SENATE

MONDAY, JANUARY 25, 1960

(Legislative day of Friday, January 22, 1960)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

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

Eternal God, to whom all hearts are open and from whom no human secrets are hid, save us from the fallacy of using what we call prayer to build, with comfortable phrases, a shelter around our own shortcomings.

As from a world rife with sham and deceit we turn to Thee, God of all truth, let us be solemnly conscious that all pretense is unavailing when we talk with Thee.

As chosen leaders of the Nation in a time of challenge and peril, give Thy servants here the fidelity, the candor, and the courage to warn this wayward generation that the road of safety, comfort, and repose is the straight path to the loss of the precious birthright bequeathed to us by those who endured hardness and spurned ease that we might live in freedom.

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

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 22, 1960, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. NEUBERGER, and by unanimous consent, the Subcommittee on the North American Regional Broadcasting Agreement of the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

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 memorials, bills, and the transaction of other routine business, and that there be a 3-minute limitation on statements.

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

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

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

INQUIRY REGARDING YEAS AND NAYS ON UNFINISHED BUSINESS

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KUCHEL. Have the yeas and nays been ordered on Calendar No. 571, S. 2436, the so-called clean elections bill?

The VICE PRESIDENT. The yeas and nays have not yet been ordered on the bill.

Mr. KUCHEL. I thank the Chair.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF GENERAL SALES MANAGER, COMMODITY CREDIT CORPORATION

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of the General Sales Manager on Commodity Credit Corporation sales policies, activities, and dispositions, dated October 1959 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Treasury Department for "Salaries and expenses, Office of the Secretary," and the appropriation to the Veterans' Administration for "Inpatient care," for the fiscal year 1960, have been reapportioned on a basis which indicates the necessity for supplemental estimates of appropriation; to the Committee on Appropriations.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

The petition of Jerome C. Mietchen, of Ogden, Utah, praying for a redress of grievances; to the Committee on Armed Services.

A resolution adopted by the board of supervisors of the San Joaquin County Flood Control and Water Conservation District, relating to flood control work on the Mokelumne River, Calif.; to the Committee on Public Works.

RESOLUTION OF FAIRLINGTON METHODIST CHURCH, ALEXANDRIA, VA.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the official board of the Fairlington Methodist Church, of Alexandria, Va., endorsing the "Visit the United States of America" program.

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

Whereas the President of the United States has proclaimed 1960 as "Visit the United States of America Year," and has thereby extended a cordial invitation to the people of the world to visit our country; and

Whereas travel is an important element in the development of greater international understanding and thus tends to promote world peace; and

Whereas visitors from other lands have traditionally found in the United States a friendly welcome from a people whose primary concern is for peaceful accomplishments in their economic, social, and cultural life; and

Whereas the members of this church are desirous of sharing with our world neighbors the spiritual as well as the material satisfactions which we enjoy in our everyday lives;

Therefore, the official board of the Fairlington Methodist Church endorses the "visit the United States of America" program as an opportunity to demonstrate the transcendent quality of the Christian principles which are the very fabric of our Nation, and urges its members to examine ways in which they, individually and collectively, can use this opportunity to strengthen the bonds of friendship between our country and the international community of nations, and in so doing to make this world a better place in which to live.

To implement this resolution, the official board recommends that leaders of various organizations within the church familiarize themselves with the 1960 program and discuss within their respective groups specific ways by which they may participate, especially in hospitality phases of the program to insure the proper reception of visitors from abroad to this area.

Further, it is recommended that copies of this resolution be transmitted to all churches of this district in the hope that they will initiate similar activities.

RESOLUTION OF THE NASSAU COUNTY AMERICAN LEGION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Nassau County, N.Y., American Legion, favoring the enactment of legislation to establish a veterans hospital for Nassau and Suffolk Counties.

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

Whereas Nassau County now has a population in excess of 1,700,000; and

Whereas there are at present many veterans who are unemployed or working on reduced salaries, who cannot afford to pay for medical and hospital treatment at private hospitals, although they need hospitalization; and

Whereas said veterans must, therefore, be treated as charity cases; and

Whereas the present nonveteran hospitals are very overcrowded; and

Whereas the President of the United States, the Governor of the State of New York, and the county executive of Nassau County have all expressed the need to have more public works started to take up the slack in employment; and

Whereas Nassau County and Suffolk County veterans find it extremely difficult to gain admittance to the presently available veterans hospitals due to the congestion and heavy demands thereon; and

Whereas the Suffolk County American Legion organization is on record by resolution, calling for the erection of an addition to the Northport Hospital for veterans: Now, therefore, be it

Resolved, That the Nassau County American Legion organization go on record as favoring the establishment of a veterans hospital for Nassau and Suffolk Counties.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 2779. A bill relating to the election under section 1372 of the Internal Revenue Code of 1954 by the Augusta Furniture Co., Inc., of Staunton, Va. (Rept. No. 1040).

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

H.R. 7588. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of copyright royalties for purposes of the personal holding company tax (Rept. No. 1041).

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, without amendment:

S. Con. Res. 81. Concurrent resolution proposing observance of week beginning January 31, 1960, as National Junior Achievement Week (Rept. No. 1042).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

Joseph V. Charyk, of California, to be Under Secretary of the Air Force.

BILLS INTRODUCED

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

By Mr. FONG (for himself and Mr. LONG of Hawaii):

S. 2891. A bill to amend the Bankhead-Jones Farm Tenant Act, as amended, and title V of the Housing Act of 1949, as amended, so as to authorize the Secretary of Agriculture to make financial assistance available under such acts to persons holding leasehold interests in lands in the State of Hawaii, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. WILEY:

S. 2892. A bill for the relief of Toshiko Hatta; to the Committee on the Judiciary.

By Mr. McGEE:

S. 2893. A bill to permit weekly publications to suspend publication for not more than two issues in any one calendar year without loss of second-class mail privileges; to the Committee on Post Office and Civil Service.

By Mr. MOSS:

S. 2894. A bill to authorize the Secretary of the Interior to establish the Great Salt Lake National Park in the State of Utah; to the Committee on Interior and Insular Affairs.

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

By Mr. BIBLE:

S. 2895. A bill to provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia; to provide the Commissioners of the District of Columbia with additional authority to carry out the purposes of section 7 of the act approved July 1, 1902, as amended; to authorize the said Commissioners to impose certain requirements on persons licensed under the said act of July 1, 1902; and for other purposes; to the Committee on the District of Columbia.

