respect to cooperation with States. It is recommended unanimously by the Joint Committee on Atomic Energy, with certain amendments, and was passed by the Senate on September 11, 1959.

After receiving a proposed bill from the AEC, the Joint Committee held extensive public hearings and received many valuable comments. The bill is supported by the principal State organizations, including the Council of State Governments, the Governors' conference, the National Association of Attorneys General, and the southern Governors' conference. In addition, representatives of individual States testified in support of the bill. The Atomic Energy Act is now silent as to the role of State governments, and this bill is needed to clarify the situation because some confusion is beginning to develop.

The bill authorizes the AEC to enter into agreements with State Governors providing for discontinuance of certain of the AEC's regulatory authority, after proper certification by the Governor and findings by the Commission that the State program is adequate. At the present time, the Commission is licensing the three types of materials defined in

the Atomic Energy Act—byproduct, source, and special nuclear materials—and has over 4,700 isotope licensees alone, scattered throughout our 50 States. Under this legislation, the Commission could gradually turn over to qualified State governments the responsibility for regulation and supervision of some, but not all, activities. In the case of isotopes, eight States—New York, California, Pennsylvania, Illinois, Texas, Ohio, New Jersey, and Minnesota—have 55 percent of the AEC licenses, and transfer to the State government could ease the AEC licensing load. The licensing and regulation of more hazardous types of activities—such as nuclear reactors—would remain the exclusive responsibility of the AEC.

The bill provides for programs of training and assistance in order to help State and local employees prepare to assume these contemplated new responsibilities. I would like to emphasize that local and municipal government employees are to receive the benefits of this AEC assistance as well as State employees.

In order to avoid overlapping, conflicting, or duplicating standards, the Joint Committee tightened up subsection g. of the bill relating to standards and provided that they should be compatible with the AEC standards. In most cases when a State assumes the responsibility, it is hoped that the State will adopt the AEC standards so that their standards will be identical.

The bill also establishes a Federal Radiation Council consisting of five members, and such other members as shall be appointed by the President. This Council shall receive the advice of technical experts, and shall then advise the President. The President will then provide guidance to all Federal agencies in the formulation of radiation standards in order to encourage uniformity of standards at the Federal level, and thus subsequently at the State level.

Insofar as local governments and municipalities are concerned, the bill provides in subsection i that the Commission is authorized to provide training and assistance to such groups as well as to State governments. Local and muncipal officials are also to be encouraged to participate in inspection and to work closely with AEC officials. The promulgation of standards and licensing will be done on a statewide basis, but the bill intends that local and municipal officials also will participate in carrying out the purposes of this bill.

In summary, Mr. Speaker, the Joint Committee has considered this bill carefully, made certain revisions, and then reported out the bill unanimously. It has been passed by the Senate, and I urge all Members of the House to vote for S. 2568, in the form recommended by the Joint Committee on Atomic Energy.

Mr. VAN ZANDT. Mr. Speaker, I rise in support of H.R. 8755 (S. 2568), as recommended by the Joint Committee on Atomic Energy, to amend the Atomic Energy Act of 1954, with respect to cooperation with States.

This bill contains the essential provisions requested by the AEC and is supported by the administration. During the lengthy hearings held by the Joint Committee on this subject, representatives from many States testified in favor of the bill, and also the following organizations: Council of State Governments, National Association of Attorneys General, the Governors Conference and the Joint Federal-State Action Committee, and the Southern Governors Conference.

Since the hearings, the American Bar Association has approved a report in favor of the principles of this bill.

In addition, we have received statements from the States of New York, California, and other States in support of the bill.

At the present time, the Atomic Energy Act requires the Federal Government to license and regulate radiation hazards from the materials defined in the Atomic Energy Act, namely, byproduct, source, and special nuclear materials. The States have many laws protecting the health and safety of their citizens from conventional hazards, and some States also have laws requiring registration of these materials, or permitting inspection and adoption of standards concerning these materials. But the basic licensing and regulations for radiation hazards is done by the Federal Government. This bill would permit the States, on a gradual basis, to assume responsibility for regulation of these materials, and the Commission to withdraw its authority under agreement with the Governor of a State.

The Joint Committee has gone into this subject thoroughly, as indicated by the committee report. The Joint Committee considers the approach of the bill wise and appropriate in several respects, and I would like to quote in part from the report of the Joint Committee at page 8:

2. The approach of the bill is considered appropriate, in the opinion of the Joint Committee, for several reasons:

(a) The approach is on a State-by-State basis. It authorizes the Commission to enter into agreements with Governors of individual States, after proper certifications and findings by both the Governor and the Commission as to the adequacy of the State's program. A few States have indicated they will be ready in the near future to begin discussions leading to an agreement to assume regulatory responsibility for such materials. Others will not be ready without more effort, more assistance, and more experience for several, or perhaps many, years. The bill does not authorize a wholesale relinquishment or abdication by the Commission of its regulatory responsibilities but only a gradual, carefully considered turnover, on a State-by-State basis, as individual States may become qualified.

In summary, Mr. Speaker, this bill would help the States assume independent regulatory jurisdiction in areas which are now regulated exclusively by the Federal Government under the provisions of the Atomic Energy Act. It would assist the States to prepare themselves for assuming such responsibility by increased training and programs of assistance for the States. As pointed out in the Joint Committee report, this would increase the protection of the public health and safety "because most citizens look to their local health officers for advice and protection against hazardous materials used in the community"—page 9 of the committee report.

This bill would allow States and local health officers, as they become qualified, to assume regulatory responsibility over materials which until now have been the responsibility of the AEC under the Atomic Energy Act.

Mr. Speaker, I urge the House to approve H.R. 8755 in the form recommended by the Joint Committee.

IN MEMORY OF BOLITHA J. LAWS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. MOULDER] is recognized for 30 minutes.

Mr. MOULDER. Mr. Speaker, I am deeply grateful to you and to the Members of the House for granting me this opportunity to speak about a great man, Bolitha J. Laws.

Mr. Speaker, I ask unanimous consent to include a brief biographical sketch of the life and service of Bolitha J. Laws.

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

There was no objection.

Mr. MOULDER. Mr. Speaker, the following is the biographical sketch of the late Honorable Bolitha J. Laws:

BOLITHA J. LAWS

Native of the District of Columbia.

Georgetown University, L.L.B. 1913; L.L.M. 1914, L.L.D. 1950.

Admitted to bars of the District of Columbia, New York, and Maryland.

Assistant District Attorney for 6 years during the Wilson administration.

Nineteen hundred and twenty-one, nineteen hundred and twenty-two, litigation counsel and later assistant general counsel of the United States Shipping Board.

His general practice of law before appointment to the bench covers a period of 25 years.

In 1930, Mr. Laws was appointed a member of the grievance committee of the then supreme court of the District of Columbia and in 1932 was selected as chairman of that committee and until the grievance committee became a part of the committee on admissions and grievances of the court, he continued to serve as chairman. After the formation of the committee on admissions and grievances and until his appointment as associate justice of the district court, Mr. Laws served as subchairman in charge of grievance work of such committee.

Nineteen hundred and thirty-five, elected treasurer of the District of Columbia Bar Association. Served for 2 years.

Nineteen hundred and thirty-seven, elected president, District of Columbia Bar Association.

June 1938, appointed judge of the United States District Court for the District of Columbia.

During his first year on the bench, Judge Laws was assigned to criminal division of the court. There was assigned to him for trial a conspiracy case, charging violation of income tax law, brought against defendants said to be connected in the operation of a huge numbers gambling enterprise. Case resulted in a hung jury. While a new trial was in progress the attention of the court was brought to alleged tampering with jury. Judge Laws declared a mistrial and immediately cited several of the defendants, their lawyers and a deputy U.S. marshal on contempt charges. This case attracted

widespread comments in the press and after its disposition, Judge Laws' conduct of the trials was highly praised by news editorials.

During his first year on the bench, Judge Laws received three certificates of award from local organizations. First, the Corrections Committee of the Council of Social Agencies selected him for its annual award as a person who had rendered outstanding service in the field of administration of criminal justice and prevention of delinquency. Second, the Washington Federation of Churches awarded him a plaque as the outstanding layman in church work during the year. Third, the Society of Natives of the District of Columbia voted him the annual award for distinguished public and civic service for the year 1939.

During the summer vacation of the court in 1939, Judge Laws made a widespread study of pretrial procedure and brought about the organization of a pretrial division in the district court. This resulted in a decided reduction of the delays in civil court cases. At the end of the year, in the report of the conference of senior circuit judges, the following comment was made by Chief Justice Hughes concerning the work of Judge Laws in this connection: "In the District Court for the District of Columbia notable gains have been made during the past year in clearing up a highly congested calendar and the director reports that if a similar degree of progress is made during the next year the docket will soon become current. Most of that reduction has been occasioned by an intelligent and skillful use of the pretrial procedure permitted by the Rules of Civil Procedure."

Judge Laws has lectured extensively on pretrial procedure and has put on demonstrations throughout the United States. He has also written extensively on the subject for magazines and law journals.

The following summer, Judge Laws made a study of the Domestic Relations Commissioner's offices in several jurisdictions and brought about the establishment of a Domestic Relations Commissioner in the District Court. This office has proved highly satisfactory and efficient.

Since 1938, Judge Laws has acted as Chairman of the American Bar Association Special Committee on Improving the Administration of Justice in the District of Columbia.

In 1941 Chief Justice Stone appointed Judge Laws as a member of a committee of Federal judges to study the problem of correction of crime in the Federal courts. Judge John J. Parker, as chairman of the committee, designated Judge Laws to be in charge of a subcommittee giving particular study to adult offenders. Judge Laws assisted in the draft of the bills passed by Congress and has spoken by designation before four Judicial Conferences, the American Bar Association and other organizations.

After Judge Vinson was appointed as stabilization director, Chief Justice Stone appointed Judge Laws to succeed Judge Vinson as a member of the U.S. Emergency Court of Appeals.

On January 22, 1945, Judge Laws was appointed chief judge of the U.S. District Court for the District of Columbia.

Judge Laws was chairman of the section of judicial administration of the American Bar Association in 1946 and has served on the council of that section since 1948.

In June of 1950, Georgetown University conferred degree of doctor of laws on Chief Judge Laws.

Judge Laws was a professor at George Washington University in moot court and was a professor at Georgetown University, teaching a course in trial preparation, strategy, and technique.

Since 1953 Chief Judge Laws has been chairman of the advisory council of judges and member of the board of trustees of the National Probation and Parole Association.

In February 1954 Judge Laws was named big brother of the year for the District of Columbia.

Judge Laws was instrumental in the passage of the Youth Corrections Act in making it applicable to the District of Columbia.

He is a member of the American Bar Association's committee on the administration of criminal justice. He is also a fellow of the Institute of Judicial Administration.

Judge Laws, in 1955, was elected to the board of trustees of the American University in Washington, D.C.

Judge Laws passed away November 14, 1958.

Mr. Speaker, there seems to be something in the human soul that yearns for social order and for the instrument that maintains it—the law. As far back as we can probe into man's history, as wide as we can search among uncivilized peoples, among isolated savages and obscure tribes of aborigines, the law—in whatever manifestation—and the man of law have universally and throughout time been accorded deep respect and reverence.

I suppose this stems, in part at least, from the tendency of the law to attract to itself men of integrity and worth; and then to bring out in those who devote themselves to it qualities of wisdom and devotion universally admired. Few men in the history of our Capital—and, indeed, of our Nation—have exemplified these qualities better than Bolitha J. Laws, the late chief judge of the district court. By character, by intellect, and by inclination, Judge Laws was an ideal exponent of the law. He was more than that; he was, as the Washington Post once put it editorially, "in a very literal sense an apostle of justice."

Judge Laws was born a gentleman, but if there ever was a silver spoon, it was removed at an early age. He lost his father when he was 9 years of age. Seven years later, he began to support his mother and his sister. Nevertheless, he continued his education at night school. He was determined to devote his life to the law. While attending night school he made his living by serving as a stenographer in the district attorney's office. In 1913, he was awarded a bachelor of laws degree, and a year later a master of laws. As soon as he had passed the bar examination, he was appointed an assistant U.S. attorney.

Since that first appointment in Bolitha J. Laws' judicial career, his rise was rapid. He filled a number of Government positions, and spent some 20 years in an extremely successful private practice. He will be remembered primarily, however, for his brilliant service as a judge, and eventually as chief judge, of the district court here in Washington. Three times he declined offers of promotion to the U.S. Circuit Court of Appeals. He had found his mission, and he knew instinctively that he could contribute more as chief judge of the district court than in any other more exalted judicial rank.

Judge Laws' extraordinary blend of justice and mercy, of respect for the innate dignity of the human being as well as the letter of the law, of reverence for the traditions of law and regard for administrative efficiency, transformed the court during his tenure.

He pioneered pretrial work to ease the burden of the court and introduced more efficient methods. He fought relentlessly for a Family Court for the District of Columbia. He was a stanch advocate of improved probation facilities and better sentencing procedures, designed to give criminals an opportunity to rehabilitate themselves. After World War II, Judge Laws became concerned about the veterans of that frightful holocaust who had failed to readjust themselves to civilian life. With his innate compassion, Judge Laws urged special treatment for those whose crimes are in some way traceable to battlefield experiences.

It was due to Judge Laws' energy and perseverance that our Capital got the splendid new court building at Third Street and Constitution Avenue NW. His success in this great venture is indicative of his effectiveness. Judge Laws was a devoted idealist, but he was far from being an ineffective dreamer. He knew precisely what was needed in the service of the law and how to get it. Thus he greatly increased the effectiveness of the special American Bar Association committee for improving the administration of justice in the District of Columbia by naming civic leaders, Government officials, and businessmen, as well as judges and lawyers, to its membership. With the backing of this broadly based committee, Judge Laws was able to carry out many badly needed reforms.

Our system of law is a most precious heritage. It constitutes the most highly developed human method of creating order out of chaos, thus making civilized human life possible. Much of the real value of this system, however, depends on the men who administer it. Most of the judges and lawyers deal scrupulously with the law and leave it, at the end of their careers, intact and undiminished. Every once in a long while, however, there are some rare and great men who do even more than that; they leave the great heritage they found enriched and enlarged when they finally retire from the battle for justice. Judge Laws was such a man. His record in life will stand out as a monument in his memory far more permanent than marble.

[From the Washington Daily News, Nov. 17, 1958]

JURISTS HONOR JUDGE LAWS

Nineteen district judges and nine members of the U.S. Court of Appeals convened for a special joint session today in ceremonies for Chief District Judge Bolitha J. Laws.

Supreme Court Chief Justice Earl Warren told the judges and several hundred spectators in the big ceremonial courtroom in the U.S. courthouse:

"We shall miss him greatly. Our consolation will be that his good work will last * * *

"This building will be his monument. He planned it * * * he strove relentlessly to make it the best administered court in the Federal system.

HIS RECORD

"He has brought about advances that have improved the courts throughout the Federal jurisdiction.

"He had served his country with distinction and his works now are part of its history."

District court, the U.S. court of appeals, juvenile court and the municipal court of appeals were closed for the day.

Municipal court today handled only emergency cases, mainly concerning persons locked up and awaiting preliminary hearings.

Judge F. Dickinson Letts, 83, the presiding district judge by seniority, said:

"Throughout his tenure in office we have learned to counsel with him. We have profited greatly by his wisdom."

A FRIEND

Chief U.S. Court of Appeals Judge E. Barrett Prettyman, a close friend of Judge Laws since childhood, said simply:

"He was a great friend, a great man, a truly great judge."

Earlier, Judge Laws' body laid in state in the courtroom and hundreds of judges, lawyers, and court employees filed by it.

Funeral services were held at noon at the Mount Vernon Place Methodist Church, Ninth Street and Massachusetts Avenue NW.

DIED FRIDAY

Judge Laws, 67, of 4201 Massachusetts Avenue NW., died Friday night at George Washington University Hospital. He had entered the hospital that afternoon and soon lapsed into a coma.

Judge Laws was appointed to the district court bench 20 years ago, and became chief judge in 1945. He was particularly well known for inaugurating pretrial methods to expedite court procedure.

He refused appointment to the U.S. court of appeals three times.

ADDITIONS

The judge was instrumental in having a Domestic Relations Commissioner, and later the domestic relations court, added to the District's legal system.

He had laymen appointed to the special American Bar Association committee for improving the administration of justice in the District of Columbia.

He used the committee to streamline and simplify court procedures.

A jovial white-haired man, he was an enthusiastic golfer and an active member of the Methodist Church.

Survivors include his wife, Nancy, a son, Bolithia J., Jr., of Chevy Chase, and three daughters, Nancy Lee Rowe, of Washington; Leita Williams, of Alexandria; and Betsy Rill, of Boston.

A TRIBUTE

Without fanaticism, but with a devotion that was unceasing, Chief Judge Bolitha Laws labored for better justice here in Washington, his native town.

Not only did he institute many internal reforms; also by tireless but always reasonable appeals he tried to stimulate greater interest among responsible citizens in the workings of our courts.

His theme was simple; in a democracy justice is everybody's business; we all must see to it that the machinery of justice functions properly.

Possibly he was so effective because he was both a proud and modest man; too proud to do anything less than what he would consider worthy of his name; too modest to exploit, for personal vainglory, the things he did. People liked to work with him, and for him, and he accomplished much.

In this time of violent change, distrust of established values, of gracelessness and cynicism, there was something old fashioned about Bo Laws. Perhaps it was his completely unself-conscious, unspoken but unshakable belief in the old fashioned notions of right, of honor, and in the usages of courtesy and kindness.

Certainly he was a tough, sophisticated observer of men's knavery in general and of the all-too-frequent cynicism of the law, as practiced; but, without cant and without carping, he simply believed in God and the right. He was a Christian gentleman.

The sorrow over his death and the homage to his memory that his colleagues and friends will give to him today are shared by everyone in Washington who knew him, and what he did.

[From the Washington Star, Nov. 19, 1958]

POWER OF EXAMPLE

Few men have carried with them in death the degree of good will and respect that Chief Judge Bolitha J. Laws won from his fellow citizens in the course of his useful life. The extraordinary final tribute paid to him yesterday by his brethren of the courts, joined by friends and admirers from so many walks of life, was merely one reflection of their esteem.

Chief Justice Warren's reference to the courthouse as a monument to Judge Laws was singularly appropriate, and the American Bar Association's committee for improvement in the administration of justice is the culmination of another of his successful undertakings. Perhaps the greatest of his accomplishments, however, was his effective use of the power of example—the example of an upright man who thought only about the good that could be done and refused to acknowledge any obstacle that might prevent it; who was completely confident that the goodness of others would eventually persuade them to see things as he saw them, and could therefore be relied on for help; who asked no one to do more than he was willing to do himself.

[From the Washington Star]

CHIEF JUDGE LAWS

There was something about Chief Judge Bolitha J. Laws which marked him as a man dedicated to the concept of justice for all. It may have been his appearance, his personality, his manner, or perhaps it was all of these. But the fact is that he worked patiently, tirelessly, and with much skill to improve the functioning of the U.S. district court in the Nation's Capital.

His climb to distinction was not an easy one. A native of this city, Judge Laws was a product of our public elementary and high schools. His advanced education was acquired at night, since, at 16, it was necessary for him to help support his widowed mother and a sister. But this handicap (at least it would be thought of as a handicap today) did not prevent his steady advance to eminence in his chosen profession. An active interest in civic affairs and in the men's Bible class at Mount Vernon Place Methodist Church occupied much of his time and energy. Twenty years ago, at the age of 47, he was named to the district court bench, and, in 1945, he became the chief judge of that tribunal. His achievements on the bench have been reviewed elsewhere, and there is no need to recite them here. It is enough to say that his accomplishments, well known to the people of Washington, speak eloquently for themselves.

A little more than 3 months ago he was operated on for a brain tumor. For a time it was thought that he was making an excellent recovery. Because of this, his death comes as a greater shock to those who knew the man who was Bolitha Laws.

[From the Washington Post, Nov. 17, 1958]

BOLITHA J. LAWS

The career of Chief Judge Bolitha J. Laws of the district court goes a long way toward explaining the strength of the U.S. judicial system. For Judge Laws was more than an honest, fairminded man who presided over the trial of cases. He was in a very literal sense an apostle of justice. He took to the bench not only a high sense of independence and incorruptibility but also a passion to perfect the instruments of judging and to make the courts themselves more effective servants of the democratic concept of equal justice for all.

Judge Laws was named to the district court at the vigorous age of 47 while he was serving as president of the District Bar Association. It was a period in which there was much talk about the injection of new blood into the judiciary, and "Bo" Laws, as he was affectionately known, gave his whole mind and heart to the rejuvenation of the court of which he became a part. As a native Washingtonian who had gone to law school and practiced law here in addition to serving as Assistant U.S. attorney, he was admirably equipped to sit in the district court, and, as he gained experience, to lead that court in a broad-gaged modernization movement.

He showed good judgment in declining three separate offers of promotion to the U.S. Court of Appeals. His talents were well adapted to the presiding position in the District's chief trial court, and that is where his energy and his enthusiasm were most needed. Despite the untimeliness of his death at the age of 67, he leaves a number of monuments of vast importance to the community as well as to the court.

One of these monuments is the U.S. courthouse. The two men who were chiefly responsible for this excellent home of the judiciary are Judge Laws and the late Harold M. Stephens, then chief judge of the court of appeals. Other notable achievements of Judge Laws were his early demonstration of the effectiveness of pretrial work in easing the burden of the courts, his efforts to obtain a family court for the District, and his addition of experienced laymen to the special American Bar Association committee for improving the administration of justice, his use of factfinding in fixing sentences and his introduction of efficiency methods into the courts.

Probably more important than any tangible improvement in our judicial machinery was his influence on the ethos of his time. Judge Laws gave the impression of living and breathing the atmosphere of law, order and justice. Certainly he quickened the conscience of Washington in regard to judicial problems, and his influence spread far beyond the field of his own operations. So it is not farfetched to say that the quality of justice has been notably enhanced by his extraordinary devotion to his task. Washington has lost a great judge, but the contributions he has made to the cause of justice will continue to be felt for generations to come.

[From the Washington Star, Nov. 16, 1958]

JUDGE LAWS' BODY TO LIE IN STATE IN COURT

The body of Chief Judge Bolitha J. Laws will lie in state for 1 hour tomorrow in the U.S. District Courthouse he worked so diligently to build.

The tribute being accorded the eminent jurist is unprecedented in local legal history.

Judge Laws' body will be taken from the S. H. Hines Funeral Home at 10 a.m. to the ceremonial room on the courthouse's sixth floor. There it will remain until 11 a.m., when a procession will be formed to go to Mount Vernon Place Methodist Church, Ninth Street and Massachusetts Avenue NW., where religious services will be held at noon.

Interment will be private.

Previously when a judge died, a joint session of the district and appeals courts met, and following a brief eulogy court was adjourned for the day in respect for the passing of the member.

WARREN TO PRESIDE

At tomorrow's services, Chief Justice Warren of the Supreme Court will preside. He

acts in his capacity as the circuit judge for the District of Columbia and ranking member of the Federal bench.

Chief Justice Warren also will preside at a joint session with chief judge of the court of appeals E. Barrett Prettyman and Chief Judge F. Dickinson Letts, who succeeds Judge Laws by right of seniority. The trio will then adjourn court in memory of Judge Laws who died Friday night in George Washington University Hospital of a brain tumor.

Melvin Marques, administrative assistant to Judge Laws, said all departments of both the appeals court and the district court will be closed Monday except for emergency matters.

PALLBEARERS LISTED

Mrs. Laws said six active pallbearers, all members of the A. B. Pugh Bible Class of Mount Vernon Place Methodist Church taught by Judge Laws, have been named. They are George E. Chapman, Zed L. Williams, Charles Lampert, Barber Palmer, Edward Horman, and Donald C. McLane.

Honorary pallbearers include Chief Judge Warren, all judges of the appellate court and the district court, Judge Joseph R. Jackson of the U.S. Court of Customs and Patent Appeals, and Judge Edward P. Murphy of San Francisco.

Judges Jackson and Murphy have been sitting on the district court bench by designation.

Meanwhile, tributes were being paid to the late jurist by many leaders.

Justin L. Edgerton, president of the District Bar Association, a position once held by Judge Laws, expressed the sympathy of his group.

OTHER TRIBUTES

Among many messages of condolence received at Judge Laws' home in the Berkshire Apartments, 4201 Massachusetts Avenue NW., was one from Supreme Court Justice Clark. The Justice dropped by early yesterday to leave a handwritten note expressing his sympathy.

In addition to his wife, Judge Laws leaves a son, Bolitha J., jr., of Chevy Chase; and three daughters, Mrs. Nancy Rowe of the home address, Mrs. Leida Williams, 1050 Fort Hunt Road, Alexandria, and Mrs. Betsy Rill of Cambridge, Mass., and six grandchildren.

[From the Washington Evening Star, Nov. 17, 1958]

HUNDREDS GATHER AT COURTHOUSE FOR FAREWELL TO JUDGE LAWS

(By Miriam Ottenberg)

In the U.S. courthouse that now becomes his monument, the friends of the late Chief Judge Bolitha J. Laws of district court said their farewells to him today.

As he lay in his judicial robes in the ceremonial courtroom with a Marine color guard at his side, hundreds of mourners passed his bier.

It was the first time such a ceremony had ever taken place in the courthouse. Everyone felt it was a fitting thing.

Chief Justice Warren spoke for all the mourners when he said:

"This building will be his monument. He conceived the idea for it. He planned it with the late Chief Judge Harold H. Stephens. He struggled for it until it became a reality."

STREAM OF MOURNERS

For more than an hour before the 11 a.m. ceremony at the court, a steady stream of friends went through the courtroom to stand for a moment in prayer before the casket banked with red carnations and white chrysanthemums.

Supreme Court Justice Clark paid his respects before joining the Laws family. Attorney General Rogers was there with Deputy Attorney General Lawrence E. Walsh. So was District Commissioner Robert E. McLaughlin, a number of the District department heads and judges of the other courts.

And also in the line—many of them with tears in their eyes—were the people of Judge Laws, beloved court. There were charwomen in their blue uniforms, cooks from the court cafeteria in their aprons, nurses from the court's emergency room in white, the uniformed elevator operators.

Deputy marshals stood at attention on either side of the bier as the lawyers, the clerks, the messengers, the friends from the community streamed by. Even the jurors who had come to court only to be excused because there was no court today stopped in the ceremonial courtroom to see the man who devoted his life to justice.

Shortly before 11 a.m., Judge Laws' widow, children, and grandchildren came into the crowded courtroom. Then, the casket followed by the marine honor guard was wheeled out and the bailiff called the court to order.

JUDGES TAKE SEATS

The robed judges of the District court filed into the rear row of judges' seats. Into the front row came the judges of the United States Court of Appeals for the District, with Chief Justice Warren among them as the Supreme Court Justice in charge of this circuit.

Justice Warren spoke first.

"Our friend is gone," he began.

He spoke of Judge Laws' good works, of the building that was his dream, of his efforts to make this the best administered court in the Federal system.

Judge Laws, he said, believed that the courts should not function in isolation, that the workings of the court should be known to the citizens. For years, he went on, Judge Laws worked to achieve an understanding among the judges, the lawyers, and the laymen. His efforts were given national recognition in the establishment of the American Bar Association's Committee for Improvement in the Administration of Justice.

"He had the courage of his convictions," Justice Warren said. "He gave no recognition to the word 'failure.' Only the day before his death, he came to this building to see that all was well.

"He has earned a lasting place in the affections of all of us. His works are now part of history. Surely, he will rest in peace."

Judge Laws' successor, now Chief Judge F. Dickinson Letts of District court, said:

"Throughout his tenure we have learned to counsel with him and have been helped greatly by his wisdom. He had an unerring sense of direction and purpose.

"We will miss our association but his spirit will live on to guide and direct us in performance of our judicial duties."

It was Judge Laws' old friend who closed the ceremony—Chief Judge E. Barrett Prettyman of the court of appeals. In a voice charged with emotion, Judge Prettyman spoke of his half-century's friendship with Judge Laws. He recalled that they had played together as children in 1901, had joined the church the same day, had gone to Georgetown Law School together. He recalled that Judge Laws confided in him first that he was going to get married, that their birthdays were but a day apart.

PICTURE TAKEN TOGETHER

"He was in my office only the day before his death so that we could have a picture taken together as chief judges," Judge Prettyman continued.

Then, Judge Prettyman performed his last official duty for his old friend.

"As the court rises," he announced, "we will now adjourn in memory of Chief Judge Bolitha J. Laws."

The funeral service that followed at the Mount Vernon Place Methodist Church, of which Judge Laws had been a member since 1903, was a simple one. Burial was private.

"No man in such an honored place ever served with more humility," said the Rev. Albert P. Shirkey, pastor of the church.

More than 500 persons crowded the sanctuary for the service. Among them were the District Commissioners, the judges of the courts, Government officials, clergymen and members of the A. B. Pugh Bible Class, which Judge Laws taught for 25 years.

The front of the sanctuary was banked with flowers to more than a man's height.

"He was God's gentle man," said Dr. Shirkey.

He recalled the remark of a prisoner about to be sentenced by Judge Laws:

"I shall now strive, sir, in these years of my imprisonment, to become a man, for no one has ever spoken so kindly to me in my 24 years."

Mr. MOULDER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and insert in the RECORD at the close of my remarks in memory of Judge Bolitha J. Laws a few of the many newspaper editorials and articles on the life of Bolitha J. Laws.

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

There was no objection.

CONGRESS MUST ACT TO MAKE CIVIL RIGHTS THE RIGHTS OF ALL

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD following the legislative business of the day.

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

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, much has been happening this past week on the civil rights front. I sincerely hope that what has been occurring will finally result in long-needed civil rights legislation.

We find that we have a chance to bring civil rights legislation to the House floor by obtaining the required number of signatures on the discharge petition now before this body. This petition offers the means by which we can discharge from the Rules Committee the civil rights bill reported by the Judiciary Committee, H.R. 8601.

Mr. Speaker, H.R. 8601 is a modest measure. In my opinion it does not cover all the necessary aspects of the problem, but those provisions that are included are indeed needed, at the very least. Certainly this body should have the right to consider and debate its provisions, as well as an opportunity to bring up for consideration amendments to strengthen further its overall intent, so that a genuine start can be made in our efforts to live up to the image of democracy which we place before the world.

In addition to the discharge petition, we find another significant occurrence this week. That is the release of the well-documented 1959 report of the Commission on Civil Rights—a Commission created 2 years ago under the 1957 civil rights bill which was enacted into law.

The work of the Commission, its findings and recommendations, are the best proof at hand that the Commission is a needed one and should continue in its work.

The Commission report very clearly sets forth the fact that there are flagrant violations of civil rights in the areas of housing, education, and voting. Those who are condemning this report are not refuting the facts, but rather, calling it impertinent of the Commission to recommend remedial legislation which would point the way in correcting abuses which violate the constitutional concepts of this Nation. Nor do the opponents of civil rights legislation, even in its mildest form, indicate that they will use their influence and will make an effort in their own States to correct documented abuses.

It is worthy to note that the recommendations made by this bipartisan group, representing all sections of our country, go beyond the moderate proposal now bottled up in the Rules Committee. The coalition of southern Democrats and Republicans that we saw forcibly displayed on a large scale in the matter of labor-management reform legislation is still in operation, on a smaller scale, in the Rules Committee. This is, of course, the reason why a discharge petition has been made necessary.

I say that the recommendations of the Commission are worthy to note because the gentlemen serving on the Commission are not wild-eyed radicals, nor are they men who wish to inflame human passions. Rather, the report reflects facts, hardheaded solutions, and commonsense on a nagging national problem.

While there is not unanimity on all recommendations, it is significant that the findings and recommendations on education and housing are unanimous. All the findings and the first four recommendations on voting represent a unanimous position. The most controversial proposal—the appointment of temporary Federal registrars to register citizens qualified to vote under State law, but illegally denied this precious right—received the support of five of the six Commissioners.

Even the dissenting Commissioner, former Gov. John S. Battle, of Virginia, joined in the unanimous finding of fact on the denial of voting rights to Negroes. He sided with the Commission's finding that "many Americans, even today, are denied the franchise because of race," and that "this is accomplished through the creation of legal impediments, administrative obstacles, and positive discouragement engendered by fears of economic reprisal and physical harm."

Mr. Speaker, I respectfully urge all my colleagues to give careful study to the Commission's findings and recommendations. Those of us who have long advocated a civil rights bill in this session, I believe, have been upheld by the report of the Civil Rights Commission.

We need a meaningful civil rights bill, not just any civil rights bill offered up as window dressing. The reported bill, on which we have thus far been denied the right to consider through normal procedures, has good provisions, but as I noted previously, it is still lacking in terms of a comprehensive approach—and I might add, a constitutional approach—in solving the pervasive problem of discrimination. The bill could indeed be improved by additional provisions, including some valuable recommendations made by the Commission.

H.R. 8601 is the proposal through which we can legislate, if only we can get it to the floor. And get it to the floor we shall, Mr. Speaker. Perhaps not in time for action during this session as we move closer to adjournment, but I shall join with many like-minded colleagues in doing everything possible to make this legislation a priority obligation during the early days of the 1960 session. This is a public and moral responsibility for both political parties and I for one shall not shirk it.

Mr. Speaker, permit me to quote from the abridged report of the Commission on Civil Rights, because I believe the statements place our legislative periscope on the target at hand:

> This Commission has reviewed the history of America and the spirit of its laws in order to trace, and try to illuminate, the fundamental constitutional principles involved in civil rights. Denial of those rights and principles necessarily involves the Nation as a whole. For if the idea of government by the consent of the governed is the essence of this Republic, then for the sake of the American experiment in self-government, and not just for the vindication of the claims of certain persons or groups, the right to vote and the equal protection of the laws must be secured and protected throughout the land. Above all it is the Republic that requires a free and self-respecting electorate—at least a republic conceived in liberty and dedicated to the proposition that all men are created equal. * * *
>
> In a world where colored people constitute a majority of the human race, where many new, free governments are being formed, where self-government is everywhere being tested, where the basic human dignity of the individual person is being denied by totalitarian systems, it is more than ever essential that American principles and historic purposes be understood. These standards—these ideas and ideals—are what America is all about.

Mr. Speaker, the duty of this Congress is clear.

TROUBLE IN LAOS

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

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

There was no objection.

Mr. JOHNSON of Colorado. Mr. Speaker, all of us are disturbed about recent reports coming from Laos. One excellent report appeared yesterday in the Wall Street Journal. For the benefit of those who may not have seen the report, I include the article at this point in the RECORD:

LOOKING INTO LAOS—U.N. WILL FIND LITTLE RED INVASION EVIDENCE, MUCH POLITICAL TURMOIL—FEAR OF ARMY COUP UNDERLIES PREMIER'S CALL FOR HELP, BARS DEALS WITH REBELS—A DIRECT PLEA TO THE UNITED STATES?

(By Igor Oganesoff)

VIENTIANE, LAOS.—When United Nations observers arrive in Laos this weekend, their first look behind this Nation's appeal for U.N. troops will uncover more evidence of a political tug-of-war here in the Lao capital than of foreign military invasion.

Though nobody seriously questions that neighboring North Vietnam is taking an active role in the current hostilities, the U.N. observers will be hard put to find proof of it. Fleeing villagers report seeing Vietnamese troops with the Lao Communist rebels, but the Lao Army has yet to produce a single Vietnamese prisoner.

If the U.N. factfinding team wants to take a look for itself, it may well have to trudge 2 to 6 days on narrow trails across monsoon-fed swamps, thick brush and rocky mountains to reach Lao Government outposts. Helicopters would help, but there isn't a single one in Laos today.

PREMIER'S HAND FORCED

Why did Premier Phoui Sananikone issue what may prove a premature call for U.N. help when evidence of foreign invasion is so scanty? His hand was forced by Gen. Ouane Rathikoune and his Royal Lao Army—whose thinly spread forces probably could do no more than hold back the Pathet Lao rebels' advance and perhaps could not do even that. But the army, eager to get the Pathet Lao out of its hair once and for all, insists on complete annihilation of the rebels.

The premier is growing increasingly fearful that his government might be overthrown by the army unless he is able to bring that about, with U.N. aid or some other way. Any attempt at political compromise with the Reds, qualified-Western observers say, also would run the risk of provoking an army coup.

The government only yesterday rejected a Pathet Lao bid for negotiations. The official publication of Neo Lao Haksak, Pathet Lao's political party, had stated that the rebels were ready to resolve the Lao problem by peaceful means "if such a settlement is truly desired by the Royal Lao Government." In rejecting the rebel overture, the Lao government noted it previously had called for peace and had been ignored.

If the U.N. turns down his plea for aid, where will the premier turn next? Western observers here believe the Lao leader then would appeal to the Southeast Asia Treaty Organization, composed of the United States, Britain, France, Australia, New Zealand, Pakistan, Thailand, and the Philippines. Rejection by SEATO might lead to a direct appeal for U.S. troops.

The Lao Government's reliance on outside help reflects its lack of full confidence in its own troops. The Royal Lao Army, except in isolated instances, has not yet really locked horns with its Communist foes. In some mountainous areas such as Samneua, retreating Lao troops often lose contact completely with the enemy.

MORTAR MEN AND AGITATORS

The Lao Government currently takes the position that the North Vietnamese units which participated in the original rebel attacks in July and again last week now have withdrawn. However, the government claims, they left mortar men and political agitators behind in the ranks of the Lao rebels. The rebels themselves, the Lao Government says, were equipped and trained in North Vietnam.

The Lao Government has just reported a new pocket of some 800 rebels threatening Sam Teu, a village in southern Samneua

Province just on the Lao side of the twisting border with North Vietnam. Like most of the rebel guerrilla units, this one reportedly is made up of Pathet Lao troops, Vietnamese irregulars, and Black Thais and other tribal groups. Only isolated skirmishing has been reported in the past several days, and the key to Samneua Province seems momentarily quiet.

Lao Government officials suggest that their request for United Nations help has discouraged heavy rebel activity. And, in fact, the Communists may want to let the dust settle a bit to avoid foreign intervention. It's also probable that the Reds are easing up to allow time for closer organizing, politically and militarily, for a concerted push later on from regions along the North Vietnam border.

HOW FOREIGN UNITS COULD FUNCTION

Just how a force of foreign troops could function in this guerrilla war is not too clear. One possibility is that United Nations soldiers could be deployed in southern Laos to keep order, thus freeing the Royal Lao Army to concentrate on engaging the enemy in critical northern areas such as Samneua and Phongsaly. United Nations—or United States—troops might have trouble distinguishing friend from foe among people who are peasants in the daytime and guerrilla fighters at night.

Another important factor is the political position of the civil populace. It's true that the appearance of strong, pro-government foreign forces probably would discourage intimidation of villages by the Pathet Lao, which then would be put on the defensive. But in the many villages where the populace is not particularly pro-government it's questionable whether foreign forces would relieve or aggravate the situation. One possible outcome of foreign intervention, of course, would be similar intervention, en masse, by Communist Vietnamese or Chinese forces.

One possibly tricky factor in the United Nations' position in Laos: An international agreement signed in Geneva in 1954. This agreement, which followed an earlier Pathet Lao uprising, explicitly forbids, among other things, introduction of foreign troops or establishment of foreign bases in Laos. France and England signed the agreement, but the United States did not.

A big question, of course, is just how far the Communists plan to push. Their minimum demand, as repeatedly stated in Chinese and North Vietnamese propaganda broadcasts since early last year, is revival of the three-nation International Control Commission which administered the 1954 Geneva agreement whose key terms already have been fulfilled. Premier Phoui, who believes that presence of the I.C.C. would be an unwarranted infringement of Lao sovereignty, is unlikely to accede to this demand. The same goes for Red insistence that American military instructors be expelled from Laos.

A COALITION GOVERNMENT

Once the rebels won control of one or two provinces, they probably would demand a coalition government, with ministerial posts for Pathet Lao leaders. This is exactly what they gained in a 1957 agreement under which Pathet Lao surrendered its long-held provinces of Phongsaly and Samnueua in return for legal recognition of their political party and inclusion in former Premier Souvanna Phouma's cabinet. Premier Phoui probably would not be permitted to offer such a compromise, even if it seemed to present a chance for peace. A third possibility is that the Communists simply will push on for complete military victory throughout Laos, which leaves 56-year-old Premier Phoui with the same problem of survival.

The International Control Commission, which the Reds insist must be revived, theoretically is still in existence. The Geneva agreement is silent on when the Commission's work is done. However, the three members, India, Canada, and Poland, voted unanimously in March, 1958, that the military terms of the agreement had been fulfilled with the integration of Pathet Lao forces into the Lao Army. Two months later, the Commission held that the political terms of the Geneva pact also had been met; Pathet Lao political party had proposed candidates in an election for 21 extra assembly seats—and had won nine of them. Then, with Poland abstaining, the Commission voted that its function had been accomplished and adjourned without setting a date for another meeting.

When Premier Phoui took over in August 1958, however, he put all Communists out of the Cabinet. Last February he announced that the Geneva pact no longer was applicable to Laos and that he would not tolerate any further activities of the control commission in Laos.

A BATTALION FLEES

Last May the Premier moved to integrate two Pathet Lao battalions into the Lao armed forces; the battalions had been kept intact for reindoctrination. One battalion was smoothly joined but the other fled to the north. Premier Phoui then got tough by jailing Pathet Lao leaders in Vientiane.

Some Western observers here speculate that Premier Phoui, if he had acted somewhat more slowly and a bit more cleverly, might have undermined the Reds without provoking them into armed rebellion. Politically on the defensive, the Communists not surprisingly resorted to force. The U.S. State Department, already under fire for foreign aid fiascos in Laos, may have pressed Phoui to take more rapid strides to curb the Reds.

On the other hand, local anti-Communists, with the help of the army, probably exerted far more influence on the Premier than any outsiders. The results of last year's assembly election gave Vientiane's conservative politicians quite a jolt. By December there already were rumors of an impending army coup unless Phoui took firmer anti-Communist action.

In January of this year Premier Phoui, described by one Western observer as "a reluctant dictator," called a special session of the assembly and won suspension of that legislative body for 1 year. He also received a free hand in picking his Cabinet. Since then he has jailed all leftist assembly members and leaders of the Neo Lao Haksak Party. Though Phoui once was known as a negotiator and compromiser, he has dropped this character, at least temporarily.

Phoui's decision to take new U.S. arms and training is among his latest moves to defeat the rebels. No violation of the Geneva Pact is involved, say authorities here, because Laos is permitted to bring in arms to the extent necessary for its own security.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. BOW. I yield.

Mr. REUSS. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the body of the RECORD following the remarks by the gentleman from Texas [Mr. PATMAN].

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

There was no objection.

Mr. BOW. Mr. Speaker, I ask unanimous consent that the time I have for a special order for today may be transferred to tomorrow.

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

There was no objection.

FEDERAL RESERVE BOARD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, there is no doubt that the country is in a fiscal crisis of major proportion. The administration, with the help of the Federal Reserve Board, has created this crisis in their determined and arrogant efforts to force Congress to repeal the interest-rate ceiling on Government bonds and thus saddle the country with an even higher level of interest rates than they have accomplished so far.

Yesterday one of the prominent financial papers, the Wall Street Journal, carried a feature story of a plan which is being considered in the White House to call Congress into special session this fall, and to put the President on television and radio to describe some dramatic incident that will inflame public opinion in support of the interest-rate repeal. The Wall Street Journal reports that one high administration official has spoken of the possibility of a money panic which would be so real that it would paralyze business and bring widespread unemployment. All this to happen probably late this fall before Congress reconvenes in January. The discussion of such a plan as this is a very disturbing thing. Furthermore, the extremes to which this administration has already gone to jack up interest rates gives some credibility to the possibility that it would actually pull off such a desperate stunt as this plan which is reported to be under consideration.

Is this administration simply incompetent to manage the public debt? Has it created this mess simply through bungling?

Certainly it is difficult to understand why such a mess could have been created simply through incompetence. The Federal debt today is a great deal smaller than it has been in many years past, both relative to the number of people in the country and relative to the national income. In realistic terms the administration has a small debt to manage. The previous Democratic administrations managed a much larger debt in real terms with a maximum 2½ percent interest rate on long-term Government bonds.

Furthermore, the total demand for savings today, including the demand for private investment, and the demand to meet the net exports of capital to foreign countries, is a smaller percentage of the national income than it has been in years past. Why is it, then, that the interest rates paid on savings have been jacked up to a 42-year World War I record, and yet our money managers are still not satisfied; they feel they have to bamboozle the public and bulldoze

Congress into repealing the last remaining check and safeguard against exorbitant interest rates.

If we have a money panic in this country, it will be because of the failure of the Federal Reserve Board members to do their duty. They should be honest enough to send in their resignations rather than give any further aid and assistance to this scheme of trying to force Congress to repeal the ceiling. If we have a Federal Reserve Board that carries out the objectives, intentions and purposes of the Federal Reserve Act, it will be impossible to have a money panic in this country. So I think this question of a money panic is just something that we should not tolerate—even the consideration of it.

I am greatly encouraged by the careful attention that is being given by Members of this House to questions involving money, credit, interest rates and our national debt. The reason I have always advocated an administrative assistant for each Member of the House is so that Members can keep better informed, especially on matters relating to appropriations, taxes, debt management and monetary matters.

I know we do not have an opportunity at this time to provide for an administrative assistant, but I hope this opportunity will come soon. This would save the taxpayers thousands of dollars for every $1 that was appropriated for this purpose.

Congress appropriates money to the executive branch, to have all the administrative assistants to the secretaries, assistant secretaries, and third and tenth assistant secretaries; we appropriate money to help them do the job—even to do the wrong kind of job, such as thinking up arguments and schemes for willfully imposing bad policies.

We appropriate the money for the judicial branch of the Government to have the law clerks and administrative assistants needed by the judges, I think that is appropriate.

We appropriate the money for the Members of the other body to have from one to three administrative assistants. That is good. But why should we, the body where the most important bills originate—bills relating to taxes and to appropriations—not have adequate help? Not even the members of the Ways and Means Committee have administrative assistants nor do members of the Appropriation Committee. Where the public needs more help is right here in this body. Every Member needs at least one assistant to properly perform his duties.

If there is a weakness in our system of Government, that weakness is in the legislative branch not being equipped to do its job. Members of Congress are sincere people, and exceptionally able people. I have had the privilege of serving with probably 2,500 Members during the time I have been here—over the past 31 years—and I believe I could not have possibly been associated with a finer, better, more sincere, more honest and honorable people. But I also know that they have not been equipped to do a job of the magnitude they have to try to do. They need more expert help. Personally I would prefer to have an economist; other Members might, however, find their needs best met by other skills and training.

But each Member needs to have somebody who can help him keep up with legislation and with proposals that the Member cannot himself keep up with, because he just does not have the time to do it and perform his other duties.

Now back to this monetary system of ours.

What is it, what are its purposes, and what is wrong with it? Actually there is nothing wrong with the system itself, except in the attitudes and purposes of some of the people who are running it. Our commercial banking system is the finest in the world. The Federal Reserve System is an excellent system, and it has the means and powers for serving the country well.

Why was this System created?

Prior to 1913, when the System was established, we had a banking system which provided a rather inelastic supply of money. This gave great troubles. In periods of rapid economic expansion there was not enough money to go around. The country went through periodic booms, money panics and then depressions.

So the first and foremost purpose of the Federal Reserve System was to establish a system which would provide an elastic money supply. The System does that. The people who designed this System recognized that money itself is not wealth. It is only a form of accounting in which economic activity takes place. Actual wealth is created only by the production of goods and services. People who designed the original Federal Reserve System recognized, as had been proved by the experience in Western Europe, that when the economy grows the country must have more money; more money should be created along with the economic growth that is taking place.

The original Federal Reserve System provided for the needed expansions in the money supply. This was a regional system with 12 independent banks. Each bank had authority to expand or contract the money supply of the region in accordance with the needs of the region. They were delegated Congress' power to create money and to regulate the value of money.

In 1935, in the depths of the depression, Congress made considerable changes in the Federal Reserve System. We made the System into what is truly a central bank, whereas previously the 12 banks had operated each with the powers of the central bank and, I might add, pretty much in a coordinated way. The central bank is a wonderful thing. I believe that Will Rogers once ranked the central bank as one of man's greatest inventions, along with the invention of the wheel. We should recognize, however, that this central bank of ours is run by a very small group of men who are exercising complete power of decision over the economic life of the Nation.

The regional banks no longer have any significant power or authority, although we read about decisions and actions which they have taken, which make it seem as though a great many different people are unanimous in what monetary policies should be.

What power of decision do these banks actually have? I have asked every Federal Reserve official who has appeared before our committees what discretionary authority the regional banks have and though most of these officials have tried to uphold the pretense that the regional banks are great centers of authority, they have actually been able to enumerate no discretionary authority which the regional banks exercise.

One of the most frequent assertions is that these regional banks fix their respective discount rates. And announcements of a change in the discount rate are made as though the decision has been made by the separate regional banks. But this is not true; they do not have the power to establish the discount rate. They go through the motions of recommending, but they have no power to establish. The discount rate for each bank is established by the Federal Reserve Board. And the Federal Reserve Board, in establishing the discount rate, is merely executing one step in the overall monetary policy decided upon by the Federal Open Market Committee.

Here, in this open market committee, are 12 men who rule over the economic life of this Nation, and to a considerable extent, over the economic life of the rest of the nations of the free world. They decide what interest rates shall be. They decide how much money and credit the country will have. They decide whether or not the economy will be allowed to grow or whether it will be squeezed. They decide how many jobs there will be. They make the forecasts of whether they think business is going up or down. They make the judgments as to what is good for the economy. They are the ones who decide when they think they can foresee some possible inflationary tendencies, and they decide what the price of Government bonds shall be and what interest rates the Treasury will have to pay to issue new bonds.

Did you know that today the central bank of this Nation is the only central bank in the civilized world that does not give aid and assistance to its parent Government? Up until about 1953, yes, our central bank behaved like other central banks in that it supported the price of Government securities at a reasonable level, recognizing, as do other central banks, that the interest yields brought about on Government securities set the pace for all interest rates. But today we have a central bank which disclaims that it has anything to do with prices and interest rates on Government bonds, and that these things are determined only by the supply and demand for money. Well, of course, the Federal Reserve authorities are determining the supply of money every day of the year, and they are also determining what the price of money or the interest rates on money is to be, and to a very considerable extent they set the interest rates on money without respect to the supply and demand for money.

Since this administration came into office, they have followed a high-interest

policy and they have, during most of the time, followed a tight-money policy. They have followed these policies because these are the policies they like and prefer. They have a natural preference for policies which help the bankers and wealthy people of the country. But they have followed these policies also because these are the policies of this administration. We have all heard President Eisenhower claim, of course, that the Federal Reserve is an independent agency and that he will have nothing to do with the Federal Reserve or make any suggestions which might impinge upon its independence. Well, of this we can be sure. This fiction of the Federal Reserve's independence and the convenient device it provides for shifting off blame onto an independent agency would quickly disappear unless the Federal Reserve was following policies which the administration wants it to follow. In other words, it has an unhappy agreement over these bad policies. I know that President Eisenhower is a good and sincere man who wants to do what he believes is right. But he made a terrible mistake when he described the Federal Reserve System as an independent agency which has in effect the powers of the fourth branch of the Government. He was acting, I have no doubt, on bad advice. A fourth branch of the Government? Where does the Constitution provide for any fourth branch of the Government? Where does the Constitution say that we shall have an independent agency of the Government exercising powers to overrule the economic policies and even defeat specific programs decided upon by the constitutional lawmaking processes? There is none.

But this giving the Federal Reserve a free hand to run the country the way the administration sees fit has resulted not only in political irresponsibility, but in downright arrogance toward the Congress from which the Federal Reserve has received the delegation of power. For example, a few weeks ago the Ways and Means Committee had adopted a very good amendment to a very bad bill. This was the Reuss-Metcalf amendment which had been put on the administration's bill to repeal the 4¼ percent interest rate ceiling. The amendment did not make the bill a good bill. I was opposed to the bill, and I am opposed now to the proposal to break the interest-rate ceiling. But at least the Reuss-Metcalf amendment was in the public interest. It suggested to the Federal Reserve System that if and when it brings about increases in the money supply, it should do so to the maximum extent feasible by acquiring Government securities so that the interest payments on these obligations would go back into the Treasury. This suggested method of increasing the money supply is in opposition to allowing the private banks to increase the money supply and thus put the interest payments into bank profits.

But the Federal Reserve Board strongly resented any such suggestion coming from Congress, and Chairman Martin went to work lobbying against it. He made all kinds of nonsensical statements to make the public believe that should Congress make any such suggestion to him the result would be inflationary. That is a standard claim—"inflation." Everything that does not happen to suit Chairman Martin's wishes and preferences, he labels inflationary, just like the administration does.

Later, when Chairman Martin was before the Joint Economic Committee, we questioned him very closely about his reasoning on the Reuss-Metcalf amendment, and he admitted, as he had to, that either method of increasing the money supply would bring about the same amount of money and credit. He still contended, however, that the money supply should be increased, when it is increased, by reducing required reserves of the member banks. He made all kinds of statements which suggest that the reserves of the member banks represent money belonging to the banks, which the banks have deposited with the Federal Reserve banks, and consequently the banks should be allowed to use more of their reserves when an increase in the money supply is needed. This is in contrast to the Federal Reserve's creating more reserves by acquiring Government securities.

This fiction about the origin and ownership of the bank reserves is one that the whole Federal Reserve System has been carrying on in all of its literature.