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

By Mr. CANNON:

S. 2896. A bill for the relief of Miss Sofie E. Evansen; to the Committee on the Judiciary.

By Mr. KEATING:

S. 2897. A bill to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained age 50 to qualify for disability insurance benefits, and to permit the payment of such benefits from the beginning of the individual's disability; to the Committee on Finance.

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

By Mr. NEUBERGER (by request):

S. 2898. A bill to establish the Oregon Coast National Seashore Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. FULBRIGHT:

S. 2899. A bill to extend the benefits of the Federal Employees Health Benefits Act of 1959 to employees of the agricultural stabilization and conservation county committees; to the Committee on Post Office and Civil Service.

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

By Mr. CASE of South Dakota:

S. 2900. A bill for the relief of certain individuals whose lands were acquired by the United States in connection with the construction of the Oahe Dam and Reservoir in South Dakota; to the Committee on the Judiciary.

By Mr. BRIDGES:

S. 2901. A bill for the relief of Giuseppa Alonzi; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 2902. A bill for the relief of Leo Shoenholz, Tobias Kaplan, the Kroger Co., and Cleveland State Bank, all of Cleveland, Miss; to the Committee on the Judiciary.

By Mr. EASTLAND (for himself and Mr. STENNIS):

S. 2903. A bill to deem teachers in the State of Mississippi to be employees of such State for purposes of title II of the Social Security Act; to the Committee on Finance.

By Mr. BUSH:

S. 2904. A bill for the relief of Dr. Steven S. Yamamoto; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. CLARK, and Mr. NEUBERGER):

S. 2905. A bill to provide for a credit or deduction against Federal income taxes for certain political contributions; to the Committee on Finance.

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

RESOLUTIONS

PRINTING OF ADDITIONAL COPIES OF UNEMPLOYMENT SELECTED READINGS

Mr. McCARTHY submitted the following resolution (S. Res. 256), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Special Committee on Unemployment Problems one thousand additional copies of the unemployment selected readings prepared by that committee.

ADDITIONAL COPIES OF STUDIES IN UNEMPLOYMENT

Mr. McCARTHY submitted the following resolution (S. Res. 257), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Special Committee on Unemployment Problems three thousand additional copies of the studies in unemployment prepared by that committee.

ADDITIONAL COPIES OF HEARINGS HELD BY SPECIAL COMMITTEE ON UNEMPLOYMENT PROBLEMS

Mr. McCARTHY submitted the following resolution (S. Res. 258), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Special Committee on Unemployment Problems two thousand additional copies of the hearings held by that committee concerning unemployment problems in Indiana.

TO PRINT AS A SENATE DOCUMENT, WITH ILLUSTRATIONS, COMMITTEE PRINT ENTITLED "RELATIVE WATER AND POWER RESOURCE DEVELOPMENT IN THE U.S.S.R. AND THE U.S.A."

Mr. MOSS submitted the following resolution (S. Res. 259), which was referred to the Committee on Rules and Administration:

Resolved, That the committee print entitled "Relative Water and Power Resource Development in the U.S.S.R. and the U.S.A.," consisting of a joint subcommittee report and staff studies of the Committee on Interior and Insular Affairs and the Committee on Public Works, be printed with illustrations as a Senate document.

SEC. 2. There shall be printed for the use of the Committee on Interior and Insular Affairs three thousand seven hundred additional copies of such Senate document.

PRINTING OF COMMITTEE PRINT ENTITLED "RELATIVE WATER AND POWER RESOURCE DEVELOPMENT IN THE U.S.S.R. AND THE U.S.A.," WITH ILLUSTRATIONS

Mr. MOSS submitted the following resolution (S. Res. 260), which was referred to the Committee on Rules and Administration:

Resolved, That the committee print entitled "Relative Water and Power Resource Development in the U.S.S.R. and the U.S.A.," consisting of a joint subcommittee report and staff studies of the Committee on Interior and Insular Affairs and the Committee on Public Works, be printed with illustrations as a Senate document.

SEC. 2. There shall be printed for the use of the Committee on Public Works three thousand seven hundred additional copies of such Senate document.

LONG-TERM LOANS TO CERTAIN FARMERS IN HAWAII

Mr. FONG. Mr. President, on behalf of my colleague the junior Senator from Hawaii [Mr. LONG] and myself, I introduce, for appropriate reference, a bill

which would make available long-term Government loans to farmers in Hawaii who farm on leased land.

This bill is designed to meet a unique situation in Hawaii which does not exist in the other 49 States. Because of the widespread prevalence of leaseholds in Hawaii, farmers there have been unable to qualify for farmownership loans and farm housing loans. This bill would correct this inequity.

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

The bill (S. 2891) to amend the Bankhead-Jones Farm Tenant Act, as amended, and title V of the Housing Act of 1949, as amended, so as to authorize the Secretary of Agriculture to make financial assistance available under such acts to persons holding leasehold interests in lands in the State of Hawaii, and for other purposes, introduced by Mr. FONG, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

GREAT SALT LAKE NATIONAL PARK

Mr. MOSS. Mr. President, during adjournment, I had the pleasure of conducting hearings on two of the specific coastal areas to be set aside in the so-called save-our-shorelines bill—Cape Cod in Massachusetts and Padre Island in Texas. I was very much impressed with the magnificence and charm of these areas, and came back to Washington, D.C., with the deep conviction that they must be preserved both for the wonder and enjoyment of this generation, and those to come after us.

There exists, however, in the State of Utah a shoreline area that is more unique than anything I saw this fall. I am referring to the shoreline of the Great Salt Lake.

I therefore introduce, for appropriate reference, a bill today to set aside certain areas and shorelines of the Great Salt Lake as a national park.

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

The bill (S. 2894) to authorize the Secretary of the Interior to establish the Great Salt Lake National Park in the State of Utah, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. MOSS. Mr. President, Great Salt Lake is perhaps the best known of the many natural wonders of Utah. This vast inland sea is the only thing of its kind in the Western Hemisphere. Americans everywhere are intrigued by the lake and want to see it.

In the hope that we might find an attractive access to Great Salt Lake, I asked the National Park Service to make a survey of the area, which they did last summer. Their survey included the entire lake and the surrounding shoreline, as well as the south, east, and north shores of Antelope Island. Among the conclusions the Park Service reached were these:

First. Great Salt Lake illustrates outstandingly significant scientific values worthy of preservation and interpretation by either the Federal or State Government.