You will notice that in the Federal Reserve report the member banks have $18 billion in the reserves. You often hear that spoken of. Occasionally you will hear a banker say, "We have so much money in our reserves that we get no interest on. We should have interest on it. We get nothing for it." They have $18 billion in reserves. I asked the President of the Federal Reserve Bank in New York, "According to the records, you are supposed to have $5 billion of the reserves of your member banks in the New York Federal Reserve Bank, out of that $18 billion, this being the largest bank of all of them?" The President said, "Yes; but we do not actually have those reserves. It is more of a bookkeeping operation. We keep the books but the actual money we do not have."

That was no surprise or disappointment to me. As any university student of money and banking could tell you, the banks never deposited any reserves. The Federal Reserve System simply created these reserves, using the Government's power to create money, just as the private banks have created bank deposits, using the Government's power to create money.

Now, when the Federal Reserve System started, the banks were supposed to deposit their reserves in the Federal Reserve banks. And in fact they did put in some amount. No one is sure just how much, but we know that at an outside maximum it was no more than $1½ billion. And since that time the banks have put in no more. They have, however, been paid out of these reserve accounts about $29 billion in cash, and they still have in their reserve accounts about $18 billion, on which they have been permitted to create money at the rate of about $8 for each dollar of reserves.

It seems to me that it is time Congress took some drastic action about this arrogance and this misleading propaganda from the Federal Reserve System. If we cannot make suggestions to the administration as to what its policies should be, we can at least make suggestions to the Federal Reserve Board. After all, the Federal Reserve System is operating on a delegation of congressional power. It is what Chairman Martin sometimes calls an "arm" of Congress.

When the Republicans first came in, in the 83d Congress, I was sitting in a meeting that was presided over by Mr. Wolcott of Michigan. Mr. Wolcott asked Mr. Martin, "What is your relationship with the Congress as Chairman of the Federal Reserve Board?" And Mr. Martin said, "We are servants of the Congress." Mr. Wolcott said, "Well, we will not put it on that basis, but we will put it on the basis of principal and agent." Now the Federal Reserve is getting away from being the servants of the Congress and they claim there is another relationship existing.

I would, however, make this suggestion to the administration. If it finds that this fiscal crisis, of its own creation, gets so bad before the 1st of January, the President should give serious consideration, not to calling Congress into special session to take the lid off interest rates, but call the Federal Reserve Board in and make his pleas to them. Furthermore, I have this suggestion for Congress. If the President does feel it necessary to call Congress back into special session to deal with the fiscal crisis, then I think we can deal with that crisis by enlarging the Federal Reserve Board and demanding that some public interest members be appointed to the Board. And if these demands are not met, then it will be time to consider making a different kind of delegation of Congress' power to create money and regulate the value of money.

I heard a distinguished gentleman of the House on the other side say today that we should take that lid off because that would bring about lower interest rates. Now, we have all witnessed the power of the Madison Avenue public relations people—their power and their influence and their ability to make black look like white and I have no doubt the gentleman has been persuaded by the repetition of this statement. But this is too much for me to swallow: Remove the obstacle, take off the lid so that interest rates can go up, and we will have lower interest rates. That does not make sense to me—common, book, or horse. I hope the Congress holds the line at least on the 4¼ percent ceiling. We should not boost one rate when we know it will only make the other rates go up.

Mr. Speaker, traditionally the Democratic Party is a party of low interest. It has always been so since the time of Andrew Jackson.

Traditionally the Republican Party is the party of high interest, and it has always been so.

High interest helps the great money interests. It helps the wealthy families,

diverts income to them and diverts income from the great masses of the people. High interest goes with the restrictive economic policy. It holds back economic growth, keeps money out of the hands of new business firms and small-business firms that might expand and take markets away from the monopoly industries.

Now I want to invite attention to speeches of mine in the RECORD of yesterday, at page 18998, "Why the Administration Cannot Sell Government Bonds," and "The Administration Is Imposing High Interest on the Whole Free World; Now Has Four Interest-Rate Races Going: A Race Between Rates on Government Securities and Private Loans, A Race Between Short-Term Rates and Long-Term Rates on Savings Bonds and Rates on Marketable Bonds, and A Race Between U.S. Interest Rates and Interest Rates in Other Free World Countries."

In the most trying time in the history of our Nation, during World War II, when inflation was the greatest threat that it had ever been at any time in our history, we held Government rates down to 2½ percent and the bonds were selling at par. If it can be done in a period like that, it can be done at any other period in the history of our Nation. We have had this 4¼ percent rate for more than 40 years. We have gone through wars and depressions with it, and never before has any attempt been made to take that lid off.

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

SCARE TALK ABOUT A MONEY PANIC

Mr. REUSS. Mr. Speaker, I was disturbed to read the following lead story in the Wall Street Journal for yesterday, September 10, 1959:

FISCAL CRISIS—FEDERAL OFFICIALS SEE NEED FOR DRASTIC ACTION TO BAR HUGE INFLATION—THEY ASK TIGHT BUDGET CURB, POWER TO LIFT BOND RATES; IKE MAY RECALL CONGRESS—SOME FEAR A MONEY PANIC

(By Vermont Royster, editor of the Wall Street Journal)

WASHINGTON.—A fiscal crisis of major proportions.

This is the grim prospect which the men who manage the money for the U.S. Government confess they see before them in the next 12 months—and perhaps sooner.

So concerned are the top officials of the Eisenhower administration that they are even now seriously considering both a special session of Congress this fall and a nationwide television appearance by the President himself to tell the country candidly the dimensions of the problem.

Mr. Eisenhower has already expressed his willingness to take both steps. The final decision to take them is being held up only by the hope that the crisis can be deferred until after the first of the year—and by the fear that to thus dramatize the extent of the Government's plight might precipitate the very chain of events that must be avoided.

NEEDED: DRASTIC STEPS

Yet the dimensions of the problem are already clearly revealed in the harsh and impersonal figures of the Government's fiscal position. After years of spending billions more than its income, the Government's debt is now $290 billion, the highest ever, including World War II. At last, the figures show, the Government is not only running out of money but also out of all the "easy" ways of raising money in the mammoth sums required. Whatever the next steps may be, they will have to be drastic ones.

The seriousness of the problem is clearly seen by the top officials at the Treasury Department, at the Federal Reserve Board, at the White House and also by those in Congress who have been willing to look. And privately, if not yet publicly, these deeply worried officials are willing to give voice to some of the consequences they forsee if stern measures are not soon taken.

Here are some of the things they see:

At the very least a sharp rise in interest rates, with the rate of the rise rapidly increasing in the months ahead.

At the very least, then, a severe "money shortage" that will make the recent tight-money situation modest by comparison. This would have a severe impact on the whole economy because it would squeeze all borrowers, Government and private alike.

Beyond this almost certain probability, some of the best informed officials in the administration see worse possibilities which, though frankly recognized, are as yet spoken only in whispers.

A LOSS OF CONFIDENCE

The worst of these is risk of a loss of confidence in the Government's will, or ability, to face up to its fiscal responsibilities. This would breed fears of not just a slow and moderate inflation but of large and rapid inflation. Such fears could undermine the market for U.S. Government securities at home and create abroad a companion loss of confidence in the U.S. dollar, some faint signs of which have already appeared. The result, in the words of one high administration official, could bring a real "money panic" which would paralyze business and bring widespread unemployment.

The story goes on in this vein for several columns.

Obviously, continued talk by "high administration officials" about a "money panic" can in and of itself cause people to lose confidence in the dollar, and hence start inflationary buying which can itself bring on inflation. I believe that our economy is basically sound. Thus, to shout "money panic" in the Wall Street Journal is about as irresponsible and reckless as to shout fire in a crowded theater.

It would be bad enough for "high administration officials" to make statements about a "money panic" if they were willing to stand by them, openly and publicly. It is much worse for such statements to trickle out to the public through the columns of the Wall Street Journal as anonymous hearsay, since none of us is able to come back at the "high administration official" and ask him to prove his case.

Because I was disturbed by the Wall Street Journal story, and anxious to find out who the authors of the "money panic" idea were, I yesterday dispatched the following telegram to the two administration officials most directly concerned with money, the Chairman of the Federal Reserve Board and the Secretary of the Treasury. My telegram to the Federal Reserve Board Chairman read as follows:

SEPTEMBER 10, 1959.

WILLIAM MCCHESNEY MARTIN,
Chairman, Federal Reserve Board,
Washington D.C.:

Please refer to front page article today's Wall Street Journal written by Editor Vermont Royster, headlined: "Fiscal Crisis; Federal Officials See Need for Drastic Action To Bar Huge Inflation; They Ask Tight Budget Curb, Power To Lift Bond Interest Rates; Ike May Recall Congress; Some Fear a 'Money Panic'."

Besides frightening headlines, story attributes frightening quotations to anonymous high administration officials. Did you or, to your knowledge, any other Federal Reserve official make any of these statements? Do you subcribe to the anonymous quotations in Royster's story?

HENRY S. REUSS,
Member of Congress.

My telegram to the Secretary of the Treasury was substantially identical.

Up to the present time—and I note that it is now 2:30 o'clock Friday afternoon, September 11—I have received no reply to my telegram. If, and when a reply is received, I shall promptly insert it in the CONGRESSIONAL RECORD. If no reply is received, the record will speak for itself.

ABOLISH CIVIL RIGHTS COMMISSION

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

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

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, although the so-called Civil Rights Commission was created for the stated purpose of ascertaining facts and reporting to the Congress, its report which has just been released reveals that the Comsion has concerned itself mainly with promoting integration and social experimentation. The findings contained in this report are based largely upon opinions, hearsay, professional polls, author's views, and quoted statements. There can be no doubt that America has much more to fear from those who employ this type of procedure than from the alleged actions complained of in the report.

Although the Staff Director of this Commission testified that the Commission was empowered only to investigate, to study, to collect information, to find facts, and to make recommendations, he stated that there are 400 people on State advisory committees and admitted that he believes "their talent and advice can be of great value in meeting the issues as they arise on the local level."

The report of the Commission reveals that one of the local issues is to be met under their recommendations by substituting Federal registrars for State registrars. The power of substituting Federal registrars for State registrars is to be lodged with the Civil Rights Commission if their views and recommendations are to prevail. This power of decision which the Civil Rights Commission seeks for itself would begin to function when 9 or more individuals from a county or political subdivision file affidavits that they believe they are qualified voters and denied the right to register because of race, color, religion, or national origin. The Commission would decide whether the complainants were entitled to vote,

and the Civil Rights Commission would certify such voters as they determined to the Federal Registrar. The power of decision would be in the certification, and the certification would be with the Civil Rights Commission if the recommendations of this Commission are to be followed. Never to my knowledge has any small group of men requested such broad and centralized powers for themselves, or so completely ignored constitutional guarantees and historical precedent.

The findings of this Commission are not supported by either facts or the wording in its own report. At best, the report represents little more than a determined effort to assemble material in support of preconceived ideas on an integrated social order. The Commission and its staff would have us believe that the integrated school system in Washington, D.C., with its four scholastic divisions, represents a model system which others should follow. The volumes of evidence which prove the contrary have been ignored. No isolated instance in support of the conclusions of the Commission has been too small to cite. If the intent of this Commission was one of ascertaining and reporting facts in an impartial manner, is it not unusual that the Commission selected the dean of the Howard University Law School as its Director of Planning and Research and the Director of the Office of Laws, Plans, and Research? The makeup of this staff obviously bears an important relationship to the stated dissatisfaction with the Constitution of the United States in the Commission's report.

These recommendations, when coupled with the questionable procedures which have been followed, in my opinion, leave no alternative but to terminate the life of the so-called Civil Rights Commission at the earliest possible moment.

Civil rights legislation has not been sought from the Congress by the Governor of a single State, and the record does not contain any indication that the legislature of any State considers such Federal interference to be either necessary or desirable.

We must face the inescapable conclusion that increased racial tensions could be the result of policies, decisions, and legislation at the Federal level. Neither can we overlook the fact that there are those who would have the Congress overextend its authority in a manner comparable to the overextension of authority in the judicial branch and the executive branch of the Federal Government. The executive branch has engaged in activities which extended beyond their statutory authority, and they now seek to enlarge on the language contained in the Supreme Court decisions. The Supreme Court invaded the legislative field by writing language into the Constitution which did not exist. Now the Congress is being urged to write legislation which goes beyond the Supreme Court decisions. Where the Supreme Court decisions would prohibit discrimination when public funds are expended, the proponents of civil rights legislation would have the Federal Government engage in a sales-promotion campaign to bring about total integration. A prohibition against discrimination does not constitute a mandate to promote integration.

This promotion campaign to further integration is based upon the theory that a Federal department would be given vast sums to educate the States and localities in these matters at the same time that these people are being harassed in court and before the Civil Rights Commission. Under this plan the States are to be made dependent upon the Federal Government for funds for their schools. These grants from the Federal Government would be made to the States on a matching basis for the purpose of putting desegration programs into effect. In the course of the testimony before the Judiciary Commitee the Secretary of the Department of Health, Education, and Welfare expressed the belief that if we make provision for such assistance, as time goes on the States will increasingly turn to the Federal Government and ask for assistance. While acknowledging that his recommendations would raise some constitutional issues, he stated that what he wants to do is to put the executive branch of the Government in a position to give affirmative help and assistance to school districts that have started to move in the direction of integration.

The Supreme Court of the United States completely ignored judicial precedent, as well as the rules of evidence, and accepted the writings of sociologists and psychologists as the supreme facts upon which to base an unwarranted interpretation of the Constitution of the United States. The executive branch of the Government has now gone even further than the Supreme Court by adding language to the decisions of the Supreme Court, and the public is being asked to accept these extreme interpretations as the supreme law of the land. In addition, there appears to be no reluctance to anticipate the outcome of future decisions in recommendations for legislative action.

The unwarranted decisions of the Supreme Court plus the erroneous interpretations of those decisions by the various departments and agencies have led the Federal Government to embark upon a crusade to promote integration of educational facilities in the States, to police economic activities in order to further the interest of minority groups, to attempt to sponsor integration meetings among civic groups, and to engage in many similar activities.

In *Briggs* v. *Elliott* (132 F. Supp. 776), on July 15, 1955, the Federal Court stated that it was important to point out exactly what the Supreme Court has decided and what it has not decided, and continued as follows:

> It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains.
>
> Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action.

The Court further stated that the 14th amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals.

There has been a parade of witnesses from the executive departments and agencies which falls into two general categories. There are first those who have learned from personal experience that racial problems and social relationships will not be bettered as a result of legislation and Federal action. There have been other witnesses from the executive departments and agencies who express the belief that the decisions of the Supreme Court constitute a mandate requiring the use of the resources of the Federal Government to further integration.

The points at issue are legal, and the executive branch of the Federal Government has no more legal authority or obligation to promote integration than to promote segregation. It is not within the scope of their authority to anticipate either the actions of the States to legally maintain segregated schools, or to anticipate that the courts will hand down future decisions which will be in accord with their plan for a totally integrated social order.

The time has come to recognize that many of these problems are created in Washington and that solutions to problems which would otherwise exist will not be found through following the advice and recommendations of professional agitators. Insofar as the South is concerned, the improvement in general economic conditions has provided the means for improving the lot of all people. We are proud that a higher percentage of colored people own their own farms, homes, and businesses than in other sections of the country. We are proud that we have long provided greater opportunities for colored teachers and professional people, and that we are spending a much higher percentage of our total income for the education of all races than any other section of the country.

DISTINGUISHED SERVICE AWARD BY AMERICAN POLITICAL SCIENCE ASSOCIATION

Mr. ROBISON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. WILSON] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. WILSON. Mr. Speaker, Congressman CARL VINSON, the distinguished chairman of the House Armed Services Committee, has been named today as one of the four Members of Congress to receive the first Distinguished Service Awards presented by the American Political Science Association. Chairman

VINSON is the only House Member thus honored. The other three recipients are Senators HUMPHREY, WILLIAMS, and KEATING.

This recognition is to be an annual award presented to members who show, first, devotion to the public welfare joined with a firm grasp of the skills required of a lawmaker; second, high competence measured in terms of effectiveness and concrete accomplishment; third, constructive imagination, hardheaded acumen and a capacity to formulate and advance objectives of national policy and yet be mindful of the welfare of constituents back home; and, fourth, the respect of colleagues based on the day-to-day contacts that reveal the true worth of the individual.

Serving as I do on the Armed Services Committee, I can testify that CARL VINSON truly deserves to be the first Member of Congress honored with a Distinguished Service Award. Although he is of the opposite political party from my own, I have always been impressed with the fact that he put the good of the country far above partisan consideration. In the 7 years that I have served on the committee, under the chairmanship of the Honorable Dewey Short and the Honorable CARL VINSON, I cannot recall a single vote along partisan lines.

I am sure my colleagues join in a sincere salute to CARL VINSON for his accomplishments through the years as evidenced by this award and wish him many more years of effective service to our Nation.

LETTER TO MR. KHRUSHCHEV

Mr. ROBISON. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include an editorial.

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

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, recently Mr. Ralph Shannon, editor of the Washington Journal, Washington, Iowa, published the following letter to Mr. Khrushchev in the editorial page of his paper. Because this letter expresses so well what is on the minds of so many people as this man comes to America, and because he tells simply but eloquently some of the fundamental truths that are a part of our heritage, I desire in this manner to share with my colleagues and others who may chance to read the CONGRESSIONAL RECORD. The letter follows:

A LETTER TO KHRUSHCHEV

(Ralph Shannon in the Washington Journal)

DEAR MR. KHRUSHCHEV: I see by the papers you are coming over to see us—you and the Missus—and I'm right glad to know it. I kind-a wish you could be here for our State fair and maybe stay over for the cornpicking season, but maybe it's just as well. Probably you'd rather see us when we are rolling along normal like.

To be real honest about it, Mr. Khrushchev, I wasn't exactly thrilled when I heard you were coming. Somehow you remind me of an old uncle who used to visit us about once a year. He was a caustic old feller and always criticized everything on the place. By the time he wound up his annual visit, he would be mad at us and we would all be mad at him.

But—if you don't mind my saying so—I think you are all wrong in your general attitude toward us. Here in America when a neighbor keeps his shades down, owns a cross dog, and won't let his kids play with our kids, we get suspicious of him. And when it turns out that his signature on a contract isn't worth a tinker's darn, we quit trying to be friendly and start putting padlocks on the barn doors.

As I view your situation, Mr. Khruschev, I think you've kind-a got yourself behind the eight ball. You and your party members have been telling your people so many things that ain't so that you don't dare be neighborly. Take this visit of yours. I'm quite sure you will see some surprising things in America, yet I can't see you returning to Russia and telling the folks over there that this free-enterprise idea seems to be working OK. You would lose a lot of face if you told them that now, and the way I size you up, you are far more concerned about face saving than you are about freedom and justice. So, regardless of what you see here, I'm quite certain when you go home you'll still sound off about the evils of the capitalistic system and our imperialistic aims.

There's just one point I hope you'll get while here. I hope the fact may wedge its way through your communistic biases that this country is not falling apart. You have said over and over again that we are a country composed of a few rich guys surrounded by a lot of poor guys, and you seem to think that all of us poor guys are just hanging on until your Soviet system can come along and save us. That's just plain hooey. With one eye shut and both ears plugged, you should see that this isn't so. We want no part of your communistic system. If the day ever comes when you can prove that your system can create a better way of life, we'll buy it, but so far your sales pitch is away off key and your demonstration is not convincing.

What you don't seem to understand is that we Americans are united. We may spar a little politically, but we like our elections and our secret ballots. We like to have representatives in public office who listen to us. We much prefer that to being forced to listen to them. We like our rights and privileges. If you should see an industrial plant shut down by a strike, remember that the strike is one of those American privileges, created by the working man himself for his own protection against that thing you mention so often—exploitation. How far would the workers get in Russia if they decided to strike?

And you have a lot less sagacity than I think you have if you believe we wouldn't die for those precious privileges. We have no desire to out-run you or out-wit you, but please remember this, Mr. Khrushchev—we Americans don't like to be bullied nor pushed around. You have made us boiling mad on several occasions, and I'm convinced you were bluffing every time. Personally, I don't think you hold too good a hand, and I believe you have too much sense to force a showdown.

So, don't look for me at the airport, Mr. Khrushchev, nor in the cheering section. If you sense a cold shoulder here and there just consider that it's a part of the cold war rubbing off. And don't expect any prolonged applause. You might interpret it is an endorsement, and that, Mr. Khrushchev, is about as far from the truth as you can get.

I hope you and your group have a good time. And ask the band to play "The more we get together the happier we'll be." That's a favorite song over here in America and I wish you'd learn it.

Respectfully yours,

R. E. S.

THE YOUNG IN HEART IN SPRINGFIELD

Mr. LEVERING. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. BOLAND. Mr. Speaker, my home city of Springfield, Mass., was one of the first in the Nation to establish a Council for the Aging to deal with the problems of the aged who have led productive and useful lives but found themselves lonely, lacking adequate housing, and trying to eke out an existence on small retirement incomes after reaching age 65.

The genesis of the Springfield Council for the Aging was the Springfield Hobby Club founded in 1946 by Dr. Theodore Swartz. His aim was to keep the elderly "young in heart" through the development of hobby and recreational programs for older persons who lacked close friendships and had lost loved ones and relatives. The club grew in size from 55 members in 1946 to more than 1,700 members this year, and it focused the attention of the community on the health, welfare, financial, recreational, and housing needs of the elderly.

From the Springfield Hobby Club developed the idea of the Springfield Council for the Aging and, later, the Golden Age Club was formed. A magnificent job in planning and coordinating programs for the aged has been done by Chairman George F. Mack of the Springfield Council for the Aging; Mrs. Madlyn McNiff, secretary; and Dr. Elizabeth Sullivan, Everett E. Thompson, and Claude A. Blair, members. On a few occasions many of these elderly persons have come to Washington and visited with us at the Capitol in organized club trips.

Mr. Speaker, the September issue of Senior Citizen magazine, known as the "clearinghouse for all that concerns the second half of life," carried a most interesting story about the Springfield Hobby Club, written by Dr. Glenn A. McLain, research director for the Quincy, Mass., Council for the Aging. I am sure my colleagues will be interested in this story; and, under previous permission, I include it herewith in my remarks:

THE YOUNG IN HEART IN SPRINGFIELD

(By Glenn A. McLain)

Will you be young in heart at 65? Did you ever meet an expert on the aged who lives her job 24 hours a day? Go to Springfield, Mass. and your questions will be answered as this writer's were recently when I visited the Springfield Hobby Club.

Located in the YMCA's building the Hobby Club was founded by Dr. Theodore Swartz for the lonely and frustrated senior citizens of Springfield. This was truly a pioneer effort as in 1946 little attention was being directed to the problems of the elderly. The goal of Dr. Swartz was through the development of hobby and recreational programs to help those over 65 become the "young in heart." Miss Leone Avery, a former schoolteacher and pastmaster in humanitarian skills sparked his program leadership with ideas and imaginative plans.

Starting in a small store with 55 men and women members to provide useful recreation

for all those over 65 the club has since 1946 moved into larger quarters four times and expanded its membership to over 1,700 in 1959. Each member pays 15 cents monthly dues and the entire budget of this worthwhile project is raised by a combination of parties, dances, food sales, and the United Fund support.

As the club prospered it was obvious to the city of Springfield that the problems of the aged were many and complex. The countless health, recreational, welfare, financial, housing and other special problems moved the entire community into action. One of the first Massachusetts Councils for the Aging was formed; and a Golden Age Club, separate from the Hobby Club surged into activity. All of these groups led by the Hobby Club developed into models of creativity for the rest of Massachusetts and the entire Nation to copy with profit. The reasons for the outstanding success of the Hobby Club and other Springfield community groups in the field of the aging deserve careful evaluation by Americans everywhere.

Most Americans in 1959 are aware of some of the reasons for the so-called "problem of the aged." The rise in life expectancy at birth for men, from 48 to 67 years since 1901, and for women from 51 to 73 has highlighted other issues. Chronic disabling illnesses, lack of proper housing, and poor retirement income for those over 65 have forced the establishment of State councils for the aging in many States. Many of these problems have been attacked throughout the Nation by social minded legislators who firmly beleive that the "young in heart" are not just those in the age of romance but also are those in the age of retirement.

Over the years from 1946 until the present time the Hobby Club has concerned itself not with legislative problems but only with those which provide good recreation for the elderly citizens. Miss Avery and her wise board of directors at the Hobby Club have found that all the increased social security checks in the world are not enough if the senior citizen does not have a purpose in life. The very air of the Springfield Hobby Club breathes purpose, self-identification through constructive hobbies or games and human dignity once again.

The Hobby Club had the usual growing pains of any other worthwhile community project until it was accepted as a Red Feather and United Fund Agency in 1956. Other cities and towns in the United States should carefully analyze the experience of Springfield in this respect. Since this official recognition the club has been able to offer a fully operative library; recreational features including TV, radio, woodworking shops, crafts classes, dancing, pool, shuffle board, etc.

The future of the club is bright. Its well directed and spirited membership has sponsored a housing program in a local hotel which has drawn applicants from all over the Nation. Its present program and future plans have attracted national attention by oldsters and by young scholars who are writing dissertations on the successful operations. Members of the club agree that any city or town in the United States which has similar problems to Springfield can be equally successful if three things are done.

There must be a real need in order for a program of this sort to be developed. Rural areas do not need to develop complicated programs to organize the elderly. The "young in heart" must themselves be deeply involved in the planning and operation of any such "dropin center" or sponsored recreational programs. It is essential that dedicated people, with strong educational backgrounds if possible, but mostly those with heart, understanding, humility, and a sincere understanding of our young oldsters must be found to lead the aged programs.

Every city cannot be as fortunate in finding the leadership that has been tapped in Springfield. But every city can seek out the young in heart and help them fulfill their destiny as American citizens, at the zenith of their lives.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. OLIVER (at the request of Mr. COFFIN), for today, on account of official business.

Mr. ZELENKO (at the request of Mr. DANIELS), for Friday, Saturday, and Monday, September 11, 12, and 14, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BURDICK, for 10 minutes, today.

Mr. O'HARA of Illinois, to address the House for 40 minutes today at the conclusion of the legislative business and when called to revise and extend his remarks and turn back the remainder of his time.

Mr. PORTER, for 30 minutes, today.

Mr. VANIK, to cancel the special order he had for today and that it be transferred to tomorrow, and to revise and extend his remarks on tomorrow.

Mr. MOULDER, for 30 minutes, today.

Mr. CURTIS of Missouri, for 30 minutes, today.

Mr. BAILEY, for 10 minutes, on Monday, September 14.

Mr. MULTER, for 1 hour, today.

Mr. PATMAN, for 30 minutes, today, to revise and extend his remarks, and to include extraneous matter.

Mr. BOW, for 30 minutes, today.

Mr. HALPERN (at the request of Mr. ROBISON), for 10 minutes, tomorrow.

Mr. CURTIN (at the request of Mr. ROBISON), for 10 minutes, tomorrow.

Mr. BURDICK, that the special order he had for today be transferred to tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. NATCHER.

Mr. EDMONDSON and to include extraneous matter.

Mr. ANDERSON and to include extraneous matter.

Mr. GEORGE and to include extraneous matter.

Mr. MACHROWICZ.

Mr. MONTOYA.

Mr. BASS of New Hampshire.

Mrs. BOLTON in two instances, in each to include extraneous matter.

Mr. BROOKS of Louisiana in two instances, in each to include extraneous matter.

Mr. DENT.

Mr. DAWSON.

(At the request of Mr. ROBISON and to include extraneous material the following:)

Mr. KNOX in two instances.

Mr. SIMPSON of Pennsylvania.

Mr. CEDERBERG.

(At the request of Mr. LEVERING, and to include extraneous matter, the following:)

Mr. BOLAND.

Mr. IRWIN.

Mr. BOWLES.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 155. An act to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to certain educational institutions; to the Committee on Government Operations.

S. 231. An act for the relief of Richard Peter Gustav Bredee; to the Committee on the Judiciary.

S. 857. An act to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.; to the Committee on Government Operations.

S. 1018. An act to authorize and direct the transfer of certain personal property to State and county agencies engaged in cooperative agricultural extension work; to the Committee on Government Operations.

S. 1193. An act for the relief of Eleanor Constan; to the Committee on the Judiciary.

S. 1352. An act to authorize enrolled members of the three affiliated tribes of the Fort Berthold Reservation, N. Dak., to acquire tribal lands of the reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1502. An act to provide for adjustments in the annuities under the Foreign Service retirement and disability system; to the Committee on Foreign Affairs.

S. 1537. An act to establish a national mining and minerals policy; to the Committee on Interior and Insular Affairs.

S. 1605. An act granting the consent of Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the apportionment of the waters of the Big Blue River and its tributaries as they affect such States; to the Committee on Interior and Insular Affairs.

S. 1696. An act for the relief of Wong Sue Chee; to the Committee on the Judiciary.

S. 1703. An act for the relief of Raul Jorge Jose Hermitte; to the Committee on the Judiciary.

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles"; to the Committee on the Judiciary.

S. 1822. An act for the relief of Hirsh Marinski; to the Committee on the Judiciary.

S. 1870. An act to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 1886. An act to amend the Communications Act of 1934 with respect to certain rebroadcasting activities; to the Committee on Interstate and Foreign Commerce.

S. 1892. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Norman project, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2033. An act to amend the mining laws of the United States to provide for the inclusion of certain nonmineral lands in patents to placer claims; to the Committee on Interior and Insular Affairs.

S. 2061. An act to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States; to the Committee on Interior and Insular Affairs.

S. 2129. An act for the relief of Mileva Lovric; to the Committee on the Judiciary.

S. 2286. An act to authorize the leasing of certain land in Arizona which comprises a part of the Colorado River Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2309. An act for the relief of Gin Bong Wong; to the Committee on the Judiciary.

S. 2319. An act for the relief of Sergiusz Rudczenko; to the Committee of the Judiciary.

S. 2321. An act for the relief of Bernardine Lovse (Nadica Lovse); to the Committee on the Judiciary.

S. 2362. An act to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project; to the Committee on Public Works.

S. 2379. An act to donate to the Nez Perce Tribe of Idaho approximately 11.25 acres of Federal land in Idaho County, Idaho; to the Committee on Interior and Insular Affairs.

S. 2431. An act to provide for the striking of medals in commemoration of the 100th anniversary of statehood of the State of Kansas; to the Committee on Banking and Currency.

S. 2439. An act to authorize certain teachers in the public schools of the District of Columbia to count as creditable service for retirement purposes certain periods of authorized leave without pay taken by such teachers for educational purposes; to the Committee on the District of Columbia.

S. 2445. An act authorizing the conferring of the degree of master of arts in education on certain students who enrolled in the District of Columbia Teachers College prior to July 1, 1958, and who, prior to July 1, 1961, are certified by the president and faculty of such college as having met all requirements for the granting of such degree; to the Committee of the District of Columbia.

S. 2454. An act to provide for the striking of medals in commemoration of the one hundredth anniversary of the founding of the Pony Express; to the Committee on Banking and Currency.

S. 2466. An act to authorize the establishment of a Junior College Division within the District of Columbia Teachers College, and for other purposes; to the Committee of the District of Columbia.

S. 2467. An act to authorize the development of plans and arrangements for the provision of emergency assistance, and the provision of such assistance, to repatriated American nationals without available resources, and for other purposes; to the Committee on Foreign Affairs.

S. 2611. An act to amend the Small Business Investment Act of 1958, and for other purposes; to the Committee on Banking and Currency.

S. 2633. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 839. An act to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 1665. An act for the relief of Mrs. Vassiliki P. Theodorou;

H.R. 2301. An act for the relief of Mrs. Gladys M. Ellison;

H.R. 3816. An act for the relief of Mukhtar Mohammed;

H.R. 4002. An act to authorize the use of Great Lakes vessels on the oceans;

H.R. 4714. An act to quiet title and possession with respect to certain real property adjacent to the Rocky Mountain Arsenal, Denver, Colo.;

H.R. 4857. An act to amend section 4233 of the Internal Revenue Code of 1954 to provide that the exemptions from the admissions tax for athletic games benefiting crippled or retarded children shall apply where the participants have recently attended designated schools or colleges as well as where they are currently students;

H.R. 5357. An act for the relief of Loretta F. Ossorio;

H.R. 5752. An act to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes;

H.R. 6269. An act 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;

H.R. 6335. An act for the relief of Mrs. Lourence O. Estes;

H.R. 6368. An act to amend the Tariff Act of 1930 to place certain pumice stone on the free list;

H.R. 6546. An act for the relief of Nancy Mae Floor;

H.R. 6579. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for training;

H.R. 6669. An act to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes;

H.R. 6781. An act to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park;

H.R. 7125. An act to provide for a study of the feasibility of establishing the President Adams Parkway;

H.R. 7437. An act 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;

H.R. 7571. An act to amend section 7 of the act of July 28, 1950 (ch. 503, 64 Stat. 381; 5 U.S.C. 341f), to authorize the Attorney General to acquire land in the vicinity of any Federal penal or correctional institution when considered essential to the protection of the health or safety of the inmates of the institution;

H.R. 7629. An act to extend section 17 of the Bankhead-Jones Farm Tenant Act for 2 years, and for other purposes;

H.R. 7744. An act for the relief of John I. Strong;

H.R. 7857. An act for the relief of Richard C. Long;

H.R. 8189. An act to improve the active duty promotion opportunity of Air Force officers from the grade of captain to the grade of major;

H.R. 8196. An act for the relief of Everet Bumgardner;

H.R. 8197. An act for the relief of Lawrence M. Furtado;

H.R. 8198. An act for the relief of Martin Ackerman;

H.R. 8310. An act for the relief of Joseph H. Cornell;

H.R. 8461. An act to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedures;

H.R. 8593. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a unit basis;

H.J. Res. 19. Joint resolution to authorize the issuance of a gold medal in honor of the late Professor Robert H. Goddard;

H.J. Res. 281. Joint resolution authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes;

H.J. Res. 493. Joint resolution making a technical correction in section 5136 of the Revised Statutes (relating to national banks); and

H.J. Res. 513. Joint resolution designating the 17th day of December as "Wright Brothers Day."

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 355. An act 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;

S. 464. An act for the relief of Julia Mydlak;

S. 640. An act for the relief of Annibale Giovanni Pellegrini;

S. 667. An act for the relief of Pauline D. Kimbrough;

S. 977. An act for the relief of Nassibeh Mildred Milkie;

S. 1171. An act for the relief of Katharina Hoeger;

S. 1627. An act for the relief of Mrs. Paula Deml;

S. 1837. An act for the relief of Marguerite Fueller;

S. 2219. An act to authorize appropriations for construction of facilities for the Gorgas Memorial Laboratory, to increase the authorization of appropriations for the support thereof, and for other purposes; and

S. 2654. An act to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on September 10, 1959, present to the President, for his approval, a bill of the House of the following title:

H.R. 8678. An act to amend the Federal-Aid Highway Acts of 1956 and 1958 to make certain adjustments in the Federal-aid highway program, and for other purposes.

ADJOURNMENT

Mr. LEVERING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 2 o'clock and 40 minutes p.m.) the House adjourned until tomorrow, Saturday, September 12, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2, of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1370. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend section 2771 of title 10, United States Code, to authorize certain payments of deceased members' final accounts without the necessity of settlement by General Accounting Office"; to the Committee on Armed Services.

1371. A letter from the Administrator, Small Business Administration, transmitting the 12th Semiannual Report of the Small Business Administration covering operations between January 1 and June 30, 1959, pursuant to the Small Business Act of 1958, as amended (Public Law 85-536); to the Committee on Banking and Currency.

1372. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to provide additional revenue for the District of Columbia, and for other purposes', approved August 17, 1937, as amended"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee of conference. S. 1436. An act 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) (Rept. No. 1177). Ordered to be printed.

Mr. GRANT: Committee of conference. 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 (Rept. No. 1178). Ordered to be printed.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on dissemination of scientific information (Rept. No. 1179). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on scientific manpower and education (Rept. No. 1180). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on progress of Atlas and Polaris missiles (Rept. No. 1181). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Science and Astronautics. Report on basic scientific and astronautic research in the Department of Defense (Rept. No. 1182). 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. BENNETT of Florida:

H.R. 9202. A bill to provide a cost-of-living increase in annuities of surviving widows of retired employees payable from the civil-service retirement and disability fund, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL:

H.R. 9203. A bill to provide for the annual granting of step increases with respect to all grades of the general schedule of the Classification Act of 1949; to the Committee on Post Office and Civil Service.

By Mr. FLYNN:

H.R. 9204. A bill to balance domestic supplies of, and domestic demand for, agricultural commodities, by providing for the withdrawal of 80 million acres from agricultural production; to the Committee on Agriculture.

By Mr. GEORGE:

H.R. 9205. A bill to amend title II of the Social Security Act to reduce from 72 to 70 the age at which deductions on account of an individual's outside earnings will cease to be made from such individual's benefits thereunder; to the Commttee on Ways and Means.

By Mr. HALPERN:

H.R. 9206. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for contributions and gifts to nonprofit nonpartisan civic organizations; to the Committee on Ways and Means.

By Mr. IKARD:

H.R. 9207. A bill to amend subchapter S of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 9208. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H.R. 9209. A bill to prohibit the making, in areas under the exclusive jurisdiction of the United States, of discriminatory advertisements for the sale or rental of land or any structure thereon; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Pennsylvania:

H.R. 9210. A bill to amend title II of the Social Security Act to change the composition of the Board of Trustees of the Social Security Trust Funds, and to effectuate recommendations made by the Advisory Council on Social Security Financing with respect to the investment of the Federal old-age and survivors insurance trust fund and the Federal disability insurance trust fund; to the Committee on Ways and Means.

By Mr. ROONEY:

H.R. 9211. A bill to provide a health benefits program for certain retired employees of the Government; to the Committee on Post Office and Civil Service.

By Mr. ROOSEVELT:

H.R. 9212. A bill to extend the provisions of the so-called Davis-Bacon Act to certain contracts to provide services; to the Committee on Education and Labor.

H.R. 9213. A bill to provide for the development of a comprehensive family farm program, to bring the production of agricultural commodities into balance with demand therefor, to enable farmers to secure fair prices, to better utilize agricultural abundance in the Nation's interest at home and abroad, and for other purposes; to the Committee on Agriculture.

By Mr. BOWLES:

H.R. 9214. A bill transferring the U.S. Coast Guard from the Treasury Department to the Department of Commerce; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER:

H.J. Res. 529. Joint resolution proposing an amendment to the Constitution of the United States granting representation in the House of Representatives and in the electoral college to the District of Columbia; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 530. Joint resolution to establish a commission to formulate plans for memorials to the past Presidents of the United States including Presidents James Madison and Woodrow Wilson; to the Committee on House Administration.

By Mr. ROOSEVELT:

H. Con. Res. 438. Concurrent resolution reaffirming the longstanding policy of the United States that the United States shall not engage in biological or gas warfare unless such weapons are first used by our enemies; to the Committee on Foreign Affairs.

By Mr. CANNON:

H. Res. 387. Resolution providing for printing additional copies of the hearings entitled "Report on Russia by Vice Adm. Hyman G. Rickover, USN"; to the Committee on House Administration.

By Mr. GEORGE:

H. Res. 388. Resolution to authorize the Committee on Science and Astronautics to conduct an investigation and study of the feasibility of establishing a U.S. Science and Engineering Academy; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to inviting the President, Vice President, Members of the 86th Congress of the United States, members of the Cabinet of the President of the United States, the Governors of the several States of the United States, and other dignitaries to attend the Admission Day celebration of the State of Hawaii, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H.R. 9215. A bill for the relief of Charles F. Ward and Billy W. Crane; to the Committee on the Judiciary.

By Mr. BOWLES:

H.R. 9216. A bill for the relief of Daniel C. Turner; to the Committee on the Judiciary.

By Mr. BOYLE:

H.R. 9217. A bill for the relief of Martin M. C. Wang; to the Committee on the Judiciary.

H.R. 9218. A bill for the relief of Sara Waks; to the Committee on the Judiciary.

H.R. 9219. A bill for the relief of Benjamin Arnon; to the Committee on the Judiciary.

H.R. 9220. A bill for the relief of Thomas C. Cheng; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 9221. A bill for the relief of Cristina Minardo Calabrese; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 9222. A bill for the relief of Tim Ching; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 9223. A bill to exempt from taxation certain property of the Roman Catholic archbishop of Washington, D.C.; to the Committee on the District of Columbia.

By Mr. INOUYE:

H.R. 9224. A bill for the relief of Tamie Shimoko; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 9225. A bill for the relief of Omar Antonio Yuresko; to the Committee on the Judiciary.

By Mr. RABAUT:

H.R. 9226. A bill for the relief of Pietro Mela; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 9227. A bill for the relief of Peter Tsivis; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 9228. A bill for the relief of Rosina Gartling, Rosa Gartling, Gustav Gartling, and Adolph Gartling; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

278. By Mr. BENTLEY: Resolution adopted by the delegates to the eighth annual conference of the Polish National Relief Fund Committee of the United States and Canada held September 5–7 in Detroit, Mich., urging that the Polish Government-in-exile be recognized by the United States as a true constitutional governmental body of that country; to the Committee on Foreign Affairs.

279. By the SPEAKER: Petition of the county clerk, Wailuku, Maui, Hawaii, requesting action on H.R. 4633, providing for home rule for the District of Columbia; to the Committee on the District of Columbia.

280. Also, petition of Harold Elston, New York, N.Y., relative to a redress of grievance relating to Federal law enforcement; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A Tribute to an American Composer

EXTENSION OF REMARKS
OF
HON. DONALD J. IRWIN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. IRWIN. Mr. Speaker, just less than a month ago the New York Philharmonic, directed by Leonard Bernstein, gave Moscow one of the most exciting, tradition-shattering concerts the Soviet capitol has seen in its recent musical history.

The New York Times, in a Moscow-datelined article on August 25, declared:

> One of the most unexpected events was a rousing demand by the cheering, stomping, clapping throng for a repeat performance of an unusual little piece by one of the first American composers of modern ideas, Charles Ives:
>
> This composition, "The Unanswered Question," had never been heard in the Soviet Union. Mr. Bernstein broke another tradition by giving a little talk explaining Ives' philosophy and his theory of accidental music in which several themes in different tempos are woven together and cross each other accidentally at unpredictable times.

I am delighted, Mr. Speaker, that Charles Ives is, at long last, beginning to receive the recognition he so richly deserves.

It is to be regretted that such recognition comes after his death.

Five years after his death at the age of 80, 40 years after he virtually stopped composing, 12 years after he received the Pulitzer prize for a symphony he had written 40 years previously, Charles Edward Ives appears to be attaining fully to that recognition so long withheld from him—the recognition that here is an authentic American genius, in all probability one of the greatest composers America has produced.

In my hometown of Norwalk, Conn., further recognition of Mr. Ives will be given by the Norwalk Symphony Society which will present a Charles Ives Birthday Festival concert.

This concert will be given on October 19, the eve of Mr. Ives' 85th birthday, and it will consist entirely of Ives' music in several of the forms in which he worked—orchestral, piano, and songs both for solo voice and chorus.

It is quite proper that this tribute to Mr. Ives should be made by a Connecticut symphony society, for Charles Ives is a native of my State, having been born in Danbury, and having lived for many years in Redding.

He was a highly successful insurance man who composed as an avocation, producing a large body of musical work during the years from 1900 to 1920 which was ahead of its time, and long went virtually unplayed.

America should learn more about its own composers and it is hoped, Mr. Speaker, that the recognition accorded Charles Ives' music in Moscow several weeks ago, and which will be accorded it on October 19 in Norwalk, Conn., becomes contagious.

All America should learn to enjoy and love the music of Charles Ives—a great American composer who had a full measure of the gift of compassion and laughter, and translated them into music.

Harbingers of Better Living for Our Senior Citizens: Cleveland's Low-Cost Housing Project

EXTENSION OF REMARKS
OF
HON. FRANCES P. BOLTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mrs. BOLTON. Mr. Speaker, Life magazine is to be commended for its recent series of articles on the problems challenging our country as some 1,260,000 people each year become 65 years of age and face the changes in living which come with compulsory retirement. The articles should awaken us all to the unhappy plight of millions of older citizens who have little or no income, are ill, or have no relatives to care for them.

To quote from part II, July 20, 1959, of the series:

> Today, as old age comes, millions exist on meager pensions and social security and, their life's work ended, may lose their will to live because of loneliness and idleness. They are so vulnerable that even a minor illness can end their independence and send them prematurely to the empty life of a nursing home. Many of these tragic declines could be prevented by fulfilling two basic human needs: a pleasant place to live and something to do. These are the essence of the new deals which, vastly expanded, could happily fill empty lives.

Life goes on to point up how certain cities and communities are meeting the economic and spiritual needs of the aging. Among certain of the "imaginative but sensible solutions for keeping the aged useful and self-sufficient" is the senior center in San Francisco. Supported by the United Fund, private donations, and maximum dues of $1 a month, it takes care of some 700 people. The center is open all year, 8 hours a day, 6 days a week, and "can be a reason for getting up in the morning and a place to come home from at night—a replacement for the working day."

Another significant provision for the elderly: Carroll Manor outside the District of Columbia is operated by the Carmelite Sisters, providing gentle care for some 200 residents who pay $150 a month, or $300 if they are sick.

Mr. Speaker, I was proud to see Cleveland's low-cost housing project cited in the series. Mr. Ernest Bohn, for many years director of the Cleveland Metropolitan Housing Authority, is also on the advisory committees of the White House Conference on Aging and the Federal Housing Administration. We Clevelanders are proud of the work he has done and is doing.

Apartment rents of the Cleveland project average $30 a month, a figure which can easily be afforded by couples whose combined income must be under $2,400 a year. Discussing our situation with Life's reporter, Ernie Bohn emphasized that older people "want more excitement than the going and coming of ambulances—that to keep the aged in the thick of things in the Cleveland project, 12 apartments on each floor are occupied by young couples with children under five." He explained that when the children grow older, the family is moved out into the Cedar Apartments public development. This arrangement has resulted in both the elderly and the very young striking up acquaintances beneficial to both. A touching story is told in pictures of toddler Roby McCoy making his daily cookie round at the homes of Mrs. Marie Sheridan and Mrs. Edna Powell. Such relationships make the older people feel very much a part of the normal human living going on at our busy Cleveland project.

Mr. Bohn pointed out that one-fifth of the aged now in hospitals could fend for themselves in housing like Cleveland's. Many precautions are taken to make the development physically livable and safe. There are elevators, nonskid floors and

bars over tubs and toilets. To keep the residents' days busy, the first floor is a Golden Age Club with hobby shops and activities similar to San Francisco's Senior Center.

Mr. Speaker, preparations are now under way for the White House Conference on Aging to be held in January 1961. The Secretary of Health, Education, and Welfare, Dr. Arthur S. Flemming, and Under Secretary Bertha Adkins are responsible for the planning and administration of this important conference. Desired information may be had by writing to Secretary Flemming, HEW, Washington 25, D.C.

Thirty Years With the Louisville Courier-Journal

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. NATCHER. Mr. Speaker, on September 9, Robert L. Riggs and the Courier-Journal of Louisville, Ky., celebrated the 30th anniversary of a highly successful relationship. It is most appropriate that Bob Riggs has served so long and with such distinction as a correspondent for the Courier-Journal for this newspaper consistently is named on all survey lists as one of the 10 great U.S. papers. The ability and integrity of its correspondents, editorial staff, and technical personnel have raised the Courier-Journal to this position of recognition and eminence in the newspaper field. The incisive, comprehensive and intelligent reporting of Bob Riggs has contributed in no small measure to the superiority of the Courier-Journal.

When Robert L. Riggs began his association with the Courier-Journal 30 years ago, the Nation was staggering under the sullen weight of the depression, and breadlines and soup kitchens were common stories for the young reporter. However, the economic stability of our country was to improve, and concomitant with a gradual return to fiscal normalcy was the emergence of America as the industrial giant of the world. The fast-moving events of the next 3 decades were reported by Bob Riggs and his career has covered one of the most exciting periods in history—from the industrial age, to the atomic age and now into the mysteries of outer space. These are thrilling and frequently tense times in which we live, and no one is more familiar with the conquests of science and the flow of history than a man whose job it is to record these events in the daily press. Just within the past year or so we have seen the development of a nuclear submarine which can remain submerged for as long as 60 days, jet planes span the country in less than 4 hours, one of our satellites is in orbit around the sun, IRBM's and ICBM's are becoming more devastatingly accurate, astronauts have been selected for the first manned flight into outer space, the world's first atomic-powered merchant vessel was launched this summer, and the conquering of age-old diseases has prolonged our lifespan by many years.

Bob Riggs has been chief of the Washington Bureau of the Courier-Journal for many years and is presently serving in that capacity. His affable manner and shy smile are well known on Capitol Hill. He is especially familiar to all members of the Kentucky congressional delegation, and, while at times there might be a slight difference in viewpoint, the excellence of his reporting is universally held in high regard. Robert L. Riggs has earned the admiration of his friends and the respect of his colleagues. He is a newspaperman in the finest sense of the word.

Tribute to Edwin E. Smith, a Truly Great Teacher for 40 Years at Classical High in Springfield, Mass.

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. BOLAND. Mr. Speaker, when the bell at Classical High School of Springfield, Mass., sounded the start of the school year this week, for the first time in 40 years, Edwin E. Smith was not there to greet some of the old and the new students. He had retired last June of 1959 after giving a lifetime to the teaching profession. During his long service in the Springfield school system he had become a tradition. To accomplish this, he must, of necessity, have been endowed of unusual talent and personality. Ed Smith was so gifted.

Thousands of eager youngsters came under his spell. Beyond his great capacity to impart knowledge of English literature to his students, he advised and counseled them with marked effect. Seldom have I ever met or known of anyone in the teaching field who was so genuinely loved by the boys and girls who sat in his classes. He had a real personal interest in their efforts, their success and their future. Indeed, he epitomized to the fullest the best in the great teaching profession.

English literature was Ed Smith's forte and in this field, he contributed notably to the famed reputation of the Springfield school system and particularly Classical High School. The thouands of his students that went on to higher education in the colleges of the land appreciated how well and thoroughly he taught them. Many of them received top honors in the colleges of their choice. He had a remarkably easy, convincing and persuasive way of impressing young minds of the worth of education and how to use it. He was richly endowed with the wisdom, the temperament and the determination necessary in the educational field. He was not anxious for the bell that tolled the end of the school day and I know that his students lamented the end of his classes. Ed Smith felt and knew that he had a job to do in the very best way he knew to do it. His efforts spoke for themselves as he was heartened by the successes in life that many of his boys and girls attained. He, indeed, was an artist as he worked with the precious clay of unfolding youth.

Edwin E. Smith was born in 1894 in White River Junction, Vt., and graduated from Dartmouth College in 1917. After a brief teaching spell in Vermont, he came to Classical—Central—High School in Springfield, Mass., in 1919. There he remained for 40 years to retire in June 1959. His educational achievements were many. He carried a master of arts from Harvard in 1929; pioneered in accelerated courses for the gifted child—a program that was started in the high school in 1935; coauthored with Ralph Boaz the texts, "An Introduction to Literature" and "Enjoyment of Literature." The latter textbook has been widely used and accepted by teachers and pupils since it was first published in 1934. In 1954–55, Ed Smith was chosen president of the New England Association of Teachers of English and held membership in the New England Association and the National Association of Teachers of English.

Recognition and honors have come his way from associates, his students, and from his community. The executive board of the New England Association of Teachers of English conferred a plaque for outstanding contributions and service of over 30 years. A memorial in Ed Smith's name was given by the Classical High School Alumni Association to the school library. The memorial consists of an alcove dedicated to him with a gift of money for books to be purchased in his name. His portrait will grace the alcove as a constant reminder of the fruitful years he spent in the truly hallowed halls of Classical.

At this past June graduation exercises, a moving tribute was paid to him by His Honor Mayor Thomas J. O'Connor, of Springfield, in expressing the gratitude of the city for the great teacher service he had given.

Ed Smith no longer will be an active teacher in our school system but his dedication to his profession will never be forgotten. Whenever or wherever any of his former pupils gather, they will retell again and again of their years under his tutelage. They will talk again of him and recount why he measured to the fullest their ideal as a great teacher and a good friend.

One of his former students and presently a teacher at Ed Smith's beloved Classical puts it simply and beautifully:

> Ed's deep interest in and understanding of all his pupils, his ability to teach them to think and to appreciate good literature, his brilliant intellect coupled with genuine humility have made him a truly great teacher. No wonder they love him so much.

Mr. Speaker, as one who knows him, I join in this tribute to Ed Smith and express the wish that he will be around for a long time to continue to contribute his talent and his counsel to those who yearn to learn and to his community.

Coast Guard Should Be Placed Under the Department of Commerce

EXTENSION OF REMARKS
OF
HON. CHESTER BOWLES
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. BOWLES. Mr. Speaker, I have today introduced a bill, H.R. 9214, to transfer the peacetime jurisdiction over the U.S. Coast Guard from the Department of the Treasury to the Department of Commerce.

My colleagues with long memories will recall that this step was originally proposed in 1949 by the Hoover Commission, one of whose members was our distinguished colleague, the gentleman from Ohio [Mr. BROWN].

In making this recommendation in 1949, the Hoover Commission said in part:

> The Coast Guard is obviously misplaced in the Treasury Department at the present time. The principal functions of the Coast Guard relate to provision of coastal and interior aids and services to air and water navigation. It regulates and inspects provisions for marine safety. Considering the general nature of the work it performs, its location in the Treasury has no reasonable basis.

From the standpoint of functional efficiency, there can be no argument with the Commission's recommendations. If anything, they are more cogent today than they were 10 years ago.

In the 18th century, placing the Coast Guard under the Treasury seemed like a logical step. At that time, smuggling was a problem to our young country. Every dollar of revenue lost through smuggling operations was a dollar our struggling Nation could ill afford. At that time the Coast Guard was primarily concerned with smuggling, and it therefore seemed reasonable to place it under the Cabinet department chiefly affected by a potential loss of revenue.