Second. No existing area in the national park system duplicates to any substantial extent the significant values of Great Salt Lake.

Third. The north end of Antelope Island was the most impressive site on the lake visited.

Fourth. The proper development of Great Salt Lake is an extremely complex matter of concern to all levels of government as well as to corporate and private interests.

The report also points out that many of the problems which must be solved are the responsibility of local municipalities and industrial concerns. The bill I am introducing today will facilitate hearings on these problems.

In one respect I disagree heartily with the National Park Service report. It indicates a lack of local interest in developing the lake and its shorelines. The interest is there—it is only that the problems are complex, and there is need for a rallying point.

Great Salt Lake and its shoreline are both unusual and infinitely worth saving. A few more years and it will be too late. I ask unanimous consent to enter into the RECORD at this point an editorial from the Salt Lake Tribune of January 11, which makes a far more eloquent case than I could for the preservation of one of the best-known natural phenomenons of the world.

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

A save-our-shorelines bill, designating 10 specific coastal areas for national park administration, is expected to be the object of a major drive in the new Congress.

The original plan is modest, including Cape Cod and other Atlantic coast strips plus some additional remnants of unspoiled shoreline on the Pacific, gulf, and Great Lakes coasts.

We believe the Great Salt Lake should be given national park recognition and protection. This world-famous inland dead sea, with salt content as high as 28 percent, is one of the unique attractions in America. Its scientific, historical, and recreational importance have long been recognized but it has been allowed to deteriorate to an ugly cesspool.

Last spring, Senator Moss, of Utah, asked the National Park Service to study the potentialities of Great Salt Lake, and a team of experts spent considerable time reconnoitering the area. In a recent report, the Park Service said the lake has significant scientific values worthy of preservation and interpretation. No existing area in the national park system duplicates these values, the report said.

The report stated, however, that there was no evidence of any substantial public support for including Great Salt Lake in the National Park Service.

This matter should be promptly corrected. An unspoiled strip of shoreline needs to be given official protection while there is still time. From present indications, the Utah State Park Commission, now engaged in an ambitious program throughout the State, cannot afford this undertaking.

National Park Service experts believe a national monument would be adequate to tell the Great Salt Lake story and suggest Antelope Island as a logical site. The rugged, mostly barren island, 15½ miles long and 5½ miles wide, with a total acreage of 23,175, is connected with the mainland by a rough road. It is owned privately by the Island Improvement and Ranching Co. and four other interests and is used mainly for grazing. Obtaining the island for public use and preservation at a reasonable price is the first consideration.

Gently sloping beaches ideal for recreation exist on the north and west shores. A national monument here would supplement a project planned by the Utah State Park Commission for facilities on the lake's south shore. The old Saltair resort was given the State commission about a year ago but funds are lacking so far for any more than maintaining the property. The U.S. Army Corps of Engineers soon will begin a survey to determine the feasibility of rebuilding the old Salt Lake County boat harbor nearby and of dredging that part of the lake.

Great Salt Lake also is tremendously important commercially and these values should not be damaged.

The flexible rules of a State park would not interfere with normal industrial undertakings on the south shore.

Meanwhile, the feasibility of protecting in its natural State all of Antelope Island certainly should be thoroughly studied. Recently the commissioners of Davis County, which embraces the island, took steps to zone it. All projects involving the island depend on halting the practice of dumping raw sewage from Salt Lake City and other communities into the area. Plans are progressing on these long-needed sanitation programs.

The save-our-shorelines program has met with local opposition in some areas because of commercial and residential developments in suggested park areas. This plus the increasing national demand for expanded outdoor recreational facilities emphasize the need to set aside a small area on Great Salt Lake for public information and enjoyment before commercial exploitation blocks the way. Let's get busy.

LIMITATIONS ON USED-CAR DEALERS AND AUTO FINANCE COMPANIES IN DISTRICT OF COLUMBIA

Mr. BIBLE. Mr. President, I introduce for appropriate reference, a bill designed to provide needed protection for the District of Columbia's car-buying public who have been the target the last several years of a teamplay by certain unscrupulous used-car dealers and finance companies.

A pattern of growth complaints about the unethical practices of this small minority of District used-car dealers and some fly-by-night finance companies has resulted in this proposed legislation.

It is apparent that the laws of the District do not meet the fair business standards imposed by other States to curb these sharp practices whereby every last dollar is sought to be pried from low-income families, and others who patronize the used-car lots.

The Commissioners of the District of Columbia have examined this matter at considerable length and have proposed the curbs set forth in this bill.

The proposed legislation will fix a fair ceiling on finance charges which may be made for motor vehicles sold on a time-installment basis. It further will give to the Commissioners of the District authority they do not now have to regulate

more effectively the conduct of persons engaged in the business of selling motor vehicles. This bill will require bonds of persons engaged in the business of selling motor vehicles and those engaged in financing the sale of motor vehicles. Presently, only licenses are required.

I can promise that the Committee on the District of Columbia will schedule early hearings on this proposed legislation.

I believe strongly that the unsuspecting public must be protected from the fast-talking salesmen who prey on the service men and women particularly, and the public in general. This proposed legislation will impose curbs that are long overdue to the Nation's Capital City.

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

The bill (S. 2895) to provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia; to provide the Commissioners of the District of Columbia with additional authority to carry out the purposes of section 7 of the act approved July 1, 1902, as amended; to authorize the said Commissioners to impose certain requirements on persons licensed under the said act of July 1, 1902; and for other purposes, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on the District of Columbia.

REMOVAL OF DISABILITY PAYMENTS AGE LIMIT UNDER SOCIAL SECURITY LAW

Mr. KEATING. Mr. President, I send to the desk a bill removing the 50-year age limit for persons receiving disability payments under the Social Security Act and permitting the payment of such benefits from the beginning of an individual's disability.

An identical bill has been introduced in the House by Representative OSTERTAG, of New York. A very similar bill has also been introduced by my successor in the House, Representative WEIS. Other New York State Representatives who have introduced bills on this subject are: Messrs. FINO, DOLLINGER, and HOLTZMAN. Many other Members of both the Senate and House have introduced proposed legislation along these lines.