This situation no longer holds true, Mr. Speaker. The modern Coast Guard's activities in the fields of aids to navigation and marine safety have no connection whatsoever with the Treasury's principal function of fiscal management. This old and honorable service has, over the years, become a stepchild.

This anachronistic situation has resulted in the continued smothering of the Coast Guard's very real needs for money and manpower. The most striking example is the Coast Guard Academy in New London, Conn. While we hear tales of $90 medicine cabinets and other costly installations elsewhere, the Academy at New London is denied funds to replace rotting docks and causeways which are no longer safe and wartime temporary wooden buildings which the Connecticut State authorities have condemned as unsafe.

I would like to make it plain, Mr. Speaker, that I am in no way criticizing Secretary of the Treasury Anderson for this situation. I have had the greatest personal respect for Mr. Anderson for many years.

The Treasury is preoccupied with its basic functions of fiscal management, however, and rightly so. When this interferes with the legitimate needs of a fine and honorable service like the Coast Guard, I think it is high time that the situation is corrected. Many observers are convinced that the critical financial needs of the Coast Guard would receive more sympathetic consideration in the Department of Commerce. I have introduced H. R. 9214 in order to carry out the recommendations of the Hoover Commission to transfer the Coast Guard with this in mind.

New Era for Families in Agricultural Area: Ranch-to-Ranch Milk Delivery

EXTENSION OF REMARKS
OF
HON. LeROY H. ANDERSON
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. ANDERSON of Montana. Mr. Speaker, when I was a boy growing up on a Montana homestead farm, we and each of our neighbors kept a few milk cows. Morning and evening, 7 days a week, the chores had to be done and the cows milked. One could not leave the farm even for a weekend without arranging for one of the neighbors to come in and "do the chores."

Gradually, farmers sold off their cows to concentrate on their main crop production, and bought their milk and dairy products in town.

Now, the ultimate step has been taken and the milk, cream, butter, cheese, and other dairy products are delivered twice a week right to the farmers' doors.

I realize that for anyone who has never traveled through the rugged country of the great Northwestern States of our Nation, it may be impossible to visualize the vast stretches of land separating neighbor from neighbor, and rendering almost inaccessible such a convenience or service as this which the urban-born-and-bred expect and take for granted as a part of their daily living. Even more difficult to imagine is the fact that throughout much of the territory in my district, during many months of the year, our roads are impassable and our people are virtually cut off from contact with the outside world except for the mediums of radio and television.

I, therefore, desire to commend those enterprising individuals, Ralph Hales, manager of the Conrad Creamery at my hometown of Conrad, Mont., and the driver of the creamery truck, Robert Aitken, who have undertaken to deliver their Pride of the West dairy products to some 200 families in the region. Some of the ranches served are as much as 30 miles from any town, and it is frequently several miles between ranches. This involves driving approximately 1,000 miles a week. Remarkably, during the past winter season, they missed only one delivery day because of bad weather. Often such luxuries and conveniences make slow progress in a geographic area like ours, and I feel that these men are to be highly complimented for their introduction of this service which in a short time has come to mean a great deal to the families of our agricultural community.

The John J. Dempsey Memorial Radio Scholarship

EXTENSION OF REMARKS
OF
HON. JOSEPH M. MONTOYA
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. MONTOYA. Mr. Speaker, the New Mexico Broadcasters' Association on August 29, 1959, established a new scholarship for radio broadcasting in honor of the late John J. Dempsey, former Representative and former Governor of New Mexico. It will be known as the John J. Dempsey Memorial radio scholarship.

Radio broadcasters and newscasters in Washington and throughout the entire country remember Representative Dempsey with particular affection. After learning from Fulton Lewis, Jr., of the inadequate facilities for radio newsmen covering the Capitol, Representative Dempsey was instrumental in 1939 in establishing the congressional Radio Galleries. His resolution amending the Rules of the House to set up the House Radio Gallery was passed on April 20, 1939. The House Radio Gallery was opened on May 23, 1939, and is 20 years old this year. A companion resolution to the Dempsey resolution amending the Senate Rules to set up the Senate Radio Gallery was passed on April 25, 1939. The Senate Radio Gallery was opened on February 9, 1940.

Now, 20 years later, in recognition of Mr. Dempsey's contribution to facilitate radio news broadcasting, the New Mexico Broadcasters' Association has elected to make its own contribution to the future of radio broadcasting in the form of a scholarship in John J. Dempsey's name.

The new scholarship will be awarded for the first time this year. Potential recipients will be New Mexico college sophomores who plan to major in radio journalism at the University of New Mexico. The $500 annual award will be made on the basis of scholastic aptitude, high character, financial need, and a sincere interest in the radio news field. The selection of the recipient will be made by a committee made up of two faculty members of the University of New Mexico and three members of the New Mexico Broadcasters' Association. The scholarship will be continued through the recipient's junior and senior years, providing his scholastic record is 2.5 or better, and providing he continues his interest in radio broadcasting.

The scholarship fund will be administered by the University of New Mexico. Each radio station in the State will

contribute to the annual scholarship fund. Wayne Phelps, owner and manager of radio station KALG, Alamogordo, N. Mex., is chairman of the John J. Dempsey Memorial scholarship committee for the New Mexico Broadcasters' Association.

Labor: in the Public Interest

EXTENSION OF REMARKS
OF
HON. NEWELL A. GEORGE
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. GEORGE. Mr. Speaker, now that the labor-management reform bill is about to become law it is interesting to recall the outstanding work of the McClellan committee and its staff headed by Robert F. Kennedy, it chief counsel.

Established early in 1957 by the U.S. Senate, much unsavory dealing was brought to light on the part of management and labor. Although the blackest chapters of the life of the committee established that some corporations were guilty of contemptible acts, which were selfish and greedy to the extreme, our news media did not succeed in impressing those heinous deeds upon the American people.

Instead, Mr. Speaker, opprobrium was brought down on all of organized labor because of the shameful conduct of a few leaders among the many in the labor movement. Three top labor leaders were proven unworthy of their trust.

Hutchinson, Beck, and Hoffa—all of labor suffered because of them. Seldom did the public press limit its criticism and make clear that these three were the culprits and not the whole of organized labor. Never did the slick magazines clearly set forth that all three were high in the councils of the Republican Party.

No, Mr. Speaker, the average reader thought he knew that those three, stigmatized by the proven facts, were Democrats. He little knew, and had no way of knowing from the public press, that these infamous three were among the largest contributors to Republican campaign funds and to other devices designed to bring victory to the old guard of the GOP in elections that now are history.

Of the thousands of citizens who urged passage of either the Shelley bill or the Landrum-Griffin bill, possibly a dozen individuals had read the bill they endorsed. But again, the press and communications media played their part.

"The Landrum-Griffin bill is a start in the right direction," said the President. So said practically all of the Republican leaders, the National Chamber of Commerce and the National Manufacturers Association. If this bill was but a start, just where would be the end. Or was it their desire to bring an end to organized labor and to compel the laboring man or the working woman to bargain individually for decent wages and working conditions? The answer, Mr. Speaker, is very clear.

The labor reform law can now be tested and in the light of experience it may need to be amended. But, Mr. Speaker, let us all give the law a fair opportunity to prove its value and its faults before another drive is begun to crucify organized labor. Let us remember that the prosperity Americans have enjoyed and the economic progress our country has made is due in large part to organized labor.

To the Honorable JOHN F. KENNEDY, Senator from Massachusetts, all Americans should be exceedingly thankful. Because of his patience, his endurance, his knowledge of labor-management relations and his legal ability, unconstitutional provisions were removed and certain sections that would have defeated the legitimate objectives of organized labor were modified in conference. To Senator KENNEDY all of us who believe in fair play, whether of management, of labor, or of the public, should be forever grateful.

Recently an editorial written by Bill Baker appeared in the Kansas City Star which paid tribute to the McClellan committee and its chairman. The writer frankly admits that he frequently disagrees with the Senator from Arkansas, as do I. But, Mr. Speaker, I believe that other Members would enjoy reading this September 5, 1959, editorial and I include it as part of my remarks:

JOHN MCCLELLAN'S LABORS FOR A LABOR LAW

It is one of the ironies of legislative history that the new labor law does not bear the name of JOHN LITTLE MCCLELLAN, of Arkansas. Certainly no man has worked harder, longer and more doggedly for the bill that finally emerged from the crucible of compromise. Indeed, if there were a D-day for the new law, it was February 1, 1957, when the Senate established the McClellan committee.

For students of political science, we recommend the ensuing investigation as the textbook example of the way congressional investigations should be conducted. Seldom if ever has any congressional group conducted such an important study. Seldom, if ever, has a congressional committee been so objective. An excellent staff was gathered, spearheaded by young Bob Kennedy. In the hearing room, MCCLELLAN was the imperturbable chairman who brooked no nonsense from witnesses. Nor did he permit his colleagues to wander away in search of political headlines.

The conduct of the investigation was typical of JOHN MCCLELLAN, and it has paid off in a bill that he regards as a fine reward for the years of work. It is unlikely, however, that the Arkansas Senator would permit himself even a moment of self-satisfaction. That would be out of character for the little man who poses as a plain country lawyer.

In Congress, the country lawyer is a dour, usually quiet man who can explode with sudden fury. A wide range of committee activities gives the impression of a man always on the go yet unhurried in the tradition of the South. And MCCLELLAN is by all means the southerner. Politically, he is a conservative and he makes no bones of the fact. He is, however, fiercely independent of his party, a fact recognized by Democratic leaders.

Only such total independence could have produced an objective study of such a politically-loaded subject. Independence, and a terrific amount of energy that is perhaps an escape from the personal tragedies of his own life. MCCLELLAN'S three sons have all died untimely deaths, the last in an airplane crash in 1958.

We have frequently disagreed with JOHN MCCLELLAN'S position, and there will be times when we will disagree again. But the labor law of 1959 is a milestone of a legislative career in the tradition of a State that has produced some outstanding lawmakers. The country lawyer from Camden is a credit to the Senate, his State, and the Nation.

Look Here, Mr. Khrushchev, and Learn How Private Industry Underwrites Medical Research in Free America

EXTENSION OF REMARKS
OF
HON. ELFORD A. CEDERBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. CEDERBERG. Mr. Speaker, it would be futile to hope that any of the pollen of the flowers of the American private enterprise system would rub off on Mr. Khrushchev during his visit to this country, but as just a single example I wish he could become acquainted with the contribution one of the Nation's big chemical companies, whose main offices and plants are located in the district I represent, is making as a public service in the field of medicine.

The Dow Corning Corp., of Midland, Mich., a pioneer in silastics, has announced the founding of the Dow Corning Center for Aid to Medical Research for the purpose of furthering medical research in the use of silicones in medicine and surgery. The center is financed by the corporation and all its findings will be available to the medical profession without cost.

During the past several years a number of remarkable advances have been made in medicine and surgery by using Dow silicones in a variety of forms. The interest among physicians and surgeons has grown so great that Dow-Corning Corp. had to assign two of its best scientists to act in a liaison capacity between physicians and surgeons and its research laboratories.

AID TO MEDICAL RESEARCH

Dr. W. R. Collings, president of the Dow Corning Corp., in announcing the founding of the new center said:

Our board of directors has recognized the responsibilities of the corporation by authorizing a nonprofit unit separate from our commercial activities, but allied with our research department.

According to Dr. Collings the purpose of the center will be to aid medical research by supplying technical assistance, by acting as a clearinghouse for information about the use of silicones in medicine and surgery, and by cooperating in research in organosilicon chemistry in relation to the human body.

Offices of the new center will be at Midland. The director will be Dr. Rob Roy McGregor, and the executive secretary, Silas A. Braley, Dr. Collings announced.

Dr. McGregor is one of the first inventors of commercial uses of silicones. Formerly a fellow of the Mellon Institute, Pittsburgh, he has been a member of the research team of Dow Corning since its founding in 1943. Assistant director of research, he has in recent years given his time to relations with the U.S. Food and Drug Administration and with the medical profession.

SILICONES HAVE MANY SURGICAL USES

Dr. McGregor points out that so far the best known medical uses of silicone material have been in brain surgery, heart valves, sutures, ducts, and heart-lung oxygenators. Already silicone valves have been responsible for over 4,000 successful operations on children with hydrocephalus — water-on-the-brain.

In one form or another medical research has found use for silicones in literally every part of the body, even the eye. One main reason is that silicones are chemically inert and nontoxic. They can be made in any physical form from fluids to rubber and thus can be applied as coatings or molded. Tissue fails to adhere to silicone rubber, and thus embedded material can be removed without pain.

Appropriately and in accordance with the rules of medical ethics, the announcement of any new techniques will come from the medical profession itself.

This, Mr. Khrushchev, is just a small sample of the contribution made by the free industries of America under the capitalistic system which you propose to bury.

Agricultural Imports Do Not Help America's Farmers

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. KNOX. Mr. Speaker, our Nation's trading partners abroad are well on the road to achieving a record year in sales of their products to their favorite customer, the United States. Manufactured goods of practically every description are landing at our shores in unprecedented volume—to the distress of many American producers, investors, and jobholders.

The invasion of our domestic markets is not limited to manufactured products and minerals, about which we have heard much in recent weeks. Our agriculture interests find themselves targets for foreign competition which is rapidly mounting.

The meat industry provides a good example. In 1958, our imports of meat products were valued at nearly $335 million. Animals shipped here for slaughter were valued at $131 million. Together, they accounted for some $460 million in sales for livestock producers, packers, and shippers in other countries.

Moreover, this represented a gain of 86 percent in a single year. In 1957 our imports of edible animals and meat products totaled $250 million. But at the time, that too was a banner year, for only a year earlier, in 1956, total imports of these items were less than $160 million. So 1957 brought a gain of more than 60 percent over 1956.

Thus, in the brief span of 2 years, 1956–58, imports of livestock, poultry and meat products climbed $310 million, or very nearly 200 percent.

This phenomenal increase indicates clearly why so many of this country's livestock producers have joined their voice to the rising chorus of protests against a foreign economic policy that leaves them all but defenseless in the face of unreasonable competition from abroad.

Some segments of the domestic meat industry have been harder hit than others. Mutton producers, for example, are witnessing a virtual flood of imports from Australia and New Zealand. The statistics will speak for themselves.

In 1956, Australia shipped 313,000 pounds of mutton to the United States; in 1957, shipments rose slightly to 441,000 pounds; in 1958, the dam burst and shipments soared to 14,250,000 pounds, or more than 30 times the 1957 volume.

But the worst was yet to come. Australian mutton shipments to the United States surpassed the record 1958 volume in the first fourth months of 1959. By June 30 they had reached nearly 23 million pounds, up more than 50 percent over last year's total imports.

Mutton imports from New Zealand show a similarly fantastic increase, from a mere 9,000 pounds in 1954, to 250,000 pounds in both 1955 and 1956, to 1,300,000 pounds in 1957, to 2,310,000 pounds in 1958, and in the first 6 months of 1959, over 5 million pounds.

New Zealand also found the United States a prime market for lamb, beef and veal. In 1956 New Zealand shipped us 161,000 pounds of lamb; in 1957, 368,000 pounds; in 1958, 4,700,000 pounds.

Imports of beef and veal increased even more dramatically. Shipments from New Zealand have risen from 1,121,000 pounds to 182 million pounds in the short space of 5 years.

As recently as 1956, imports of beef and veal from New Zealand totaled 4 million pounds, then multiplied more than 12 times to 50 million pounds in 1957, and then nearly quadrupled to 182 million pounds last year. In the first 6 months of 1959 these imports lagged only a trifle behind the terrific pace achieved a year ago.

Australia, of course, could not be expected to concede the U.S. beef and veal market to its New Zealand competitors without a struggle. So, not surprisingly, imports of beef and veal from Australia, after a fairly slow start, have caught up with and passed New Zealand's shipments.

In 1954 Australia sent us $1,800,000 pounds of beef and veal; moderate yearly increases sent the total to 5½ million pounds by 1957. Then, in 1958, these imports more than tripled in volume to 17 million pounds, and this volume was exceeded in the first 2 months of 1959. By the end of June 1959 the United States had received more than 83 million pounds of Australian beef and veal, and New Zealand, after far outstripping its neighbor's shipments a year earlier, was running a respectable but fairly distant second.

Other examples of the unreasonable competition confronting the American meat industry are plentiful. For instance, in the single month of January 1959 Australia shipped us more lamb than she sent here in the entire 12 months of 1958. Imports of Australian lamb reached 2 million pounds in the first 6 months of 1959, compared to 326,000 pounds in all of 1958.

A recent issue of the Sheep Industry Journal reports that lamb growers from Australia and New Zealand have journeyed to this country to find ways to increase their shipments here.

With all due respect to the splendid free nations these gentlemen represent, I cannot sincerely wish them success in their overtures. On the contrary, I would advise them to let well enough alone.

For in spite of its haphazard trade policy, the U.S. Government still retains a sense of obligation to its domestic industries, and sooner or later it will take steps to prevent the American meat producers' total destruction. We can only hope that these steps, when finally authorized, will not be too little and too late.

Will There Be Reciprocity in International Trade With the Introduction of Smaller American-Made Cars?

EXTENSION OF REMARKS
OF
HON. VICTOR A. KNOX
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. KNOX. Mr. Speaker, a great deal is heard these days about the introduction of American-made small cars on a wide scale this fall. Many commentators interpret this move as signaling the U.S. automotive industry's counterattack on the mass invasion of foreign cars.

In my opinion, there is another side to the story, the export side. For the loss of markets by American automakers has not been confined to these shores. While imports have risen dramatically—and are still climbing—exports of U.S. autos have declined tremendously.

Now, with the domestic industry turning to small car production on a mass scale, perhaps there is hope that the export trend will be reversed.

Perhaps it will be possible, for example, to persuade our friends in West Germany to purchase more than 333 U.S. autos, our total exports there in 1958, a year which also saw 134,610 West German autos imported here.

Or it may be possible to expand our exports to Great Britain from 329, the total we shipped there in 1958, to a number more in keeping with the 156,597 British cars unloaded here last year.

Happily, the Government of the United Kingdom has seen fit to increase the annual dollar quota on passenger cars from North America to $2 million, compared to the $600,000 limit which has been in effect.

Admittedly, $2 million is a far cry from $194,072,216—the value of British-made cars imported by the United States in 1958—but it is a tiny step in the right direction, nonetheless.

Both at home and in oversea markets, U.S. manufacturers have a lot of ground to make up. In the period 1956–58, imports of new passenger cars quadrupled, from 107,675 to 433,921, and if the present import pace continues, 1959 will see 600,000 foreign cars landing here.

The value of these imports in 1958 approached $500 million, and this is perhaps a better measure of the domestic market which has swung to imports and which American producers hope to recapture, at least to some extent, with their new economy-size models.

Not only new passenger cars, but other types of imported motor vehicles are reaching the American market in growing numbers. Here are a few examples.

In 1956 we imported a scant 1,537 used cars; this rose to 4,862 in 1957, and then jumped to 12,861 with a total value exceeding $16 million in 1958.

The United States imported 2,853 foreign-made trucks in 1956, 8,036 trucks in 1957, and 15,032 trucks valued at more than $17 million in 1958. In the first 7 months of 1959, our imports of trucks passed 13,000, indicating a 12-month total of 22,000 or more.

Motorcycles are another fast-rising import. In 1956 we imported 32,148 motorcycles; raised that figure to 53,100 in 1957, and raised it again to 63,700 valued at $13 million in 1958.

U.S. auto exports, meanwhile, remain in a tailspin. American manufacturers shipped 175,000 new cars to foreign buyers 2 years ago, then saw their oversea market dwindle to less than 122,000 last year. In the first 7 months of 1959 we exported 66,000 new cars, so exports this year should approximate 110,000—to register another downturn.

With the introduction of a series of new small cars, produced in American factories by American labor, the domestic industry has served notice it is ready to give its foreign competitors a run for their money.

My hope is that this step will also mark a turning point in our automotive export trade. Certainly it should pacify those who claim that large American cars are neither safe on narrow foreign roads nor economical for foreign motorists paying 75 cents or $1 for a gallon of gasoline.

I, for one, will be most interested to watch the reaction of our trading partners, particularly in Western Europe, to the new competition of American small cars. Will they offer us the same open-arm welcome that we have given to their products, now that it appears we will be able to compete on equal terms in their own markets?

This will be a true test of reciprocity in international trade.

Civil Rights Commission Should Be Terminated

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. BROOKS of Louisiana. Mr. Speaker, the Civil Rights Commission should be terminated. There is no reason that I can see for its continuation.

The recent report of this Commission contains some of the most vicious proposals that have been presented. These proposals, if placed into law, would ultimately bring about the end of our type of constitutional government.

And one of the most vicious of these suggested plans is the proposal to create the Office of Federal Registrar. Such a proposal, in the first place, flies in the very face of our Constitution itself. In no age, and in no place, has any responsible public official in the past urged that the power of controlling elections be taken from our 50 States and placed under control of the U.S. Government in Washington; and yet this is in essence what the proposal to create the Office of Federal Registrar will do.

Should such a proposal become law, the Federal Registrar will be able to supersede any local registrar, appointed and controlled now by the several States, and permit the new Federal Registrar to operate the elections. It is true that there will be those who will argue that this provision should apply only to Federal elections. But, Mr. Speaker, a registrar does not list voters for only Federal elections. He sets up a register for voting—not for Federal voting, but for all kinds and types of voting and in all elections, under restrictions provided by State laws.

If such an Office of Federal Registrar handles only Federal elections and which undoubtedly provides its own procedures and methods of handling the registration lists for Federal elections, are we not then setting up two different types of elections and two different types of voters? It is obvious that the Federal Registrar will do his own interpreting and construction of Federal statutes. These decisions may be entirely different from the construction placed upon State and Federal statutes by the duly constituted local registrars or voters. As a result of that fact we may ultimately have two classes of voters: federally accepted voters and State approved voters. This situation will inevitably ultimately lead to Federal control of elections and to the loss of our States as we know them under our Constitution.

Even worse than this is the proposal to further amend the Constitution to provide additional power for the enforcement of civil rights. Already more power is available under the terms of our present Constitution than will ever be needed for this purpose. Further amendment will provide useless and redundant language in our basic law and will not make available one jot of additional needed authority.

What is needed, Mr. Speaker, is not further laws and further constitutional provisions, but what is needed is common sense and realism in the handling of a most delicate problem. If there was ever a problem which calls for local handling, it is the racial problem. Such a problem goes directly to the root of our own private lives and personal relations in this land. Changes in customs, in habits, in local procedures, and in the manners of our people are all matters which should be handled locally. In my judgment they are not even susceptible of being handled on a State basis, but should be handled as close and near to our people as any problem of government which we now have before us. If common sense and feet-on-the-ground reasoning returns to us, we will send this problem back to the grassroots for solution, as we should have done years ago.

Mr. Speaker, this Commission has not helped solve our racial problems. It has merely stirred up further trouble and turmoil, and has produced further racial hatred throughout areas of the Nation in which it has operated. I therefore am against the further extension of the authority of this body, and will vote accordingly.

Report of the Commission on Civil Rights

EXTENSION OF REMARKS
OF
HON. WILLIAM L. DAWSON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. DAWSON. Mr. Speaker, day before yesterday, on September 9, 1959, each Member of Congress received a copy of the report of the U.S. Commission on Civil Rights, together with a smaller volume containing an abridgment of the substance of the report and the Commission's findings and recommendations. I hope every Member will read the Commission's findings and recommendations, and will also take the time to read extensively through the text of the whole report. It is a document that should be widely read by the people of this country, just as was the October 1947 report issued by President Truman's Committee on Civil Rights, which greatly helped make the entire country more aware of the gross discriminations perpetrated against millions of Americans solely because of their race, religion, or ancestry.

There has been much progress since 1947 in reducing these discriminations. Almost all of that progress has been through court decisions, actions of administrative agencies, and by voluntary actions of groups and individuals. I am disappointed that Congress has done almost nothing to fulfill its legislative responsibility to bring about a greater realization of our ideals of equality under the

law. As the present Commission's report shows, an enormous amount of discrimination still remains.

Since I received the Commission's report, I have been examining it carefully. I am much impressed by its factual and legal analysis. It concentrates particularly upon the fields of voting, public education, and housing. These are very important in the life of our Nation, and as the report shows, they are full of problems of racial discrimination. I am sorry that the Commission did not also include in its report an analysis and findings concerning discrimination in employment. In a capitalistic society such as ours, economic discrimination is often the pit in which most other rights are lost. However, I realize that the Commission had scarcely 16 months in which to do its job, and I think it deserves great credit for making its good factual study in the fields of voting, public education, and housing.

This report should be of great value in bringing into sharper focus the facts of discrimination and inequality that still plague the Nation. It is especially significant that although three of the six members of the Commission are southerners who have in the past been closely identified with the maintenance of segregated patterns of life, many of the recommendations of the Commission were unanimous.

They unanimously affirmed that—

> Many Americans, even today, are denied the franchise of race * * * through the creation of legal impediments, administrative obstacles, and positive discouragement engendered by fears of economic reprisal and physical harm.

They stated that—

> It has become apparent that legislation presently on the books is inadequate to assure that all our qualified citizens shall enjoy the right to vote.

Their statement that "no one had yet been registered through the civil remedies of the 1957 act" points up how woefully inadequate the watered-down Civil Rights Act which Congress enacted in September 1957 has proven to be.

Their findings and recommendations concerning the widespread denials of the right to vote, a right which the Commission describes as "the cornerstone of the Republic, and the key to all other civil rights," certainly emphasize the urgency for congressional action on the bills now pending in Congress to give greater protection to this basic civil right.

The Commission's report contains much valuable material concerning the problems of desegregation in public education, and thus serves a useful function in presenting the facts to the public. However, I am somewhat disappointed at the meagerness of the Commission's recommendations for dealing with discrimination in public education. The problem of bringing the schools into compliance with the decisions of the Supreme Court deserves more than simply providing for additional collection of information and the mediation of disputes concerning proposed desegregation plans. Three of the Commissioners have frankly recognized that it is inconsistent for the Federal Government to grant financial assistance to institutions of higher education that practice racial discrimination, and recommended that Federal funds be withdrawn from such schools. A more positive program is embodied in the civil rights bills now pending in Congress, such as my bill H.R. 300, which would provide for necessary financial and technical aid and legal sanctions to assist in preventing or eliminating denials of constitutional rights to public education.

Even though some of the Commission's recommendations seem weak or inadequate, the Commission has certainly performed a valuable public service in presenting a comprehensive and factual analysis of the present status of racial discrimination in the dynamic fields of voting, public education, and housing. I therefore urge everyone who is interested in the welfare of our country to study the Commission's report, and I hope that it will lend a sense of urgency for the enactment of at least some of the pending civil rights bills.

We have had ample study of the problems and the proposals. Now we need legislative action. America cannot afford to fiddle and dawdle any longer with the burning issues raised by the continued denials of equality and justice under law.