Mr. President, I earnestly hope that Congress will thoroughly examine and evaluate the social security program during the present session of Congress. It is apparent to a great many Americans that measures such as the removal of the disability age limit are urgently needed to improve and update Federal programs for the assistance of aged, disabled, and needy persons in our Nation.

Mr. President, there is no reason that a person should have to wait until he is 50 years old before he can qualify for disability relief under the social security program. Such relief should begin when it is needed most; namely, immediately upon determination that a person who has been paying into the social security trust fund has become totally or permanently disabled. This to me is the only fair and just approach to the overwhelming human problems involved in a person being injured or becoming so seriously ill as to prevent him from pursuing his regular line of work.

Mr. President, in introducing this bill today, I add my voice to those calling for fairer and better treatment of the disabled.

Mr. President, I ask unanimous consent that the text of the bill be printed following my remarks.

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. 2897) to amend title II of the Social Security Act to eliminate the requirement that an individual must have attained age 50 to qualify for disability insurance benefits, and to permit the payment of such benefits from the beginning of the individual's disability, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on Finance, 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 (a) subparagraph (B) of section 223(a)(1) of the Social Security Act is amended by striking out "has attained the age of fifty and".

(b) The last sentence of section 223(c) of such Act is amended by striking out all that follows "1957" and inserting in lieu thereof a period.

SEC. 2. (a) Subparagraph (C) of section 223(a)(1) of the Social Security Act is amended by inserting "while under a disability (as defined in subsection (c)(2)" after "benefits".

(b) Subparagraph (D) of section 223(a)(1) of such Act is amended to read as follows:

"(D) has been under such disability throughout a period of at least six consecutive calendar months, or dies as a direct result of such disability,".

(c) Section 223(a)(1) of such Act is further amended by striking out "beginning with the first month after his waiting period (as defined in subsection (c)(3)) in which he becomes so entitled to such insurance benefits" and inserting in lieu thereof the following: "beginning with the first month in which he satisfies subparagraphs (A), (B), and (C)".

(d) Section 223(a)(2) of such Act is amended by striking out "in the first month of his waiting period" and inserting in lieu thereof "in the first month in which he is under the disability described in paragraph (1)(C)".

(e) Section 223(c) of such Act is amended by striking out all that follows paragraph (2).

SEC. 3. The amendments made by this Act shall apply only with respect to monthly benefits under section 223 of the Social Security Act, or based upon the wages and self-employment income of an individual entitled to such benefits, for months after the month in which this Act is enacted.

OREGON COAST NATIONAL SHORELINE RECREATION AREA

Mr. NEUBERGER. Mr. President, by request, I introduce, for appropriate reference, a bill which has been forwarded to me by the Governor of the State of Oregon, dealing with a proposed national shoreline recreation area in the general vicinity of the famous Oregon Dunes.

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

The bill (S. 2898) to establish the Oregon Coast National Seashore Recreation Area, and for other purposes, introduced by Mr. NEUBERGER, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. NEUBERGER. Mr. President, I originally sponsored proposed legislation for such a park on March 25, 1959. That bill was S. 1526. On May 20, 1959, I introduced S. 2010 at the request of the Secretary of the Interior, to authorize three seacoast national parks in the United States, to be chosen administratively by the Secretary.

Gov. Mark O. Hatfield, of Oregon, and his State natural resources committee then criticized, at considerable length, my original proposals dealing with the national shoreline park on the Oregon coast. On October 26, 1959, I introduced a modified bill, which I had prepared with the assistance of the National Park Service and which represented a vigorous effort by me to meet many of the criticisms voiced by Governor Hatfield and his associates.

SOME FEATURES DISTURBING

On January 18, 1960, I received from the Governor a bill prepared by him and his committee. This bill contains a great many of the provisions, almost word for word, which I had included in my amended Oregon shoreline park bill October 26, 1959. The Governor's bill also contains a considerable number of rather drastic departures from my bill. Despite this fact, it is the bill sent to me by Gov. Mark O. Hatfield, of Oregon, which I am introducing by request in the Senate today. I ask that it be referred to the appropriate Senate committee, so that hearings may be scheduled and departmental and administrative views obtained.

I wish to note that, in accordance with the Governor's suggestion, there is included in the bill a legal description of the park and the Sea Lion Caves stating the exterior boundaries of each area. These are the boundaries suggested following congressional hearings in Oregon and referred to in my revised park bill of October 26, 1959. Located within the periphery of the park would be Umpqua Lighthouse State Park and that area to the south bordered by U.S. Highway 101 and Tenmile Creek, together with Tahkenitch Lake to the north. The addition of the legal descriptions was the only change made in the Governor's draft.

Candidly, Mr. President, there are some features of Governor Hatfield's bill which disturb me. I think it would be better if he and his associates had not included them. Yet I also fully realize that the legislative process is one of compromise, cooperation, and mutual agreement. I am aware of the difficulties involved in establishing a new national park in a State where the Governor of that State is hostile to such a development. In my opinion, Oregon's magnificent and scenic seacoast merits the national shoreline park which has

been proposed by the National Parks Advisory Board in the Oregon Dunes, within the general vicinity of the communities of Florence and Reedsport.

DIFFERENCES AND DISTINCTIONS CITED

I think the best way to get that park is for Governor Hatfield and me to reach all possible agreement on the details of the legislation authorizing such a national park. Many years from now the important and essential thing will be the existence of a great national park along America's most majestic shoreline; it will not be what politician salved his vanity or pride by feuding with another politician over whether or not the park should be established. My goal is not political warfare; it is to bring Oregon its first new national park since Crater Lake was set aside in 1902.

In this speech of introduction I am going to cite the principal differences and distinctions between the bill sent to me by Governor Hatfield and the revised Oregon Shoreline National Park bill which I presented to the Governor last October 26, 1959. However, before I do this, I again want to emphasize that there are many major features of my bill which are contained without substantial change in Governor Hatfield's bill.

Obviously, this bill will be dispatched by the distinguished chairman of the Senate Committee on Interior and Insular Affairs [Mr. MURRAY] to the Department of the Interior for a rpeort and comments. It is my firm intention to accept whatever changes made by the Governor and his natural resources committee that are likewise acceptable to the Department of the Interior and the National Park Service. What they accept I will accept. I believe this is a fair and nonpartisan attitude on my part, Mr. President.