Hamtramck Little Leaguers World Champions

EXTENSION OF REMARKS
OF
HON. THADDEUS M. MACHROWICZ
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. MACHROWICZ. Mr. Speaker, while all the attention is drawn to the pennant races in the American and National Leagues for baseball supremacy, one title was decided Saturday, August 29, at Williamsport, Pa. On that date the two remaining teams, representing their respective Little Leagues, from among over 5,000 such leagues across the United States, met in their world championship game.

The two contenders were representatives of the Little League of Auburn, Calif., and Hamtramck, Mich., which is located within my congressional district.

The day was a historical event for Michigan. Though Hamtramck teams have frequently and habitually reached the playoffs. Never before has a Michigan Little League team attained such a high position in Little League play.

In winning their regular league games, these boys have made a remarkable record in attaining their victories. The spirit of competition was keen and their team play was unmatched. In the district, sectional and regional finals they swept through all opposition, scoring over 50 runs while holding the opponents scoreless. Only in the last regional game was the opposition able to score.

In gaining the right to play in the championship game, the Hamtramck boys had to win over the team representing Hawaii. This they did by a score of 7 to 1.

The final game was played in the newly dedicated Little League Stadium. Presiding over the dedication ceremonies was Gov. David L. Lawrence of Pennsylvania, and the stadium honors the memory of Howard J. Lamade, a former director of Little League.

The game was witnessed by approximately 10,000 people, among which were about 150 from Hamtramck, led by Mayor Albert J. Zak, and including many prominent civic leaders as well as the parents of the players. Among the spectators was also another Hamtramck champion, Miss Joyce Pniewski, newly crowned national women's public parks tennis queen, who came to cheer her brother, Greg, Hamtramck's catcher.

One New York television station taped the entire game for later presentation, which was seen the next day in Hamtramck.

The spotlight glitters on Arthur Deras and Sydney Cline. These two have been the backbone of the team in hoisting them to the championship game. Deras has pitched and won all his tournament games by shutouts. He averaged 2.5 strikeouts per inning and allowed only 4 hits in 36 innings as a pitcher. He also was potent with his bat, getting 24 hits in 12 tournament games for a comfortable .686 average. Twelve of his blows were last seen going out of the park for homers. He knocked in 23 runs.

On the other hand, Cline, too, had pitched six victories, four of them shutouts. But while these two were hurling the team to victory, the efforts of the other players should not be overlooked.

The championship game turned out to be a slaughter of the Auburn, Calif., team. The final score was 12 to 0. The Hamtramck team lashed out 13 hits off Bob Sunada, an American-born Japanese youngster who never had lost a game in 4 years of Little League pitching.

The game was pitched for Hamtramck by Deras, who added 13 more strikeouts and slammed a 3-run homer and upped his runs-batted-in total to 26 in championship play.

I am happy to extend my most sincere congratulations to the boys of the team for their wonderful performance in Little League play, an effort crowned by becoming world champions. I would also like to extend these congratulations to the manager and coaches of the team for their interest in youth guidance and their assistance in promoting such wonderful teamplay. I congratulate the parents of these players for permitting the boys to partake in organized play, where they were able to learn the need for working together to obtain the desired victories. Lastly, I wish to congratulate the Hamtramck Recreation Commission for providing the necessary equipment and facilities to permit these boys to play under supervised leadership, thus taking them off the streets and out of trouble.

Hail to Hamtramck, the city of champions.

Nuclear Disarmament and Testing

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Friday, September 11, 1959

Mr. MANSFIELD. Mr. President, in the Christian Science Monitor for September 9, we find "A Capital Interview With Senator CLINTON P. ANDERSON," on the subject "Nuclear Disarmament and Testing." The article was written by Courtney Sheldon, and describes a very interesting interview which he had with the distinguished and knowledgeable Senator from New Mexico, the chairman of the Joint Committee on Atomic Energy. I ask unanimous consent that the article be printed in the RECORD.

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

NUCLEAR DISARMAMENT AND TESTING—A CAPITAL INTERVIEW WITH SENATOR CLINTON P. ANDERSON

(By Courtney Sheldon)

WASHINGTON.—Senator CLINTON P. ANDERSON, Democrat, of New Mexico, outspoken chairman of the Joint Congressional Committee on Atomic Energy with a crucial watchdog and idea-suggesting role in shaping the country's atomic policy:

Questions whether, if an agreement on nuclear weapons testing is not reached with the Soviets before January, we are likely to reach any significant agreement at all.

Feels that if an agreement is not reached, "the United States should continue its test ban on atmospheric shots which are the sole source of radioactive fallout contamination, but, if the Government believes as I do that some further underground shots may be necessary, it should thereafter resume underground testing. I would reserve for the present a decision on high altitude shots."

Are you in agreement, generally speaking, with the way the administration has handled Geneva negotiations with the Soviets over a nuclear weapons test-ban treaty?

"No one likes to be critical of the way his Government has handled a conference with other nations. However, I would have been happier if the United States had not apparently switched its position during the conference.

"We started out trying to reach an agreement which involved the establishment roughly of 180 inspection stations and the complete ban of all types of nuclear testing. We amended our position when we reevaluated certain underground experiments held last fall.

"I would have been better pleased if at the outset we had taken the position the President took on April 13, which was to put the agreement into effect in phases or stages beginning with a prohibition on nuclear weapons tests in the atmosphere, but permitting for the present underground testing and high altitude shots.

"I think the President was on sound ground in making that change and I support his recommendation. It was proper for the President to seek some initial agreement eliminating atmospheric tests and thereby eliminating the fallout hazard. If that preliminary agreement succeeded, we might by successive stages have reached other agreements and eventually arrived at whatever goal this country felt was desirable."

Was it a wise move, in your judgment, for the President to extend the U.S. voluntary test ban beyond the October 31 deadline he set earlier?

"Yes, I think it was a wise move. The decision to continue beyond October 31 was essential in order to keep the Geneva conference from folding. We can now try again."

If no significant progress is made between October 31 and January 1, would you favor resumption of testing in a restricted form—underground, above atmosphere, or limiting testing within the atmosphere?

"If we cannot reach an agreement by January 1, 1960, I question if we are likely to reach any significant agreement at all.

"I think the United States should continue its test ban on atmospheric shots which are the sole source of radioactive fallout contamination, but, if the Government believes as I do that some further underground shots may be necessary, it should thereafter resume underground testing. I would reserve for the present a decision on high altitude shots."

Would it be necessary to do an extended amount of testing to develop the type of small, tactical, limited-war nuclear weapons the military feels it needs?

"On some types of small tactical weapons useful for limited war purposes, I do not believe much more testing is necessary. However, for other more advanced weapons of this nature I believe more testing is essential. Furthermore, there may be concepts of weapons essential to our national defense that have not been even conceived that may require testing as our brilliant scientists from Los Alamos and Livermore discover them. We should not want to tie our hands in this field."

How far ahead would you say the United States is in the development of nuclear weapons generally?

"I would not say. We tested our first atomic bomb in 1945 and the Russians were years behind us. We tested our first hydrogen bomb in 1952 and on that the Russians were only a few months behind us. If they can close one gap that rapidly, they may by now have closed other gaps.

"This is not, however, to imply that our own weapons program is not an excellent one. I believe we are still in the lead. I believe we will maintain that lead, but I do not want to close my eyes to the possibilities that the Russians have also made excellent progress."

Have we maintained our readiness to test well enough so that there would be little lost time if the Soviets suddenly made large scale tests?

"I think so. I believe the teams from Livermore and Los Alamos and elsewhere could swing into action very quickly. Our scientists know what technical problems they want to solve. I think they could proceed rapidly with the solution of them."

Do extensions such as the President has ordered in the test ban increase the likelihood that a suspension of tests will be achieved without a formal treaty; in other words, that neither side will risk affronting world opinion by being the first to resume?

"I am not able to predict what Russia will do when it comes to affronting world opinion. They broke the test ban on November 1 and November 3 of last year by conducting two tests beyond that period. In Budapest they displayed conduct which world opinion did not approve. My guess is that they will resume or not resume when and where it suits their convenience, not the opinion of the rest of the world.

"On our part, however, we can win favorable world opinion by running our tests in a manner that does not further contaminate the atmosphere or further increase the danger and damage from fallout."

What other countries besides France do you feel could achieve the capability of exploding nuclear devices in the next decade?

"The easy answer is how many industrial countries want to do it. We could help a few. Russia could help a few. Some other countries could go it alone. After all, Klaus Fuchs is now in East Germany as Deputy Director to the Central Institute for Nuclear Physics. He could design for East Germany a nuclear device that would explode even though it might not be the last word in destructiveness."

Are you reasonably certain that the Soviets are not now conducting sneak atomic explosions? How good is our detection system in the absence of an international one?

"How can we be certain? The best answer to this question might be the exact words used by the President himself when he announced we would extend the moratorium to the end of the calendar year. In his statement he pointed out that to the best of our knowledge the Russians have not conducted any tests since November 3.

"We have thus far learned that no detection system is perfect in the absence of an inspection team which can examine all occurrences to determine whether they are earthquakes or atomic blasts. We can detect atmospheric shots rather accurately. If those are banned, there won't be too many sneak explosions. Those in the ground would be permitted and hence not violations."

Presentation of Flags to Committee on Science and Astronautics

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. BROOKS of Louisiana. Mr. Speaker, recently the Committee on Science and Astronautics staged a historic meeting in its committee room. The occasion was the formal presentation of the American flag together with the Army flag with its 145 colorful battle streamers. On this occasion, the committee was honored by the presence of the Secretary of the Army, the Honorable Wilber M. Brucker, and by the Chief of Staff of the Army, Gen. L. L. Lemnitzer. The entire committee was present and drawn up around our distinguished guests and around the Army color guard.

The Secretary opened the program by presenting to the committee these two symbols of our Nation and its Army with a short speech, a copy of which I am presenting for insertion in the CONGRESSIONAL RECORD at this point:

Chairman BROOKS and members of the House Science and Astronautics Committee, it is a great honor and a genuine pleasure for me to represent the U.S. Army today in presenting the American and Army flags to the Committee on Science and Astronautics of the House of Representatives. Although both of these banners are new, they both symbolize institutions as old and older than the Nation itself.

Our American flag is a familiar and beloved symbol to every red-blooded American. Its history and its significance are known to every schoolchild, and the new, 49th star it bears—signifying the entrance of Alaska into the Union—gives every thoughtful citizen new cause for pride. In this troubled and changing world, when most of the colonial areas and peoples of the world are seeking freedom from old ties, it is deeply significant

that a large and richly endowed area, such as Alaska, should so enthusiastically enter our family of States. The faith, good will, and patriotism reflected in this act betides more future good for America than all the forcefully acquired and subjugated land areas will ever mean to a ruthless conqueror. What greater tribute could be paid to any government than this irrefutable evidence—given freely and without fear or force—of belief in these governmental principles which make our several sovereign States the United States of America.

Our Army flag has been in existence only since June 13, 1956, at which time it was presented to me on behalf of the President by Vice President NIXON. Although many Army units, from groups and corps down to separate battalions, had long had their distinguishing colors and standards, there was no flag, prior to 1956, which was the emblem of the Army as a whole.

This beautiful silken banner is made up, as you see, in our national colors—red, white, and blue. The blue device in the center is the seal of the War Department authorized by the Continental Congress in 1779, which still serves as the seal of the Department of the Army. Above the seal a rattlesnake—reminiscent of the colonial rattlesnake flag—holds in its mouth a streamer bearing the motto "This We'll Defend." The date 1775 shown on the flag refers to the year in which the Continental Congress established the U.S. Army on June 14, 1775, by authorizing 10 companies of infantry to be raised in Pennsylvania, Virginia, and Maryland to march to Boston, Mass., and there be formed into an Army under Gen. George Washington, its first Commander in Chief.

We are tremendously proud of this flag and of the glorious tradition of courage, devotion, and sacrifice in the service of America which it symbolizes. Each of these 145 colorful battle streamers represents one of the campaigns in which the Army has fought during its 184 years of history—from Ticonderoga right down through Korea. What a splendid record of dedication to the security of our national heritage these battle streamers signify.

The Army feels a close kinship with the House Committee on Science and Astronautics. We share your belief in the principle that activities in space should be devoted to peaceful purposes for the benefit of all mankind, and we are partners in your efforts to apply our newly acquired knowledge in this area for national defense, if need be.

With the devout hope that this committee and the Army may continue to work together for the defense of the Nation and the progress of science, I shall now ask General Lemnitzer, Chief of Staff, U.S. Army, to make the official presentation.

Mr. Speaker, this speech was followed by the formal presentation of the Army flag by Chief of Staff, General Lemnitzer, in the presence of four young men in full uniform, color bearers for the Army.

I, as chairman of the committee, replied on behalf of the Committee on Science and Astronautics, accepting these two flags and causing them to be installed at once in their proper place of honor in the committee room. My remarks are as follows:

Mr. Secretary, General Lemnitzer, this occasion is indeed a signal honor to this committee, of which I am proud to be chairman, and I am sure that the distinguished members here assembled join with me in extending to you our sincere thanks for the magnificent flag of our country and of the Army which now stand proudly on our rostrum.

It is most appropriate that, as Secretary of the Army, you should present this committee with our Nation's flag, since the Army throughout our entire history has been in the forefront of the unending struggle of our people to preserve our freedom and to defend it through many wars against enemies who have opposed the principles of human dignity for which "Old Glory" stands.

And when I look at the flag of the U.S. Army, and see the battle streamers that represent 145 campaigns in which the Army has fought, I think of the millions of American men and women, foreign-born or descendants of people from almost every country on earth, who have carried our flag to the far corners of the world and many of whom gave their lives so that we can stand here as free men on this memorable day.

I am reminded, too, when I proudly wore the uniform of our Army in France during World War I. I can vividly recall my deep feeling of pride in seeing "Old Glory" flying above our cantonments and camps, a symbol of hope, encouragement, and ultimate victory for our country in its struggle against imperial Germany.

And again, I am reminded of the World War II and Korean campaigns which will remain as eternal monuments to the courage and unlimited sacrifices of Americans who fought to preserve their way of life, which since the beginning of history has been founded on the bedrock principle of human rights and self-determination for all men.

And now, we are engaged in a struggle that is no less bitter and crucial than those of the past. We are faced with an enemy that abhors everything this country represents, and who has openly and continuously dedicated himself to the destruction of our Nation and the other free nations. At these critical times, the Army continues to be one of our main bulwarks of strength, and a source of great confidence in the future.

We, the members of this committee, are not unaware of the significant and material contributions being made by the Army in this space and nuclear age. We have heard testimony from many important witnesses who have reminded us of the outstanding accomplishments the Army has made in developing operational guided missiles and in placing our first satellites in orbit. We know that our Army stands continuously prepared for any national emergency that may arise and to undertake any task that may be assigned to it.

And now, Mr. Secretary and General Lemnitzer, it is with great pride and reverence that I accept these flags on behalf of the Committee on Science and Astronautics. May they continue to remain for many years to come a permanent part of the committee, giving our members and our staff an increased sense of responsibility and loyalty and inspiring an even greater devotion to our labors here in the committee room. You may be sure that the committee members will be ever mindful of the great heritage these two flags and their battle streamers represent.

Report by Congressman Perkins Bass to the Second Congressional District of New Hampshire on 1st Session, 86th Congress, September 1959

EXTENSION OF REMARKS

OF

HON. PERKINS BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 11, 1959

Mr. BASS of New Hampshire. Mr. Speaker, the 1st session of the 86th Congress has adjourned. We are now able to appraise its accomplishments and their effect on the country and the Second Congressional District of New Hampshire, which I represent in Congress. In many respects it was an unusual session, with the opening guns being fired by a newly elected opposition majority and the final battles being won by President Eisenhower, who exerted a vigorous and effective executive leadership on all fronts.

The tone of the session was set early when the President called for a determined effort to fight inflation through a balanced Federal budget of $77 billion, and indicated his desire to correct labor union abuses and waste in the farm subsidy programs. Despite frequent efforts by the majority members to pass bills which carried spending authorizations far above the administration's original requests, the President held the line through a judicious use of the executive veto.

The highlight of the session, of course, was the passage of the Landrum-Griffin labor reform bill. Senator MCCLELLAN'S investigations of racketeering and corrupt practices in certain labor unions had clearly shown the need for some kind of strong corrective legislation to protect the rights of individual workers and to outlaw secondary boycotts and blackmail picketing. Although it seemed doubtful at first whether Congress would be able to agree on a reform bill which dealt adequately with abuses in these areas, public opinion, spurred by the President's last minute appeal, grew strong enough to push through the tough but fair Landrum-Griffin proposal in substantially the form it passed the House. Like a majority of the Members, I voted for this bill, because I felt it was necessary to protect both the public and honest unions from infiltration of corrupt racketeers and power-hungry opportunists. It is equally important to point out there is nothing in this new law which will harm honest labor unions such as we have in New Hampshire. This measure is not a "punitive" or "killer" bill, any more than the Taft-Hartley Act was a "slave labor" bill.

On the inflation front the President and the Republican minority in Congress fought hard to keep spending authorizations down to the level required for a balanced budget. The tug of war over spending became particularly apparent to me as a member of the House Banking and Currency Committee. Some of the more controversial big spending bills, such as the area redevelopment bill, the Community Facilities Act, and the original omnibus housing bill, were debated extensively in our Committee, with the Republicans, including myself, generally opposing excessive spending authorizations.

In all these areas the administration proposed reasonable programs which would do the job without unbalancing the budget. Unfortunately, in almost every instance, the Congressional majority insisted on pushing through proposals with price tags which would have hopelessly unbalanced the budget. That is the main reason why the President,

for example, vetoed the first two omnibus housing bills. At the end of the session the Congress wisely passed an adequate housing bill in line with the President's recommendations.

As in previous sessions, the farm problem returned this year to haunt the Congress and the public in general. It seems tragic to me that we have been unable to find a common sense solution to the problem of mounting farm surpluses. Using taxpayers' funds to buy up these surpluses only aggravates the problem, and I have thought it better to eliminate farm price supports altogether. Farm surplus crops owned by the Government and in storage now total the astronomical figure of $9 billion—85 per cent of which is in cotton, corn and wheat. In the current fiscal year the Federal Government is expected to spend $4.5 billion for direct price support activities, of which nearly $1 billion will be for storage, handling, and interest charges alone.

This is a disgraceful situation and is the chief reason I voted against the opposition-sponsored wheat and tobacco price support bills which the President eventually vetoed. The feed grain price support bill, for example, would have added an additional $140 million to the already staggering farm bill this Nation is footing.

On a more positive side, Congress passed the Hawaiian statehood bill, after many decades of debate and controversy. Those of us who supported statehood for these islands were particularly proud of the recent election results there which showed that some 93 percent of the Hawaiian voters went to the polls. This in itself was a remarkable proof of their political maturity and fully justifies the wisdom of granting statehood to these friendly and energetic people.

Late in the session a compromise highway financing bill was approved, providing a temporary 21-month Federal gas-tax increase of 1 cent. The program which Congress agreed to after months of consideration will temporarily solve the pressing financial crisis in the highway trust fund by placing it on a pay-as-you-go basis, at the same time calling for a moderate stretchout in construction of the 41,000-mile road system.

Congress also earns a "well done" for passing legislation authorizing U.S. participation in an Inter-American Development Bank. Once established, this Bank will make long-term low-interest loans to South American nations, providing them with badly needed development capital. I personally favor this type of development agency, for it shifts foreign aid from a grant to a loan basis, making it a sounder and more business-like proposition.

Congress deserves credit, too, for much solid work on the annual appropriation bills which must be painstakingly dealt with each session.

Adequate funds were provided for the Armed Forces and for missile development.

New Hampshire residents will be particularly pleased that Congress approved a $3,225,000 appropriation for the construction of a consolidated Army Cold Regions Engineering Laboratory at Hanover. The laboratory will be a boon to the Hanover region, as well as to the Second District in general. The entire New Hampshire delegation worked long and diligently to get this project located at Hanover.

On the whole, Congress did its usual competent if unspectacular job in dealing with the incredibly complex task of providing funds and shaping policy for the world's largest Government. Most of its day-to-day work goes unnoticed by the public. But the work is done, nevertheless, and generally done well. On the question of labor reform, Congress showed that it was responsive to the will of an aroused people.

During the recess, I will conduct office hours in the cities and larger towns in every county of the Second District. I hope as many of you as possible will stop by during office hours in your area to get acquainted and discuss problems.

Arms of Friendship, Inc., a Constructive New Force for Peace

EXTENSION OF REMARKS
OF
HON. HUGH SCOTT
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Friday, September 11, 1959

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement, prepared by me, relating to the reduction of tensions between the United States and the Soviet Union.

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

STATEMENT BY SENATOR SCOTT

The subject uppermost in everyone's mind these days concerns the reduction of tensions between the United States and the Soviet Union. It is with this highly commendable objective in mind that our State Department arranged for our American exhibit in Moscow and for Soviet citizens to visit our country under the cultural exchange agreements. It is the reason for President Eisenhower's visits to Germany, England and France, and for the exchange of visits with Mr. Khrushchev. I approve and applaud these efforts and all of us hopefully look for a more favorable trend of events so we may no longer live under the threat of war.

It is true that a possible nuclear war would bring frightful disaster and losses to both the United States and the U.S.S.R. It is true that international communism is committed to ultimate world domination and that the leaders of this cult are acknowledged atheists, uninhibited by moral codes. Let us also remember that through politics, propaganda, and a Machiavellian version of public relations, 800 million of the world's population and one-fourth of the earth's surface has vanished behind the curtain of Communist domination in the past 40 years. We cannot afford to disregard lightly the threat posed by that aggregation of men, money, and technique. All of our people—on the farms, in the cities, and in industries need to remember that the Soviet dangers have not ended merely because the Iron Curtain has been lifted just a little bit.

We seek new solutions to the existing impasse with the Soviet Union, to find, if possible, a fresh and sound approach which can change the pattern of our diplomatic stalemate and which can be a constructive new force for peace. I have been informed of such a program, based on years of study and already justified by its first fruits. I am especially happy that it is not a Government plan but one supported and carried out by private individuals. Such a plan has many advantages, since it can act directly, rapidly, avoids long delays, can be positive, flexible, and handled in a personal manner by a small group.

I refer to the organization named Arms of Friendship, Inc., of Philadelphia, which was organized by friends of mine after detailed and exacting research at Temple University under that distinguished educator and president of that institution, Dr. Robert L. Johnson. A few of the other outstanding Pennsylvanians who have helped in the creation of this organization are Mr. George D. Widener, Mr. Henning W. Prentis, Jr., Mr. Walter D. Fuller, Mr. John A. Diemand, Mr. William T. Carter, Jr., Mr. C. Mahlon Kline, Mr. Edgar Scott, as well as city officials. The organization grew out of concern over U.S. activities in the cold war. The basic question researched was whether or not private citizens could, through intelligently planned programs, help reduce existing tensions with the Soviet Union. This was before President Eisenhower initiated his people-to-people program which has been so well received, but the conclusions reached are in accord with the President's ideas.

The research explored in great detail the conduct of American-Soviet relations. The seminars and discussions held and the testimony and evidence gathered gave a clear picture of the problems confronting our people. Synoptically stated, the conclusions were that a real need exists for private individuals actively to seek out personal contacts and establish friendship with individual Russians. This was concluded to be a practical down-to-earth method of helping reestablish the trust and understanding that appears to have been lost between Americans and Russians. This type of effort was concluded to follow a positive and constructive path to lasting peace. The frightening alternative to such efforts is, ultimately, war.

The research brought out many facts to which few of our people have given much thought. The Russian people suffered much from the disasters of war. Hence, they desire peace just as we do. They are motivated by the same aspirations as we are. The same fears, hopes, and longings influence their lives. Their family ties are close. Like all people in all lands, the Russian parent wants his children to enjoy a happy and successful life. The Russian people are patriotic. They love Mother Russia and they have legitimate reasons to be proud of their land, their culture, and their science. They would like peace in their time, and they look to the future for continued improvement in their living standards.

The considerations on which Arms of Friendship was founded are obviously true. Some of the existing differences with the U.S.S.R. have undoubtedly resulted from the distances that separate us and lack of information of each other. How could this problem in understanding be solved? Was it possible that, at this date in history, new conditions exist which could change the past pattern of diplomatic debacles? Was it possible that the time is approaching when diplomats who fail to achieve their ends by logic or before a court of world opinion, such as the United Nations, may no longer be able to use as the final act of diplomacy the threat of force? That marching men, roaring cannon, and atomic weapons may one day no longer be available to the whim of despotic and uncontrolled leaders? The research conducted by Arms of Friendship

concluded that that day is coming swiftly, and that real peace can be brought closer and ultimately realized by creating better understanding, closer ties, man-to-man contact, respect, trust and friendships between Americans and Russians, particularly exservicemen, combat veterans, reserves, retired, and other such military men of the United States of America and the U.S.S.R. It maintains that the similar experiences and knowledge of war of such men and women make possible a mutual understanding and desire for peace which transcends differences in language, nationality and ways of life.

Unless ingredients of conflict are replaced by feelings of understanding, trust, and friendship between Americans and Russians, war is almost certainly the ultimate outcome. And just as the winning of war requires the coordinated effort of most of the people of the Nation, the preservation of peace is concluded to be a responsibility of the people.

Now these conclusions reached by the studies conducted at Temple University are certainly challenging. After all, it is not wealth or wheat, steel, oil, or our vast facilities of transportation and communications that is the most important product of any country. It is the people, and if they get to know each other it seems to me that the problems that lead to war might be resolved.

The basic theme and concepts of Arms of Friendship are in accord with the views of the late Honorable John Foster Dulles. Speaking in behalf of people-to-people efforts of this nature he made the following significant statements: "The individual should be the basic source of the movements, the efforts, the trends that take place in the world. We all know how problems become readily soluble if you are operating in a favorable climate and favorable atmosphere. You (our people) have got the job of making it clear throughout the world that freedom is the preferable form of society. And if you by your works make that clear, then the problems that come up day by day will be soluble by your government. If you can't make that clear, then they will become insoluble and all the things we have stood for since our Nation was founded will go down." And while speaking of the need to liberate the forces of freedom through individual effort, he emphasized that "the process must be made one of evolution and not one of violent revolution."

In evaluating the worth of efforts of this nature we should remember that the people of the Soviet Union are created by the same God that we worship. They have the same capacity for recognizing right and wrong that we do, and possess the same instincts and aspirations. Unfortunately, they have been cut off from the rest of the world for some 40 years. They have been denied free knowledge of other countries, and the resulting ignorance could lead to disaster. There is an obvious need for us to convey to the people of Russia the truth about our country, our people, and our objectives as we seriously seek to eliminate the dangers of war.

Arms of Friendship is facing the problem realistically. Its positive efforts include a travelers' program, letter-writing contacts, a plan for the exchange of meaningful gifts and a program for the dissemination of useful information concerning the rehabilitation of disabled veterans. It has initiated forceful and effective people-to-people contacts between veterans of the United States and veterans of the Soviet Union. The limitation to veterans has been made in order that the activities being undertaken may be most effective and yet be kept within manageable proportions. After all, the veterans of both nations had similar war experiences, readjusted to civil life at the end of the conflict, and are now coming to positions of increased responsibility in the economic, scientific and civic areas of both countries.

Arms of Friendship recently sent two groups of veterans to Russia to explore the practicality of their efforts. The travelers included a senior retired general and an admiral, two past commanders of the American Legion, the national commander of the Jewish War Veterans, the national commander of the AMVETS, the past commander of the Disabled American Veterans, and a past commander of the Catholic War Veterans. These men represented without portfolio several million of our fellow Americans. The groups were accompanied by four Russian-speaking veterans, which enabled them to move about without dependence on Intourist guides, and in this fashion they were able to sample public opinion. They brought back convincing testimony of the need for concentrated effort to reach the average Russian with the truth. The following extract from Mr. Lewis K. Gough's report concerning his trip—forwarded from Europe—is synoptic of the views of all who made the trip: "I was amazed that the people have retained as much friendliness and receptiveness toward us as they have, in view of the propaganda techniques to which they are subjected. Their strong basic friendly feelings give me higher hopes for peace than before I went to Russia. Russia is not black or white and those who emphasize either the very good or the very bad, do us a disservice. Talking to them may prevent fighting them in a war in which there could be no winner, and they must understand the alternative as we do, and the world at large."

The evidence seems clear that there is a job to do and that the programs of Arms of Friendship are practical. The average Russian has heard only Soviet propaganda that the U.S.S.R. wants peace and that the United States is for war. They need to know how we live and that we would like to see them enjoy the same surplus of consumer goods that is available here. They need to learn the facts about other countries they are denied knowing by restrictions on radio programs and news media from the outside world. The groups of veterans that I mentioned brought back many examples of the insatiable appetite for honest factual information. In one city an intelligent, highly trained, Russian master carpenter asked Mr. William Gill, past national commander of the Catholic War Veterans, if it was true that American carpenters could earn enough money to own their own automobile. Such ignorance is both pathetic and dangerous. The only way to fill this vacuum is through direct people-to-people contacts.

Arms of Friendship has been granted tax exemption in recognition of the objectives being undertaken, and the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Jewish War Veterans, and the American Veterans of World War II have all passed resolutions supporting the efforts of this organization. To the best of my knowledge, it is the only private nongovernmental organization that is contributing practical help toward solving our differences with the U.S.S.R. Given the proper financial and moral support, it can make a tremendous contribution toward stemming the flood of communism across the world and preserving peace with honor. In these days of backbreaking military budgets, which must inevitably get increasingly heavier with the evolution of weapons, efforts of this nature which are sponsored by men of unquestioned integrity deserve widespread public support.

The primary office of Arms of Friendship, Inc., is located at 4150 Henry Avenue, Philadelphia, Pa., and its board of directors is headed by Gen. Jacob L. Devers (retired), who commanded the 6th Army group during World War II; Gen. John E. Dahlquist, Gen. Charles L. Bolte, Adm. Richard L. Conolly, Adm. H. Kent Hewitt, Lt. Gen. Ira C. Eaker, and Lt. Gen. Williard S. Paul are typical of the military representation.

Mr. James A. Farley, Dr. Robert L. Johnson, Mr. George D. Widener; Mr. Colby M. Chester, Mr. Henning W. Prentis, Jr., Mr. William L. Clayton, the Honorable Richardson Dilworth, mayor of Philadelphia, three past commanders of the American Legion, and Miss Chloe Gifford, president of the General Federation of Women's Clubs, indicate the type of civilian leaders lending their support.

In conclusion I want to emphasize my support of people-to-people contacts such as those being carried out by Arms of Friendship. In this changing world it seems to me the benefits of peace may be within our grasp. If people can get to know each other, they will discover they have more of common interest than differences justifying quarrels. They are certain to seek methods short of war in resolving their conflicting interests. As President Eisenhower said a short time ago, "The problem is for pepole to get together and to work out not one method but thousands of methods by which people can gradually learn a little bit more of each other. What we must do is to bring the family of Russia closer into our circle. * * * In this way, I believe, is the truest path to peace. All of the other things that we do are merely holding the line while constructive forces of this kind take effect. There is no more important work."

Advice and Consent

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Friday, September 11, 1959

Mr. MANSFIELD. Mr. President, in the September 17 issue of the Reporter, there appears an article entitled "The Advice and Consent of J. WILLIAM FULBRIGHT," written by Sidney Hyman. I believe the article is worthy of the attention of the Senate; it gives the views of the distinguished chairman of the Foreign Relations Committee vis-a-vis those of the committee and, for that matter, those of the Congress and the executive branch, on questions of foreign policy. It emphasizes, once again, the keen sense of responsibility which has always actuated the thoughts of Senator FULBRIGHT in his relations with the executive branch of the Government and his feelings on the separation of powers. I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

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

THE ADVICE AND CONSENT OF J. WILLIAM FULBRIGHT

(By Sidney Hyman)

Several of the newspapers I read have compared the hero's welcome President Eisenhower received at various stops on his European trip with President Wilson's experience there 40 years ago. In view of what the U.S. Senate did, after Wilson's return, to deflate his personal triumph among the Allies, it seemed worth whole to discuss President Eisenhower's present standing in

Congress with a central figure in that relationship, Senator J. WILLIAM FULBRIGHT, Democratic chairman of the Senate Foreign Relations Committee.

Given the fact that FULBRIGHT has little in common with Henry Cabot Lodge, a repetition of the 1919 debacle is obviously unthinkable; so I began by asking the Senator if he felt that the President's hand was greatly strengthened in foreign affairs by the support he can count on from Congress, even though it is controlled by the opposition party. With a wry smile, the Senator conceded that it might make some difference. But he went on to say that he has a pretty clear idea of the limits of his own power and doesn't expect any applause for not exploiting the nuisance value of his job. For Senator FULBRIGHT, the principal concern is how to get things started, not how to stop them.

Unlike many other Senators caught for an interview at day's end, FULBRIGHT has the grace to remember that he is not addressing a vast congregation. He actually converses with his interviewer and, above all, he respects the fact that the simple declarative sentence is the greatest invention of the human intellect. This, then, is a report on the uses to which he put that singular invention in an hour of twilight talk.

THE SENATE'S JOB

Senator FULBRIGHT finds some grounds for comfort in the fact that Christian Herter, a trusted friend, now sits at the head of the State Department, ably backed up by another trusted friend, Under Secretary of State C. Douglas Dillon. But he is disturbed by the degree to which these good and generous men are hemmed in by a set of distinctly parsimonious policies—policies that proceed largely from a passion for economizing and a timid interpretation of the Nation's economic potential. The decline of American power since 1953 has not been arrested. The self-inflicted national wounds resulting from a wrong order of national values and priorities have not been healed. The strains within the Grand Alliance have not lessened, while the Soviet Union, with Communist China hot on its heels, daily grows in strength.

But Senator FULBRIGHT's most pressing day-to-day problem is how and where to draw a frontier line between the powers of the Executive and the Senate, so that our national-security policies can be formulated and executed in a way that is both responsible and responsive to the needs of the Nation.

Unlike some of his predecessors, FULBRIGHT is convinced that the Senate is not structurally equipped to play any major role in the day-to-day management of foreign affairs. When it tries to do that, especially under modern conditions of coalition diplomacy, it only multiplies disarray at home and confusion abroad. The management function, he feels, is by its very nature executive in character. The Senate therefore must not only place itself under a self-denying ordinance when it comes to the mechanics of diplomacy, but must help arm the executive with competent means and authority to bargain, to maneuver, and to seize any fugitive opportunity cast up by the shifting tides of world events.

The Senate, by keeping its distance from the executive, can be an effective instrument of public education; it can define and clarify the zones of the feasible, the areas of the negotiable, thereby assuring that the executive, when it decides to act, has the fullest support of public opinion. On its own, moreover, the Senate can bring its social inventiveness into play by formulating the policy objectives to be pursued around the world, while leaving the executive complete freedom as to the timing and tactics. In other words, the function of the Senate, and of the Foreign Relations Committee in particular, is to try to be the conscience of the executive—without in any way indulging in the frivolous delusion of coequality.

Here is how the theory has worked out in practice recently. Senator FULBRIGHT was not informed before the public announcement that President Eisenhower and Mr. Khrushchev had agreed to an exchange of visits. Nor was he informed in advance that President Eisenhower meant to go to Europe. Nevertheless, as Senator FULBRIGHT had himself previously contributed to the climate of opinion which made these events possible, he felt no affront to his personal dignity when events unfolded as they did. Things would surely have been very different if a man like Arthur Vandenberg—or even Tom Connally or Walter George—had not been sent word in advance.

THE VETO PRESIDENT

None of this is to say that Senator FULBRIGHT feels that the President, now billed as "the new Eisenhower," is without fault or flaw. "In domestic matters," FULBRIGHT remarked, "what passes under the adulatory name of the 'new Eisenhower' is really the old one whose essential strength lay in not initiating new things, but in stopping the new things others tried to put in motion. He has been the veto President all along; only now, instead of exercising the veto behind the covering screen of men like Secretary of the Treasury George Humphrey, Sherman Adams, or the successive budget directors, he is compelled by circumstances to do it in his own name."

Senator FULBRIGHT adds that a veto President is not inherently better or worse than a prime mover President. Changing times and cases may call for one and not the other. "What is misleading," he says, "is the polemics of the current case. The administration is trying hard to pin a 'won't do' tag on the present Democratic Congress, as if it were just like the Republican-controlled 80th Congress President Truman successfully anathematized. The two are really as different as day and night. The Republican 80th Congress vetoed or scaled down the proposals for comprehensive domestic legislation involving such matters as inflation control, tax revision, and the liberalization of minimum wages and social security benefits. All these measures had reached Congress on the initiative of President Truman. In the present Congress, the proposals for comprehensive legislation in domestic matters are coming from the Democratic Members, only to be knocked down or scaled down by a vetoing Republican Presidency. If the 'won't do' label in domestic matters is to be stamped anywhere, it ought to be on the White House."

In this connection, Senator FULBRIGHT believes that the administration is guilty of something more than mislabeling. He feels that by citing the danger of inflation as a ground for vetoing all moves toward a stepped-up rate of economic growth, it is crippling the Nation's power to attain the diplomatic goals that the administration itself has set: "If we assume that the cold war is moving into a new dimension where the grounds of battle will be economic in character, then the domestic economic strength of the parties to the conflict and the priorities they assign to their productive resources may be of decisive importance. To the extent that the administration fails to increase its sources of revenue either through taxes or through an expansion of the economy, to that extent will it prejudice the Nation's chances of victory in the new dimension of the cold war which seems to lie ahead."

Turning from the domestic to the oversea background for the "new Eisenhower," Senator FULBRIGHT paused to recall how the Republicans indicted President Franklin D. Roosevelt for having practiced the same brand of personal diplomacy. "I am not at all sure what the phrase means," he said, "except that I know it was invested with a full quota of sinister significance. Now, of course, we are treated to the spectacle of President Eisenhower being hailed in the act of practicing personal diplomacy. I don't think it is the next worse thing to original sin. Quite the contrary, I have long favored the sort of personal exchanges now underway. My point is merely about the ironies of the situation."

And he continued: "When you stop to think about it, isn't it also an ironical commentary on the disarray within the NATO alliance when responsible leaders of European powers should need a reassurance from a President of the United States that he will not deal behind their back in his meetings with Mr. Khrushchev? But leaving irony aside, I welcome all evidence that in the field of foreign affairs we are seeing not a 'new Eisenhower' but the 'Ike' of pre-1952 Republican convention days. The 'Ike' of those days embodied in his person the whole spirit of what NATO was meant to be. He was the prophet of warning and encouragement, the negotiator of operating agreements where each member nation could see that its own national interest was best served in the context of a security arrangement that served simultaneously the national interest of every other member. His renown was vastly augmented by that fact. And if now he returns to the scene and source of the accomplishments which carried him into the White House, and if he there sets in motion the material programs necessary to restore the integrity of his earlier accomplishments, the actions which will add luster to his name will also add strength to the Grand Alliance."

TAKE HIM TO OUR LEADER

When the fact of Mr. Khrushchev's impending visit came into the conversation, Senator FULBRIGHT observed how often democracies are inclined to invest their dictatorial rivals with omniscient powers. When Adolph Hitler was at the height of his harassing business, for example, the belief took hold among his intended victims that everything he did was thought out to the last chapter, and subject to his personal control at every step along the way. He had placed everyone on an automatic chess board, and everyone must inevitably move according to a master plan of his own design. Only afterward, when the Nazi war records were available for study, it became clear that he was often swept along by events that caught him by surprise and carried him in directions he had no intention of going. It also appeared that he was an incredible blunderer.

"It would be well to remember," FULBRIGHT said, "that Mr. Khrushchev too can be swept up and carried along by external forces over which he has no control. He can also fall into gross errors of judgment. It is quite possible that what he thought would happen when he precipitated the Berlin crises was very different from what actually did happen. In any case, it is as much to our own interest as it to his to keep open the avenues on which we may move toward tenable positions that are alternatives to war."

Nevertheless, the Senator felt that the advance buildup given to the impending Khrushchev visit in the press might serve to activate what is always a latent danger in a democracy that has been subjected to a long period of stress. The danger is that the public, impatient for quick relief, will make its impatience a source of embarrassing pressure on its leaders when actual negotiations take place.

"It is important to bear in mind," he said, "that the impending visit has not altered

a single item in the quotients of world power. It is the beginning of a procedure for protracted conversations, and nothing more than a procedure. It does not mean that we no longer need a strong and versatile Military Establishment. Much less does it mean that we can do without an aggressive, articulate foreign-aid program.

"What we urgently need, if there is to be any continuity in that kind of program, is long-term planning. What we now have is a system of appropriations on a hand-to-mouth basis that is both wasteful and inefficient. When this comes to the notice of the American public, it is followed by a great outcry against the whole concept of foreign aid. This is rather like putting hobbles on a horse and then beating him because he won't run faster."

In the coming parleys with the Russians, Senator FULBRIGHT, as always, is firmly convinced that only the Executive, and in this case the Chief Executive, can speak for the Nation. To be sure, the chairman of the Senate Foreign Relations Committee may prod the Executive to move in certain areas, as he did recently with his declaration about the need for new policies in the Middle East. But the Senator already insists—and this is particularly important for foreigners who may have heard just enough about Wilson and Henry Cabot Lodge to develop a profound misunderstanding of our balanced system of Government—that it is up to the Executive to assume the actual burden of conducting foreign affairs, whether they be mere conversations or serious negotiations. The job Congress has to do is big enough, and it has nothing to gain or to contribute when it tries to act like a back-seat driver or a camp follower.

Final Report, 1st Session, 86th Congress of Hon. John H. Dent, of Pennsylvania

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mr. DENT. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit my newsletter for the month of September 1959:

FINAL REPORT, 1ST SESSION, 86TH CONGRESS

This report will try to summarize our efforts, good or bad, as this session comes to an end.

One thing that will stand out of course will be the record of Presidential vetoes.

In every case of a veto the record shows that the item vetoed meant "something for the people."

The ill-advised and unsubstantiated claims of this administration that such vetoes were in the interest of a balanced budget and anti-inflationary period are not borne out by the record.

The items vetoed included housing, public works, area redevelopment, municipal facilities efforts, etc. Some were vetoed directly, others by veto threat.

The increased interest rate and increased foreign aid demanded by the President would pay for all the housing, area development, and public works supported by the Democratic Congress.

Never in our recent history have profits and property been given such a high priority over people as they have during the session of Congress by a President of the United States.

These are the acts passed by your Congress and the record on the major issues:

TAXATION

Corporate income tax: 52 percent rate extended to next July 1.

Excises on alcoholic beverages, autos, auto parts and accessories, and cigarettes: Extended to next July 1.

Tax on local telephone service: Repealed as of next June 30.

Transportation tax: Reduced from 10 to 5 percent as of next June 30.

Life insurance company taxes: Income tax rates adjusted and new levies imposed on underwriting profits and investment income to raise $215 million. Gas tax was increased one-half cent for 22 months.

BUSINESS AND GENERAL

National debt limit: Raised $2 billion to $285 billion, with temporary increase to $295 billion until next June 30.

Hawaii: Admitted as 50th State.

Airport program: $63 million matching Federal aid to States authorized annually for fiscal 1960 and 1961.

Antitrust: FTC cease and desist orders under Clayton Act made finally effective 60 days after issued unless stayed by appeal; FTC permitted to seek penalties for first violation of such orders instead of waiting for second offense.

Bank reserves: Federal Reserve Board permitted, but not required to allow member banks to count all or part of vault cash as reserves; Fed also given discretionary power to ease individual bank reserve requirements in special situations and to eliminate "reserve city class" of members within 3-year period.

Renegotiation Act: Extended to December 31, 1962, with provision for recovery of excess profits on defense contracts. New study of procurement and renegotiation policies authorized.

Veterans' housing: $100 million in direct housing loans authorized; GI mortgage rate raised from 4¾ to 5¼ percent.

TVA: Authorized to issue up to $750 million in revenue bonds on its own for power facilities; territorial expansion forbidden.

Rail workers: Pension and jobless benefits increased under Railroad Retirement and Unemployment Acts.

Labor: Passed Landrum-Griffin bill.

Public works: Was vetoed two times—finally passed over veto.

Passed one-half percent increase for family bond interest only.

Finally passed housing bill as President wanted it—leaving out school classrooms.

NATIONAL SECURITY

Foreign aid: $3.5 billion authorized, including $2.1 billion in military assistance.

Loans of naval vessels to Italy and Turkey: Approval extended to 1964.

Draft Act: Continued to July 1, 1963.

Navy ship construction: $110 million authorized for fiscal 1960 to develop advanced vessels.

Import duties and taxes on scrap metal: Suspension continued to next July 1.

Subscription to International Monetary Fund: Increased $1.4 billion; to World Bank—increased $3.2 billion.

Above and beyond all other legislative actions by this, the 86th Congress, history will record the Landrum-Griffin bill as the most restrictive and confusing act ever passed by a U.S. Congress against the free American labor movement.

This act passed final the Friday preceding Labor Day with some of the most critical charges ever made on the record, against labor leaders, labor practices, and, in general, the unions of this Nation.

On Monday, September 7, 1959, 2 days later, a less vociferous and somewhat calmer Congress passed the following resolution (unanimously):

"A TRIBUTE TO LABOR

"Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House concurrent resolution, as follows:

" 'Whereas American labor has raised its standards of productivity to heights unequaled in world history; and

" 'Whereas the efforts of American labor have brought to this country a standard of living that has no parallel; and

" 'Whereas American labor has served the Nation in peace and war; and

" 'Whereas American labor has been a bulwark of freedom; and

" 'Whereas the first Monday in September is traditionally set aside to commemorate the services of working men and women to our Nation; Threfore be it

" '*Resolved by the House of Representatives (the Senate concurring)*, That the Congress does hereby express its deep realization and appreciation of the basic role that labor plays in our economy and of the contributions that American working men and women have made to America's well-being.'

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

"There was no objection.

"The SPEAKER. The question is on the House concurrent resolution.

"The House concurrent resolution was agreed to, and a motion to reconsider was laid on the table."

Not doubting the sincerity of the sponsors and of Congress as a whole, one could not help but note the sober, serious and subdued atmosphere in the House on Labor Day.

To one who had heard the speeches, the Jack Paar show, the President's speech, the McClellan hearings, the radio, television and newspaper coverage of the preliminaries preceding the final passage, the passage of the above resolution was an example of the conflicting emotions that dictated the final vote on the Landrum-Griffin Act and also it showed the neat dexterity and shifty footwork of the American politician.

I don't think the American workingman will be fooled by this resolution because if the American workers measures up to the praises of this resolution, he could not be what the Landrum-Griffin bill says he is, a second class citizen who needs to be told whom he can elect to office, how he must spend his money, when and where and what he can say to his fellow worker, what kind of a contract he can negotiate with his employer, how much his union can loan him for an emergency, gives him the dubious privilege of being an accuser and informer, with the promise of secrecy and reward, even if his union officers have not violated the law, but are about to violate and he has no proof nor does he need evidence of wrongdoing.

It further denies him the right to make and carry his own signs proclaiming unjust unfair treatment by his or any other employer, but he may pay for advertisement in a newspaper.

It gives him the right to coerce, intimidate and bulldoze his fellow worker any time, any place if he is attacking and belittling his own union officers, but makes it a crime if he does the same thing against an unfair employer.

This new "Magna Carta" as one Congressman hailed it, gives labor a few more rights that might be considered by the fair-minded American when he is analyzing this act of Congress.

It allows all workers on a construction job to refuse to go through a picket line at a construction except a truckdriver who belongs to the union.

It forbids all other unions except the garment workers from signing a hot cargo contract.

It forbids all other unions except certain trade unions in the construction industry from requiring union membership a requisite to work for any given employer.

It raises the dues of every union in America in order to pay lawyers, accountants, etc. if that union doesn't already have such services.

In every section of this so-called labor reform bill, it provides for attorney fees (out of the workers' pockets) and further excludes from the reporting provision all attorney actions in labor relations under the broad term of "attorney-client" relations.

No person wants to disrupt this great institution of attorney-client relationships, but this lets management continue the abuses practiced by the Sheffermans, Teitelbaums, and others whose actions were exposed and condemned by the McClellan committee.

Every union in this country will be compelled to revise or change its constitution and/or bylaws or find itself, its officers, and even its members in contempt of the law.

Last, but not least, it wipes out the one saving grace of the Taft-Hartley Act which gave union members as well as those seeking to join unions the protection of the services of the Federal courts and turns back to tender merciless and perilous justice so often found in local courts.

This power, long sought by the NAM and chamber of commerce can make a mockery out of any attempt by the underpaid, underprivileged workers in our Southern States.

Uncurbed, unrestricted use of the injunctive weapon has and will again create abuses against free labor that will not only stop any advances in their workers' living standards, but may very well lower them.

With all due respect and my personal high regard for the sponsor, Majority Leader JOHN MCCORMICK, of Massachusetts, I can't help but compare the high sentiments on Labor Day and the low esteem contained in the Landrum-Griffin bill 2 days previous when I think of the American worker, your father and mine, this week of Labor Day, Year of our Lord, 1959.

Sincerely yours,

JOHN H. DENT,
Member of Congress.

A Strong Domestic Minerals Industry Necessary to Our National Security

EXTENSION OF REMARKS
OF
HON. RICHARD M. SIMPSON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Friday, September 11, 1959

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I cannot stress too strongly the importance to our national security of a strong domestic minerals industry.

Our Government has, to some extent, recognized this importance. It has taken steps to prevent the undermining of certain segments of the minerals industry. Restrictions have been placed on imports of foreign oil, quotas have been established on imports of lead and zinc, and tariffs have been put into effect on copper and many other materials.

Additional measures are now being seriously considered. Legislation has been introduced to tighten the quotas on lead and zinc. Further legislation is pending to set up a system of quotas and price support for fluorspar. Other proposals are under consideration.

However, no consideration has been given to the plight of the domestic sulfur industry, an industry which for the past five years has been subjected to drastic price cutting by Mexican producers and to flooding of domestic markets by foreign sulfur.

On top of this, the industry is now confronted with large Government-sponsored sulfur production in France and with the prospect of even greater production of sulfur from sour natural gas in Canada.

The French production is part of a huge industrial complex which is controlled by the French Government by virtue of its ownership of a majority of the stock and which is largely financed by long-term government loans.

In fact, the development of most of the Mexican production was aided by loans from our Government. The Export-Import Bank put up almost $10 million to help some of the sulfur mining companies in Mexico get started in 1954.

By 1958, the Mexican industry, using the same Frasch hot-water process as that developed by the U.S. industry, had captured 16 percent of the U.S. market and 25 percent of the export market for Frasch sulfur. Last year the Mexican producers flooded this country with 600,000 tons of cheap sulfur and the export market with an additional 460,000 tons, all at the expense of the U.S. producers.

To make these inroads, the Mexican industry carried price cutting to an extreme degree. After U.S. producers had been forced to make substantial reductions in their own prices to try to meet this competition, the Mexican producers cut their prices even lower. I understand that the actual price of sulfur is now little above the level in the depression of the early 1930's and that it is selling at the equivalent of a cent a pound.

The loss of business to the Mexicans has been reflected in earnings of the U.S. sulfur industry. Stockholder reports of one domestic producer show a 52-percent drop in net earnings between 1956 and 1958. Another producer saw net income from sulfur sales decline more than 25 percent in the same period. A third producer's net dropped 145 percent from a profitable year in 1956 to a loss of well over one-half a million dollars last year.

As recently as this past July, the largest U.S. producer announced that it had to lay off 10 percent of its Texas labor force and could see no chance of rehiring the workers in the near future.

Yet, all the while, profits and production in Mexico have been increasing. The largest Mexican producer, moreover, announced recently that it plans a further substantial increase in production.

How have Mexicans been able to slash prices and thereby grab so large a share of the market in so short a time?

The answer is cheap labor, cheap shipping costs and special tax advantages.

The cost of labor is one of the largest expenses a mining company faces, and any saving in this area gives a producer a considerable advantage over his competitors.

A comparison of Mexican and United States wage scales is staggering. Trade surveys show that laborers at the mines on the Tehuantepec Isthmus are paid about $1.88 a day, while the rate for a comparable job in Texas and Louisiana is between $16 and $17—about nine times as much.

The Mexicans also have special shipping advantages. Domestic sulfur shipped to consumers on our Atlantic and Pacific coasts must by law be carried in U.S. vessels, which pay high American wages and charge high freight rates. In contrast, Mexican sulfur comes to U.S. ports in foreign vessels which have low wages and freight rates.

The difference in shipping costs is substantial. For example, in the first half of this year, it cost $6.50 per ton to ship sulfur from Texas and Louisiana to New England. At the same time sulfur was moving from Mexico to New England at rates as low as $2.25 per ton.

Other special advantages enjoyed by the Mexican producers include lower property taxes and production taxes of less than one-fourth those paid by U.S. producers.

While the large sulfur mines in Texas and Louisiana can no doubt withstand this onslaught, the smaller mines cannot survive against this cutthroat competition. And once a mine is closed it is almost always lost forever because of the high cost of reopening it.

Mr. Speaker, I submit that to let such mines wither and die is incompatible with our Government's avowed policies of encouraging the development of domestic mineral production and of conserving our natural resources. Nor is it compatible with national security. In peace and war, sulfur is no less essential than oil or steel. It is, in fact, vital to the processing of both these key commodities, just as it is to the making of fertilizer, chemicals, rubber, rayon, paint, pulp and paper, and a host of other necessities.

Although sulfur is seldom seen in the final product which it helps to produce, it enters at some stage in the production or processing of virtually everything we eat, wear or use. Our industry and agriculture could not exist without it. Thus, the maintenance of a sound domestic sulfur industry is a matter of vital national interest.

My purpose in presenting these facts is to draw the attention of everyone concerned with our natural resources to a situation which needs correction.