WILL SUPPORT PARK SERVICE JUDGMENT

If the Department of the Interior and the National Park Service should find some of the Governor's changes unacceptable from the standpoint of basic national park policies, then I have every confidence and hope that Governor Hatfield will join with me in acceding to the wishes of this great conservation agency which must administer any park which is created by Congress.

In his budget message submitted last week, President Eisenhower recommended the establishment of three new shoreline national parks to be chosen administratively as provided for in the bill S. 2010, which I have introduced at the request of the administration. In other words, the President of the United States would rely completely on the discretion of the Secretary of the Interior and his advisers in deciding which three seashore realms would be formed into parks. I likewise have faith in the ability of the Interior Department to pass upon the details of the legislation which I am introducing today at the behest of the Governor of Oregon. I again wish to reiterate that what details the Department of the Interior and the National Park Service find acceptable in this bill, will be acceptable to me also; if there are any features or provisions which these agencies determine to be unwise, then I also will be disposed to conform to their judgment, because I realize that, without departmental support, any new national shoreline park in Oregon would be highly unlikely to be authorized.

RESERVATIONS OUTLINED

Mr. President, I would like now to outline briefly those features of Governor Hatfield's bill which cause me particular concern.

Section 2(c), providing that "there shall be no further extension of the Oregon Coast National Seashore Recreation Area except for the concurrence of the Oregon Legislative Assembly and the Governor of Oregon" would take traditional authority away from the Congress of the United States and vest it in the Legislature and the Governor of the State of Oregon. It seems doubtful that a Congress of the United States would so restrict the action of future Congresses. It may not even be constitutional.

Section 3(a) would eliminate the provision contained in my modified bill which would authorize the Secretary of the Interior to enter into exchange agreements in order to acquire land for the seashore park.

I had included such a provision originally so that an equivalent amount of BLM cutover forestland might be exchanged for the 10,600-acre tree farm of the Crown Zellerbach Timber Co. along Tahkenitch Lake.

While I do not necessarily approve of such exchanges as a general rule, I felt it was justified in this situation so as not to jeopardize any of the log supply which makes possible the sizable employment and economic activity at the West Linn, Oreg., pulp and paper mill of the Crown Zellerbach Co. I regret that Governor Hatfield did not see fit to retain this exchange authority in the legislation.

DIVIDED JURISDICTION TROUBLESOME

Section 5 concerning the use of water resources within the proposed Oregon Coast National Seashore Recreation Area—as well as section 9 concerning wildlife within the proposed area—appear to establish divided or dual jurisdiction as between the Secretary of the Interior and the State.

There is reason to question the wisdom of dividing jurisdiction over important resources in the proposed area when the purpose of the act is "to effect a coordinated method of conserving and developing for the benefit, inspiration, and uses of the public certain ocean shoreline, sand dunes, forested areas, fresh water lakes and recreational facilities, the combination of which comprises a total recreation area of scenic, scientific, recreational and historic significance."

Section 6 of the Governor's bill would authorize payments in lieu of taxes for lands acquired in fee by the U.S. Government for a period of 25 years, using a descending scale after the first 5 years. While this is generally similar to the solution of the problem of payments in lieu of taxes authorized by the Congress when Jackson Hole was added to Grand Teton National Park, the Bureau of the Budget under this administration is known to be opposed to it as a general practice.

Accordingly, the better part of wisdom might well be to reduce the authorization for payments in lieu of taxes to a period of 3 years for lands acquired in fee by the Government of the United States, as proposed in my bill drafted after the Senate hearings at Reedsport and Eugene last September.

I am, of course, fully in sympathy with adequate compensation for loss of taxes to cushion the changeover from private to public use of the proposed recreational area. Such a cushion, I believe, would be provided adequately by the provision for payments in lieu of taxes for a period of 3 years after private properties are acquired in fee.

TIES SECRETARY'S HANDS

Section 7 would tie the Secretary of the Interior's hands in the conservation and management of the proposed national seashore recreation area by binding him to "the present program planned by the U.S. Soil Conservation Service" for the stabilization of the moving dunes.

The present program of dune stabilization has been formulated with other uses of the area as the objective. It seems questionable whether, in view of the stated objectives of the national seashore recreation area, the Secretary's hands should be tied in such manner that he would be prevented from formulating a program of dune stabilization that would best fit the purposes of the proposed national seashore recreation area and its relationship to adjacent communities.

We might provide for consultation with the Soil Conservation Service, and the Secretary of the Interior ought to have reasonable latitude in drawing up a program for dunes stabilization.

PARK SERVICE ANALYSIS AUTHORITATIVE

This, Mr. President, summarizes some of the reservations which I have about the Governor's bill. However, I believe the basic determination should be made by the Department of the Interior and the National Park Service, whose officials have had long experience in the establishment and operation of national parks.

The first national park was set aside in 1872. It was Yellowstone National Park in Wyoming. If the Oregon National Seashore Recreation Area is created it will be the 181st unit of the national park system. This means that a vast body of experience exists for determining operating policies of the National Park Service. I am quite willing to abide by the judgment of those who possess this experience. I feel certain that Governor Hatfield will likewise trust the judgment of the Department of the Interior and the National Park Service.

I again want to repeat that whatever in the Governor's bill is acceptable to the Secretary of the Interior and his associates will be acceptable to me. Conversely, I want to follow any recommendations which they might make for reasonable changes in that bill.

Mr. President, in the January 1960 issue of American Forests magazine there appeared an excellent discussion by William B. Morse of my proposal for creation of a national seashore recreation area among the Oregon Dunes. I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks, together with an editorial entitled "Seashore Parks" and a column on winter recreation on the Oregon coast, both from the Oregon Statesman of Salem; an editorial entitled "New Elements in Sand Dunes Issue" from the Oregon Journal of Portland; and an editorial from the Astorian Evening Budget headed "New Hope for Dunes Project." These thoughtful editorials are commended to my colleagues of the Senate and the House, who are the ultimate arbiters on this proposed legislation so vital to Oregon and to the Nation.

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

[From American Forests, January 1960]

THE OREGON DUNES

(By William B. Morse)

The lines are forming on a proposal to create a national seashore in the Oregon Dunes area. Proponents, including Senator NEUBERGER and the late Robert Sawyer, claim these dunes are superior to Cape Cod's. However, opposition to a new Federal installation has already been voiced by Governor Hatfield, Assistant Secretary of Agriculture Peterson, and others. This article presents the story as seen by the Oregon representative of the Wildlife Management Institute.

The State of Oregon has been blessed with 312 miles of seacoast, considered by many people to include some of the most beautiful ocean frontage in the world. There are only four other States with a longer coastline, nevertheless the proposal to dedicate a 23-mile strip as a national seashore area has created a hornet's nest of opposition within the State.

The American Forestry Association should have a vital interest in the proposed Oregon Dunes. It is similar to the Atlantic seashore areas supported by the association, and also involves national forest and private tree farmlands within the overall boundaries.

Opponents of the dunes national seashore area have been extremely active; proponents, as yet unorganized, have not joined the battle for publicity. The project area is complex, as are the issues. It is difficult to strip emotional factors from consideration and look at the fundamentals involved; however, it can be done. It must be done to view the area in perspective, or at least in the perspective of what is most desirable for the long-range benefit of all the people.

The National Park Service published results of a privately financed survey early last year in a comprehensive volume called the "Pacific Coast Recreation Area Survey." The report classified four areas on the entire west coast as possessing unique qualities of national significance, one each in Washington and Oregon, and two in California. Soon after publication of this report, Senator RICHARD L. NEUBERGER introduced S. 1526 to authorize the Secretary of the Interior to acquire not more than 35,000 acres in the Oregon Dunes-Sea Lion Caves as a national seashore recreation area. Since then, two more Senate bills have been introduced, S. 2010, the administration bill authorizing three areas and naming one of them; and S. 2460 naming and authorizing 10 seashore areas, including the Oregon Dunes-Sea Lion Caves.

The Senate Interior and Insular Affairs Committee has ordered two public hearings in Oregon on the Oregon Dunes proposal in early October. These hearings will provide an opportunity for all interested people to submit their views for the records and will make public that factual information vitally needed to properly assess the proposal for a national seashore.

That is the legislative situation for the Oregon Dunes. What, then, of the land? The 23 miles of coastline involved are located between the mouths of the Siuslaw and Umpqua Rivers. That section of the Oregon coast is characterized by easily eroded sandstones, and, as a result, large quantities of sand have been formed. For thousands of years, these sands have blown in shifting dunes, creating lakes, killing vegetation, and forming new vegetated areas and lakes. The dunes present an unexcelled example of nature's battle for individual survival, but some species do survive, and the forested areas on the east of the active dunes grow on ancient stabilized dunes. Geologically, the western coast is rising, and some of the older stabilized dunes reach a height of 450 feet above sea level.

There are three distinct land forms within the study area. The ocean front is a wide, fine-textured sandy beach. Inland is a large desertlike expanse of moving sand, swept by the wind into dunes, and farthest from the sea are the ancient dunes, now forest covered.

Many lakes are found on the area, but three are large enough to be significant: 130-acre Cleowox; Woahink, about 800 acres; and 3,200-acre Siltcoos Lake. The latter two are located east of Highway 101 and are the major protrusion of the study area to the east. The remainder of the project lies between the highway and the ocean, averaging only 1½ miles in width.

Land cover, use, and ownerships are best listed in tabular form:

TABLE 1.—*Landownership*

Owners:	Acres
United States	13,115
State	522
County	320
Private	14,863
Lakes	4,250
Total	33,070

TABLE 2.—*Land cover and use*

Category:	Acres
Sand	14,000
Water	4,250
Agriculture	420
Recreation	672
Forest lands	13,728
Total	33,070

These figures do not include the area of the Sea Lion Caves which will be discussed later.

The land owned by the United States is of special interest as it includes 11,260 acres of the Siuslaw National Forest.

Much of the land classified as timberland has been cut over and now is covered by brush, reproduction, and immature second growth. An estimated 1,600 acres of uncut commercial timberland remain in the area, a substantial portion of which is on lands near Siltcoos and Woahink Lakes that have been subdivided for homesites. The largest single private timberland ownership is in a Crown Zellerbach Corp. tree farm, and involves about 3,000 acres.

The two larger lakes provide mixed fishing for warm-water species, and sea runs of cutthroat trout, steelhead, and silver salmon. Waterfowl utilize all the lakes in the area during the fall and winter months. Barley and grasses are planted for waterfowl food under a cooperative State-Federal project north of the Siltcoos Lake outlet.

The 522 acres owned by the State of Oregon are all in Jesse M. Honeyman State Park. This park contains Cleowax Lake, portions of the Woahink Lake, timber, beautiful rhododendrons, and striking sand dunes. The unique combination and intensive development make it one of the finest parks in the Oregon system. The stature of Honeyman Park is well shown by the increase in use from 222,687 visits in 1955 to 344,256 visits in 1957.

The Forest Service management plan for lands within the proposed seashore lists recreation as the primary use. Timber harvest will be confined to salvage of head and dying timber. Present forest recreation developments include three forest camps and one Girl Scout camp. An estimated 107,000 visits were made to these units in 1958. New Forest Service developments proposed include enlarging one camp, constructing five more camps, and building seven miles of road for beach and recreational access. Access to the beach and the dunes area is difficult. Parking space on the highway is restricted, and the only good roads into the dunes area are at Siltcoos Forest Camp and at Honeyman Park.

In general, the attitudes of residents in the two closest towns to the proposed Dunes seashore are worlds apart. People living in Reedsport on the south end are generally favorable, while some from the town of Florence at the north end are actively opposed. Leadership in Reedsport is favorable. William M. Tugman, in an editorial in the Port Umpqua Courier, June 11, 1958, said, "There is every reason to believe that the national seashore will bring millions of tourists to this area the year around, that it will provide a balance to our economy we cannot achieve any other way. It will put an end to many real estate promotions and speculations. Over a period of time, which we will not live to see, it will restore to this area much of its primitive beauty and glory. * * * The national seashore will not make everybody rich. But if it provides a balance to our economy, it will reduce some of the staggering poverty that exists in all our communities today."

Some leaders in Florence take the opposite tack and are unalterably opposed to the project. Much of the opposition stems from residents within the study area who are concerned with losing their homes. Most newspapers in Oregon, however, editorially support a national seashore.

Charges and countercharges have filled the air. Park Service officials on the original survey have been accused of snooping almost to the point of being "Peeping Toms." All such charges have contributed to creation of an emotional climate which may require years to correct. Some level heads prevail, and it is worth noting that the Courty Court of Douglas County, where 40 percent of the seashore is located, has approved the project by resolution. The county park boards of both Douglas and Lane Counties have done likewise. The entire area is located in these counties. The State of Oregon has yielded to local pressure, sidestepped the issue, and withheld decision pending further information.