I strongly urge that serious consideration be given to the establishment of import quotas on sulfur similar to the restrictions placed on foreign oil and to the quotas in force for lead and zinc. I urge also that consideration be given to the establishment of a tariff on sulfur as we have on so many other mineral products. Incidentally Mexico itself, while flooding our country with sulfur, imposes a tariff amounting to about 25 percent of the value of any sulfur we ship to them.

Mr. Speaker, I believe that a quota and a tariff are essential in order to safe-

guard the domestic sulfur industry from the disastrous effects of substandard wages and preferential shipping rates prevailing elsewhere and to prevent this industry from being permanently weakened from these effects.

The U.S. National Exhibition in Moscow

EXTENSION OF REMARKS
OF
HON. FRANCES P. BOLTON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 11, 1959

Mrs. BOLTON. Mr. Speaker, this summer saw a rather unique happening in the effort we are making to bring about a greater understanding between this country and the U.S.S.R. It saw a Russian exhibition in New York and a U.S. fair in Moscow. There is no need to discuss here the Russian effort. Thousands of Americans including many Members of Congress have seen it. But few Americans and only a handful of Members of Congress have seen the exhibition we put on in Moscow. Having gone there as a member of the Subcommittee on State Department Organization and Foreign Operations of the House Committee on Foreign Affairs, with its chairman, the Honorable WAYNE HAYS, of Ohio, it seems to me important that some record of the amazing thing that was done should go into the RECORD.

Our purpose was clear—to strengthen the foundations of world peace by increasing understanding in the Soviet Union of the American people, the land in which they live, and the broad range of American life, including American science, technology, and culture.

President Eisenhower, in a message prefacing the official guidebook, said:

> It is my fervent wish that by this means, and through the corresponding exhibition which your country is holding in New York City, the people of our two great nations may gain a better understanding of one another. Thus can the foundations be strengthened for our cooperation in the achievement of mankind's greatest goal—a fruitful and flourishing world at peace.

The exhibition was a joint endeavor of the U.S. Government, American industry, and other private groups and organizations. Government participation centers in the Department of State, the Department of Commerce, and the U.S. Information Agency, with the Director of USIA, George V. Allen, serving as coordinator. Harold C. McClellan, Los Angeles industrialist and former Assistant Secretary of Commerce for International Affairs, was made general manager. Assistance and counsel on content were given by an advisory committee of 51 representatives of U.S. education, industry, foundations, science and the arts, as well as by a group of American newspaper and radio-TV correspondents formerly stationed in Moscow. McClellan and all those associated with him deserve the highest commendation and praise. They succeeded beyond expectations in carrying out what Mr. McClellan expressed at the outset of this amazingly successful effort:

> We definitely are not putting on either a propaganda show or a trade fair. It is going to be as comprehensive a presentation as we can make it of the way the American people live, work, and enjoy the fruits of their labor. It will reflect our attainments in the cultural and scientific fields as well as in the production of consumer goods. We will endeavor to exhibit the type of things the Soviets are interested in seeing. The Soviet people are tremendously curious about America, and we hope, in part, to satisfy that curiosity.

In no way was the American exhibition a trade fair, though there were industrial displays. It was an amazingly successful effort to project a realistic and credible image of America to the Soviets through exhibits, displays, films, publications, fine arts and performing arts. The exhibition reflects how America lives, works, learns, produces, consumes, and plays; what kind of people Americans are and what they stand for. America's cultural values were dramatically displayed in the 6 weeks when there was a corner of America in the heart of Moscow.

Nor were the outward and visible signs all that we sent there. The museum marvel was the fact that it was not just our Government that set it all up, but that in spite of the fact that it was not a trade fair, nearly 800 firms contributed products and/or foods to this national exhibition. Many paid all the shipping and underwrote the cost of maintaining their own—Russian speaking—personnel at Moscow. The cost of the plastic pavilions was borne by a group of leading firms in the plastic field. It has been impossible to determine the total value of industry's contribution, but it runs into the millions of dollars in goods, transportation, and services. That is the kind of people we are.

Could you have watched, as I did, the eagerness with which the Russians flooded in through the gates and seen them as they crowded into the exhibits, you would not question the success of the venture. To those of us who saw it, every penny put into it of Government and private enterprise money and effort, was well spent. Our fair was a living, breathing, heart-warming picture of what a free, independent, courageous and capable people have built for themselves and their children, and which they want for all the world.

The location in Sokolniki Park, 15 minutes by subway from downtown Moscow, serviced also by bus and trolley lines, could not have been improved upon. Not only did the Soviets provide various landscaping improvements in the park and extend the paved roads to the exhibition grounds, but they also made available water, gas, electricity, and sewage disposal and permitted the United States to landscape its exhibition area of 400,000 square feet. In addition the U.S.S.R. agreed to buy the aluminum geodesic dome building and the main exhibition hall for $375,000 after the exhibition was over. This has given us a return on our buildings, has saved us the cost of removing them and restoring the site to its original state, and leaves there a continuing reminder of modern American architecture and engineering achievement.

Let me give you as briefly as possible some of the main features:

THE GEODESIC DOME

A Kaiser aluminum gold-anodized geodesic dome building, 200 feet across and 78 feet high, with 30,000 square feet of floor space, was the information center about America, designed to handle traffic at the rate of 5,000 persons an hour.

The unique geodesic dome principle was developed in 1947 by the American architect-engineer R. Buckminster Fuller. It is like a huge half orange in appearance, and has no interior supporting pillars.

Around its inside perimeter were exhibits on space research, education, labor, health and medicine, agriculture, basic research, synthetics and nuclear energy. Around the exterior of the dome was a "Gallery of Americans"—5-foot photographs of American figures such as Benjamin Franklin, Walt Whitman, Abraham Lincoln, and Mark Twain.

A continuous documentary film portraying key aspects of American life was projected on one-third of the dome's interior circumference by means of the unique Charles Eames motion picture technique which uses seven simultaneous screens, each 30 by 20 feet, with a single Russian-language sound track.

Ramac 305, the "electric brain," provided split-second answers—in Russian—to thousands of questions about the United States.

Four American voting machines were on hand for Soviet visitors to vote for their favorite exhibits and displays.

THE EXHIBITION HALL

A 50,000-square-foot fan-shaped steel structure 28 feet high, glassed front and rear and covered by an accordion-pleated aluminium roof, displayed American cultural attainments and exhibits showing the results of the American economic system: the abundance so broadly shared by the people. These reflected the great freedom of choice enjoyed by the American family.

A special interior exhibit design of modular steel permitted maximum use of space. The display framework created mezzanine areas from which the visitor could observe exhibits above, below, and on the same level as himself.

THE PLASTIC PAVILIONS

Three plastic pavilions covering 15,000 square feet were located in three clusters. They housed:

First. The Museum of Modern Art's "Family of Man" Exhibit of 500 photographs assembled by Edward Steichen;

Second. An exhibit of contemporary American architecture showing models and 100 black-and-white photographs of schools, churches, shopping centers, skyscrapers and other buildings throughout the United States; and

Third. A display of American wearing apparel ranging from workclothes to formal attire. The majority of the

models were nonprofessional, and included three American families who had been selected by the fashion industry to represent various economic groups. The live presentation consisted of a half-hour show four times a day, with commentary in Russian. This was really tops.

CIRCARAMA

This 360 degree "movie in the round," which was so successful at Brussels, was housed in its own circular building. Circarama was redone and brought up to date by Walt Disney with new sequences and a Russian sound track.

OUTSIDE AREA

Outdoor displays included:

An American six-room ranch-type home completely furnished.

Twenty-two 1959 automobiles from all U.S. manufacturers, the most luxurious to the most economical.

Sporting and camping equipment, ranging from skis and fishing tackle to sailboats and outdoor cooking facilities.

Farm equipment such as tractors and combines.

A children's playground featuring a concrete adobe-type playhouse, an iron grid "magic carpet" and a sand lot for tots.

A Polaroid camera demonstration which not only illustrated the picture-in-a-minute technique but provided some 15,000 Soviet visitors with souvenir photographs of themselves.

Brightly colored kiosks where Pepsi-Cola was served free to visitors. Other kiosks displayed American newspapers, magazines and books.

VARIETY OF DISPLAYS

Exhibits on American productivity reflected a strong, growing economy. They included food demonstrations, home appliances, toys, clothes, cosmetics, television, hi-fii presentation, musical instruments, a completely furnished model apartment, a home workshop, and an exhibit on packaging techniques. There also was a travel display showing American interest in travel throughout the United States and abroad.

In the food demonstrations, Soviet visitors saw for themselves how an American housewife can dish up a full-course dinner in a matter of minutes, using frozen goods and readymixes. Demonstrators prepared 110 varieties of food.

The clothing displayed consisted of fabrics and synthetic fibers, telling the story of the needle trades unions and the leather industry. There were also sewing demonstrations illustrating the use of American patterns.

A fine arts display included 49 American paintings and 23 works of sculpture selected by a non-Government jury of experts as examples of the variety and wide range of American art produced from 1918 to the present.

A completely equipped color TV studio provided 8 hours of programing daily on a closed circuit, using 16 21-inch color TV viewing screens placed at strategic points throughout the exhibition area. The color camera was trained on Soviet visitors, and tapes played back so that the Soviets saw themselves on the TV screen.

Music in stereophonic high fidelity sound was broadcast to a children's play area and a picnic area.

CULTURAL CONTENT

Displays reflecting America's culture included some 10,000 books and a bookmobile, newspapers from every State in the Union, hundreds of magazines, paintings and works of sculpture, photography, high-fidelity music, record albums, the "Family of Man" exhibit, models and photos of 100 outstanding architectural achievements in the United States, do-it-yourself exhibits, crafts, and performing arts, including the New York Philharmonic Orchestra and an Ed Sullivan variety show, in a downtown Moscow theater. Religious activities were portrayed in many ways.

Several of our groups deserve special commendation, the 75 guides first of all. Chosen from a long list of applicants on the basis of personality, knowledge of Soviet and American affairs, and complete command of the Russian language, they did us proud. Well organized and carefully disciplined, they proved themselves—with amazingly few incidental exceptions—equal to their truly difficult jobs. They took groups about, were prepared to answer any and all questions, not only about the exhibition, but about America as well, and in themselves were exponents of our American way of life.

The models of our style show made up another group who deserve high praise. Young, full of energy, charming, with a sense of artistry and freshness, they were a gay, happy note, and were much appreciated. Here again was evidenced a fine discipline and an enthusiastic devotion to the job of showing America to the Russians, for which they deserve sincere praise.

Mr. Speaker, we can be very proud of the exhibition we sent to Moscow and of the personnel who represented us there. Let us keep to this high standard in all similar adventures yet to come.

An Invitation to Eastern Oklahoma, Recreational Heartland of America

EXTENSION OF REMARKS
OF

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 11, 1959

Mr. EDMONDSON. Mr. Speaker, I should like to call the attention of the Congress and every American to the significant fact that the State of Oklahoma, and especially eastern Oklahoma, is rapidly becoming the recreational heartland of America.

One of the most amazing developments in recent years is the phenomenal and almost unbelievable growth of Oklahoma in the field of outdoor recreation. For John Q. Public we are fast becoming the vacation mecca of the United States.

Few people realize that we have two lakes in Oklahoma whose annual visitor attendance greatly exceeds the combined annual visitor attendance of both Yellowstone National Park and the Grand Canyon—and an even smaller lake with more annual visitor attendance than the Washington Monument and Yosemite National Park combined. These facts are hard to believe about a State only recently known as a Prairie State.

The present and future role of the State of Oklahoma in outdoor recreation—a new growth industry developing in this country in tremendous proportions and possessing almost unlimited potential—is so promising that it ultimately can transform the State and could well hold the key to providing us with the most amazing economic development in our spectacular State history.

The great boom in outdoor recreation in Oklahoma is keyed to the tremendous development of water resources in our State, which already has more than a quarter of a million acres of surface water impounded in our lakes, to which will be added more than 140,000 surface acres when 5 reservoirs now under construction by the Corps of Engineers and the Bureau of Reclamation are completed. Still more thousands will be added when other authorized projects are finished.

Oklahoma early realized the great potential in the field of outdoor recreation, and especially water recreation. Its development of State parks and its investment of more than $7 million in five fine resort lodges on Oklahoma lakes, which provide luxury surroundings at moderate prices and which rival the best that are being built with Federal funds under the Mission 66 program, have been unique. In particular, its development of the fabulous Lake Texoma Lodge, and of the equally beautiful Western Hills Lodge on Fort Gibson Reservoir, has drawn visitors and conventions from all over the country.

Maj. Gen. E. C. Itschner, Chief of Army Engineers, speaking at Western Hills Lodge about 3 years ago, said that Oklahoma "among all of the States has taken the No. 1 spot in developing reservoirs for recreational use."

Earlier the same year, a corps official of the Tulsa district office, in commending the "foresight and initiative of the Oklahoma Planning and Resources Board in realizing the recreational opportunities" on corps reservoirs, said Oklahoma had "given the greatest impetus to the development and use of these lakes far beyond any other agency or private development."

It will come as a major surprise to many people that attendance at State parks in Oklahoma in 1958 was in excess of 8 million, and that Oklahoma ranked eighth nationally among all the States reporting attendance at State parks during 1958 to the National Park Service.

It will come as another surprise to many people that between 1950 and 1958, attendance at Oklahoma State parks increased by a startling 217 percent, as compared to an increase nationally of 108 percent.

It will come as a further surprise to many people that attendance at State parks in Oklahoma in 1958 was consid-

erably greater than it was at State parks in such noted vacation States as Colorado, Florida, Minnesota, Maryland, New Hampshire, New Jersey, Massachusetts, and Wisconsin.

With these statistics in mind, it is no wonder that the present Governor of Oklahoma recently said that recreation in the Oklahoma lakes area presents opportunities that stand out "like a beacon light of hope" for the future of our State.

Mr. Speaker, what are the ingredients which have brought about this situation in a State which is the fifth youngest in the Union? What accounts for this fantastic growth in recreational visits?

One of the key ingredients is the fact that Oklahoma early recognized the great potential in water recreation present on its great and growing chains of lakes, and based the fabulous development of its park systems, its lodges, and its resorts primarily to take advantage of this opportunity. In cooperation with other men of vision from the Army Corps of Engineers office in Tulsa, and with other experts in the field, the State of Oklahoma became the true pioneer in the development of a park system based upon the future growth in this new water recreation industry.

As a result, you have in Oklahoma some of the best planned recreation plants on earth. They are in operation 24 hours a day, 12 months a year. More people, more frequently, and over a longer period of the year and during more days of each week, and during more hours of each day, visit lakes and State parks in Oklahoma than at almost any similar area on earth.

As one corps official in Washington said, the type of reservoirs we have in Oklahoma and the Southwest represents a virtual revolution in recreational habits. They serve a much greater proportion of the public, regardless of income, than almost any other kind of outdoor recreation. With the climate of the Southwest, these resorts are open throughout the year, and are in operation day and night—with their lodges, their cottages, their night-fishing docks, and their many other low-cost facilities.

Blessed not only with a climate which permits outdoor recreation throughout the year but also with countless streams and wooded hills and rolling plains, possessed of varied and beautiful natural resources, abounding with scenic spots of infinite beauty and historic sites of great interest, Oklahoma is also geographically located to serve all the people of the United States.

Situated right in the middle of the most rapidly growing market areas of the United States, with 42 million people now within a 500-mile radius of the center of Oklahoma, and realizing that the present rate of population growth in the United States could bring a national population of approximately 260 million people in 1980 and 350 million in the year 2000, Oklahoma is already in a position to capitalize on its pioneering work in the field of outdoor and water recreation.

Still another factor in the development of outdoor recreation is the national trend in the field of recreation and the tremendous growth in public use of recreational facilities throughout the country. It is on this growth trend that Oklahoma has capitalized, and it is most revealing to examine some of the amazing statistics in this field.

Recently I asked the Library of Congress to prepare for me a report on "The Growth of Recreation in the United States"; and this fine report, prepared by Erin W. Nisbet of the Legislative Reference Service, was completed only on September 4. It is probably the most up-to-date report of its kind in existence at the present time.

The Library of Congress report comments upon the astonishing rate of growth on the basis of attendance figures in the recreational use of public lands and State parks. It says in part:

> In contrast to a 15.5-percent increase in population from 1950 to 1958, attendance figures show a 492-percent increase at Corps of Engineers water resources projects, a 76-percent increase at all National Park Service areas except the National Capital Park System, a 108-percent increase at all State parks, a 150-percent increase at national forest areas, and an estimated 195-percent increase in attendance at Bureau of Reclamation projects.

I might point out that corps projects located primarily in Oklahoma have, for the past several years, accounted for about 20 percent of national attendance at all corps projects, which in 1958 totaled almost 95 million visitors.

The Library of Congress report continues:

> The actual use of the public recreation facilities has far exceeded the planning estimates made over 10 years ago. It is obvious that there will continue to be a growing need for more of such facilities in the future on both public and private lands. In the last 8 years, attendance has been growing at an average annual rate of 7 percent in the National Park System, 11 percent at the national forests, 12 percent at the wildlife refuges, 10 percent at TVA reservoirs, 13 percent at Bureau of Reclamation projects, 22 percent at Corps of Engineers reservoirs, and 9 percent at the State parks.

Mr. Speaker, as a further example of the tremendous public use for recreational purposes of public parks and Federal recreation areas, let me quote the figures on estimated attendance in 1958 in the major categories of facilities of this type in the United States. Attendance at corps projects was 94,793,000; at national forest lands it was 68,450,000; at all National Park Service areas not including National Capital Park System it was 58,677,000; at State parks it was 237,328,853; at TVA lakes it was 36,600,408; and at wildlife refuges it was 9,114,000.

These figures are astounding because the totals far exceed the population of the United States, which of course is largely accounted for by the fact that many people make repeat visits, and also visit more than one such area each year. But nonetheless, it points up that the entire field of outdoor recreation, with pressing needs for additional facilities which are clearly evident, is sorely in need of increased national attention, especially by the Congress.

The field of outdoor recreation, of which water recreation is a major part, is a tremendous new growth industry. The Library of Congress report indicates that a recent article on the industries related to outdoor recreational activity estimated that business income in this field amounted to $32 billion in 1958.

Mr. Speaker, if we accept that estimate, which could be very conservative, it still would be big business in every sense of the term. Compare that $32 billion estimate with statistics for other fields as estimated by official governmental agencies. The current earnings of all member banks of the Federal Reserve System in 1958 amounted to $7.1 billion. Revenue from ultimate customers of the electric light and power industry amounted to $9.7 billion in 1958. The value added by the manufacture of the primary metal industries—iron, steel, and the nonferrous metals including copper, tin, lead, zinc, and aluminum—was $13.1 billion in 1957. The value added by the manufacture of all chemicals and chemical products was $12.1 billion in 1957. The value of all mineral production in the United States in 1957 was $18.1 billion, and is expected to fall slightly below that figure for 1958.

It is that terriffic $32 billion outdoor recreation industry which Oklahoma, and especially eastern Oklahoma, will increasingly share in the future.

For example, in the Second Congressional District of Oklahoma, which I represent, there are three Corps of Engineer projects located completely within the district. They are Fort Gibson Reservoir, which in 1958 had a total visitor attendance of 4,177,800; Tenkiller Ferry Reservoir, which in 1958 had a visitor attendance of 2,297,700; and the smaller Hulah Reservoir, which last year had a visitor attendance of 578,100.

I am certain it will startle a large percentage of the American public to realize that in 1958, attendance at Tenkiller Reservoir exceeded the combined total attendance for the same year at the Washington Monument and the Yosemite National Park; and that attendance at Fort Gibson Reservoir exceeded the combined total attendance at both Yellowstone National Park and the Grand Canyon. Truly these are striking figures, and point up the great future to Oklahoma, and specifically to eastern Oklahoma, that lies ahead of us in the field of outdoor recreation.

Already existing in the Second Congressional District are other additional lakes. One of them, the very highly developed recreational area of Grand Lake, has a surface area of 46,500 acres. Another, much smaller but providing magnificent recreation, is Greenleaf Lake with its fine State park of 1,475 acres built around a jewel of a lake containing 920 acres of surface water.

Mr. Speaker, it is well known that Lake Texoma, which Oklahoma shares with Texas, has broken all visitor attendance records at corps reservoirs throughout the Nation during 6 of the past 7 years, and in 1957 had more than 8 million visitor attendance. Texoma Lake, created by the impoundment of water by Denison Dam during 1942, is noted throughout the world for the fantastic attendance records it has set—and a most significant thing is that in 1946, estimated annual attendance for 1956 was

set at 600,000, whereas in that year it actually reached the astounding total of 7,471,600 visitor days—more than 12 times the estimate of 10 years earlier.

As astonishing as is the record of Texoma, corps reservoirs within the Second District of Oklahoma have set some records of their own. In 1950 the corps started keeping attendance records at Lake Hulah, Tenkiller Lake and Fort Gibson Lake although all of them were still under construction and impoundment of water did not begin until March 1951, in the case of Hulah, and late in 1952 in the case of Tenkiller and Fort Gibson.

Attendance figures at Hulah in 1950 were 26,000; 45,000 at Tenkiller, and 195,000 at Fort Gibson. Attendance figures for 1958, which already have been given, would indicate that attendance records have grown since 1950 by the startling figures of 2,120 percent in the case of Hulah, 2,043 percent in the case of Fort Gibson, and 5,007 percent in the case of Tenkiller. Percentage increase at Texoma since 1950 has been 74 percent, while percentage increase at Texoma since 1945—which was after impoundment but earliest attendance records which I have seen—has been approximately 2,745 percent. It should be borne in mind that Texoma has been established not only much longer than any of these other three lakes, but that also it is more than twice as large in water surface area and considerably larger in shoreline area than all the other three lakes combined.

Mr. Speaker, it is my understanding that the corps is planning for a total of 12 million visitors at Texoma within the next few years, and similar great growths are expected at Fort Gibson, Tenkiller, and Hulah Lakes.

In the light of these statistics, it came as no surprise to me to learn that the corps has extremely high expectations for attendance at Oologah, Eufaula, and Keystone Reservoirs when they are completed within the next few years. Oologah will lie within the second district, Keystone just to the west and Eufaula will be shared with the third district of Oklahoma.

It is my understanding that the corps expect, within 5 years after impoundment, 1 million visitor attendance at Oologah, and a whopping 10 million visitor attendance each at Eufaula and at Keystone Reservoirs.

If you are a fisherman, consider these interesting reports from Oklahoma lakes: In 1958 the fishing catch at Fort Gibson was 2,140,000 pounds; at Tenkiller it was 930,000 pounds. At relatively tiny Lake Hulah the 1957 fishing catch was 75,000 pounds. Experts predict that fishing at the new lakes now under construction will be outstanding. Think what this means to Oklahoma, and especially to the second district, in terms of new businesses created by these lakes—such as fishing docks, boating docks, cottages and motels, grocery and supply stores, oil and gasoline stations, and many other related businesses. All go with boating, fishing, swimming, exploring, sightseeing, water skiing, hunting, and other overall vacation activities associated with water recreation.

As a single index, watercraft on peak days jumped from 50 to 950 at Fort Gibson between 1952 and 1958. At Tenkiller, it jumped from 16 in 1952 to 650 in 1958; and at Hulah, it jumped from 10 in 1951 to 250 in 1958.

A corps estimate of the value of recreational activity at the three largest corps projects in Oklahoma in 1957 was set at $66.5 million, of which $60 million was assigned to the much older and long-developed Lake Texoma. However, 1957 recreational business at the recently completed Fort Gibson and Tenkiller Reservoirs was estimated to total at lease $6.5 million, and it has been increasing by leaps and bounds since that time.

The Grand Lake recreational investment had a $31 million price tag placed on it by an official of the Grand Lake Association this year. He also estimated that the number of out-of-State visitors there had increased from 62 to 68 percent.

These figures are striking examples of the pulling power of these lakes and water recreation facilities to people from other States and from very considerable distance. It is my understanding that a corps study of visitor attendance a couple of years ago at Fort Gibson and Tenkiller indicated that approximately 50 percent of the cars bore out-of-State licenses. Chamber of commerce officials in the Fort Gibson Reservoir area say that cars from virtually every State in the Union have been seen at lake access points, and are being seen in increasing numbers each year.

Mr. Speaker, with eye-opening facts like these before me, I speak with pride and great anticipation for the future of Oklahoma, and particularly of eastern Oklahoma, which will have a tremendous and growing share of our national outdoor recreation business and development. The future is unlimited. The foresight of the State of Oklahoma in preparing for this fabulous revolution in the recreational habits of our American people is hitting pay dirt, and we are prepared to ride with this great tide of the future and to capitalize on the magnificent potentialities which lie before us.

We can also glory in the fact that we will have both a happier and a healthier America as our people move outdoors for recreation, in increasing numbers each year.

General Itschner this year predicted that the Arkansas River basin, which is now being developed for navigation, has the resources to produce an unprecedented explosion of economic growth. He said he "could conceive of few areas of America which have a brighter future." In earlier speeches he has predicted our region would prosper, as has the Ohio Valley, with the industrial development which would come to pass with the completion of the navigation project.

Mr. Speaker, I share fully with General Itschner his faith in the economic boom and the tremendous industrial growth which lie ahead for our region. With river navigation, an abundance of coal and other fuels, and abundant water supply, we are blessed with all the things which we need for great industrial growth.

But, I would point out that the recreational benefits alone which are coming with the development of these great water projects are providing and will increasingly provide an economic growth which will transform the State. Furthermore, I believe that outdoor recreation is as nearly a depression-proof industry as can be found anywhere, and this is demonstrated by cold facts and figures.

Oklahoma is richly blessed with its present and planned facilities for outdoor and water recreation. We have much to offer all America. We invite each and every American to come to our lakes, to visit our historic spots, to see our cowboys who have attained national fame at rodeos, and to thrill as you see the priceless heritage and tremendous contributions our outstanding American Indian tribes have added to our culture and our civilization.

We promise you an Oklahoma welcome you will never forget—a welcome from the Recreational Heartland of America.

SENATE

SATURDAY, SEPTEMBER 12, 1959

(Legislative day of Saturday, September 5, 1959)

The Senate met at 9 o'clock a.m., on the expiration of the recess.

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

O Thou God of all men: Blind and deaf would we be should we bow in this Chamber without a sense of solemn gladness that so much has been given us. We come in the remembrance of lives greatly lived, whose record is our heritage. Be with us in deepened gratitude, as we think of those who strove for truth and, when they found it, spoke it; for those who could not see evil without crying out against it; for those who felt in their own hearts the pain of the injustice done to others; and for those who condemned oppression, and fought for liberty.

Join us, we pray, in spirit to those who, with all their might, fought the good fight until they triumphed, raising the level of our common life and broadening the scope of human possibility.

In the midst of today's continuing struggle between the true and the false, between love and hate, grant us, by Thy grace, new fortitude and reinforcement for the times in which we live, until by patience, persistence, and enduring courage we become sufficient for the tasks committed to our hands.

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