There is little question that the Oregon Dunes are magnificent. Dr. Ira N. Gabrielson, president of the Wildlife Management Institute says, "In my opinion, it is the finest dune area in North America."

Most of the opponents recognize that development of the dunes themselves would be desirable. It is the lake area to the east, location of residences and business, that is controversial. The Park Service says there must be space for camp grounds, picnic areas, and water-type recreation in the project. The present boundaries will give a good cross section of the entire ecology from beach to ancient dunes.

Much of the present trouble stems from lack of information. The boundaries set up now are only boundaries of a recommended study area. Until some legislation authorizes the Park Service to make a detailed and complete survey, they will not know where the final boundary of a national seashore should be. A great deal of the opposition would not exist if a final recommendation for the Dunes seashore boundary could have been made initially. The Park Service has some economic studies under way and boundaries of the study area have been changed, but this information has not yet been released.

One great advantage to be gained by a national seashore is money. Conservative estimates by the Park Service indicate that in the long run, a national seashore would bring twice as much money into the immediate area as would use of the existing resources without a national seashore. Some conservationists, author included, believe the seashore would add at least $40 million per year in increased tourist business to the entire Oregon coast. Recreation development can bring immense amounts of money to an area. Douglas County's Salmon Harbor Park, just south of the dunes area, brought an additional $2 million into the immediate area last year. Proponents point out that if a small regional development can do this, a large national area would accomplish much more.

Residents of the area fear loss of tax revenues, particularly local school taxes. Every group in favor of the seashore would help secure amendments to any pending legislation providing for Federal payment to local taxing districts of money in lieu of taxes, such payments to be on a diminishing basis for a stated term of years. As payments decreased, the local tax base would increase by construction of tourist-serving businesses near the area. Precedent exists for this in the Grand Teton National Park.

Local residents feel that their homes will be condemned and confiscated. This belief still persists in spite of assurances by the Park Service that they rarely condemn real property, and, in many cases, they can make life tenure agreements to allow the people to use their homes rent free for life.

Another criticism is that dune stabilization programs will cease and rolling dunes will inundate the entire area. Again, the Park Service has promised to protect river harbors, lakes, campgrounds, and the major highways. After all, much of that part of the coast consists of ancient dunes, so dunes, moving and stabilized, are a geological process.

Forestry and timber production are a basis for other criticisms of the project. The timber on the homesite and State park areas is, and will continue to be, unavailable. Forest Service land produces little merchantable timber and because it is now classed as a recreation area, will contribute little toward regional timber production. That leaves the lands in the Crown-Zellerbach Tree Farm, most of which are at least 70 and 80 years from another harvest. Crown-Zellerbach is opposed to the project and believes that any additional park development should be undertaken by the State. These lands are rough and presently have limited scenic values, although they do border the south end of Siltcoos Lake. Some proponents feel that the bulk of this tree farmland could be excluded from the project, although it might be necessary to acquire a buffer strip along the lake for scenic purposes. A few small tracts of other commercial timberlands are in or adjacent to the study area, but their small size will cause little impact on the regional wood-using industries.

The Forest Service has not officially released their views of the project. It is likely that they will oppose placing any of their land in the project. They have done a good job of recreational development and hope to do a better one in the future.

The Sea Lion Caves portion of the dunes project has been noncontroversial. This 180-acre unit is located 6 miles north of Florence and is not contiguous with the large Oregon Dunes unit. The caves are large, natural, seaswept caverns in a rocky promontory and are of national significance as the only known mainland rookery of Stellar's sea lion. The caves are privately developed as a tourist business. No one, including the owners, has objected to the proposal to include the caves in a national seashore. The State game commission feels that any recognition given sea lions will make it more difficult to control their numbers in spots where they feed on salmon. Some Oregon fishermen have long blamed sea lions for decimating salmon runs and have been vociferous in demands for control measures. Overfishing, pollution, dams, and destruction of spawning areas kill countless salmon, but it is convenient to blame much of it on the sea lions.

The concept of a national seashore is new, but national parks are familiar to all. It is difficult for many people in Oregon to understand the great difference between the two. There are many recreational uses that may be permitted on the national seashore, although prohibited in a national park. The State may be allowed to manage fishing and waterfowl hunting on a seashore. Boating, water skiing, and beach buggies can all be permitted on a seashore. The seashore emphasis is on recreation, not on preservation as in the national parks.

There has been some question as to the future of Honeyman State Park if a national seashore is established. The Park Service says it could remain under State operation if the State desired. It would be illogical to have two park agencies operating in one area, and Oregon would be wise to turn the park over to the Dunes National Seashore if it is established and spend their operational money on another coastal park.

A most important element of the dunes problem is water. Industrial development in coastal Oregon has been handicapped by lack of water, particularly in the late summer when river flows are low. It has been known for many years that dry looking sand dunes store vast amounts of rain water; European cities have tapped this source for many years. Federal experiments showed high water potential in Oregon's sand dunes several years ago, and recent tests by an electric company were so successful that a new pulp and paper mill will be constructed about 20 miles south of the proposed seashore and will secure the necessary industrial water solely from dunes.

The water potential on the Oregon Dunes is seldom mentioned by opponents, but is always in the background. Many people agree with the Oregon Journal, which said editorially on July 15, 1959: "* * * The Florence area dunes have tremendous value for recreational purposes probably outweighing what worth they might have as an industrial water supply. Nobody knows, for instance, what effect the pumping of water from these dunes would have on adjacent fresh water lakes, which are prime recreational attractions."

The leader of the dunes opposition organization, called the Western Lane County Taxpayers Association, has described his group as a very fluid organization. This is an apt description; an observer or investigator gains an impression that one of the real issues behind their opposition to the dunes is like their organization—fluid. The fluid is potential water development, and the devil take lake levels and recreation.

Those are the major valid criticisms of the Oregon Dunes seashore. Why should an area like this be proposed where there is already much Federal land and some recreational development? Senator RICHARD L. NEUBERGER says of the Oregon dunes, "Within a comparatively brief span of years, our Nation's population will soar to the 300 million mark. We cannot afford to delay decisions which ultimately must be made to preserve unique secenic areas for the recreation and enjoyment of our citizens. The dunes area of the Oregon seacoast is one section of America's shoreline which is worthy of national recognition and preservation. This is the objective of the legislation I have introduced to establish the Oregon Dunes and Sean Lion Caves national seashore area. Its exact boundaries and the portions of adjacent land, water, and forest areas which should be included can only be determined after thorough study and review. One step in such determination occurred last fall when the Senate Public Lands Subcommittee, of which I am a member, held congressional hearings in the immediate vicinity of the proposed park development. I hope that this will lead to early action giving park status to the Oregon Dunes so that citizens of Oregon and the entire Nation can share in the benefits."

Other proponents also believe that the area possesses such unique and magnificent attractions of national significance that it could be best developed, operated, and interpreted by the National Park Service. They believe that it will be of financial benefit to the State and of cultural benefit to the Nation if an Oregon Dunes National Seashore is established. The agencies developing and managing the lands now have done a fine job, but the Oregon Dunes are worthy of a coordinated development by one agency, rather than a piecemeal development by many. These same conservationists know that every national park and national seashore was established against strong local opposition, and every one has been an economic asset to the surrounding area and a cultural asset to the Nation.

WINTER AT THE COAST

[From the Salem Oregon Statesman, Jan. 15, 1960]

The Oregon coast saves some of its choicest secrets to reveal to those who visit the shore in the winter.

Those who saw the new year in at our section of the beach in Lincoln County were treated to pounding waves which left long lines of foam for children to kick their way through at the high water mark.

The spouting horns at Depoe Bay and Boiler Bay were gathering points for hundreds of brightly clad beachcombers, willing to take a ducking in chilly spray for the privilege of getting close to the source.

Winter's high tides alter the landscape and seascape so that summertime visitors hardly recognize some of the coast. They fill every corner of Siletz Bay with water, crowding in on the low-lying houses at Cutler City.

The waves at Taft cross the bar and pound against the seawall of rocks next to the streets of the city. The long line of logs which normally divides that beach into hundreds of little picnic spots bob resignedly in Siletz Bay waiting to be thrown into different abstract patterns along the sand for next summer's visitors.

Further down the coast, the waves surge through the mouth of the Devil's Punch Bowl at Otter Rock. The summer tourist who has looked into that yawning hole on a dozen different occasions finally sees the swirling waters about which he heard others talk.

With a steady wind blowing from the west, the glass ball hunters are out in full force. As early as one gets to the beach in the morning, there is always one or two sets of footprints ahead on the sand. Back they come, early birds, stick in hand, poking into each pile of drifting sand, eyes on the lookout for that glint of green which betrays the hidden glass float.

For those who were willing to risk a climb on ice-coated rocks, the waves put on a

splendid show of violence over the new year's holiday. The sun was warm enough in midday to permit sitting on the beach or rocks to watch the display. Schools of whales frolicked offshore, although the usual clusters of fishing boats were absent.

The wintertime recreational uses of the coast will increase as people come to recognize that sunshine isn't much harder to find there in the winter than in the summer, and in many ways it is even more enjoyable in the off season.

[From the Oregon Statesman, Jan. 20, 1960]

SEASHORE PARKS

President Eisenhower threw his support behind the Interior bill to establish three seashore recreational areas. While he does not specify locations for the three it is known that the National Park Service is favorably disposed toward the Oregon Dunes as one choice. The President in his budget message declared these areas "would be of national significance because of their outstanding natural and scenic features, recreational advantages and other public values."

The Interior bill was introduced by Senator NEUBERGER at the last session. He also introduced a bill to establish the Oregon dunes as a national seashore recreational area. The latter measure has been undergoing revision in an attempt to satisfy Oregon's committee on natural resources. It is still uncertain whether this bill will be pressed or support centered on the Interior bill which leaves the selection of areas to an administrative agency.

It looks as though the country will get three seashore parks, and one of them may be on the Oregon coast.

[From the Oregon Daily Journal, Jan. 21, 1960]

NEW ELEMENTS IN SAND DUNES ISSUE

One can be both encouraged and confused by recent events in relation to the proposal for creation of a national seashore recreation area in the dunes of the Oregon coast.

Encouragement comes in the offering of a bill by Governor Hatfield's committee on natural resources for the establishment of such a park but with certain safeguards for the State and the people of the area. The committee had previously voiced strong opposition to proposals of Senator RICHARD L. NEUBERGER and Representative CHARLES O. PORTER.

But the new bill is not an extreme departure from a compromise measure prepared last fall by Senator NEUBERGER, and the Senator now says that he will attempt to go along with every provision of Governor Hatfield's bill which is consistent with traditional National Park Service policy. Representative PORTER says he is encouraged by the State committee's action and believes that it forms the basis of compromise legislation which can be passed.

Perhaps the most startling development is the endorsement of the Hatfield bill by leaders of the Florence area fight against previous sand dune legislation. If this produces something which the Western Lane County Taxpayers Association, NEUBERGER and PORTER can all support, a modern miracle will have been performed.

A new element in the whole picture was the recent endorsement by President Eisenhower of the previous Department of Interior bill, which had been introduced by Senator NEUBERGER, authorizing the establishment of three national seashores and empowering the Park Service to select the three by administrative action. At this stage, the Park Service favors this approach and is opposed to specific legislation on any particular park.

But there is considerable sentiment in Congress against this method. It seems likely that specific legislation will be presented on individual parks, including the Oregon Dunes. The Park Service may have to accept this approach. On the other hand, if Congress should authorize three parks without naming them, NEUBERGER is confident that the Oregon Dunes would be one of the three and that the Park Service would give the utmost consideration to providing the safeguards wanted by State and local interests.

The whole situation is in such a state of flux that nobody can predict what will develop. But the spirit of compromise which has permitted contending forces in Oregon to get together has enhanced Oregon's prospect of having a park.

The chances that three such areas will be established, whether through the one piece of legislation or through separate bills, are good. Oregon is in competition with other States in this matter. Whether we succeed may depend on how well we state our case in the future.

And we ought to speak from an attitude, not that we will grudgingly do the National Park Service a favor, but that we will gladly accept something which will prove to be of great value to our State, as well as the Nation.

[From the Astorian Evening Budget, Jan. 21, 1960]

NEW HOPE FOR DUNES PROJECT

President Eisenhower's endorsement of the Oregon Dunes National Seashore project, coupled with a reversal of opinion by Gov. Mark Hatfield who now looks favorably upon the plan, certainly seem to enhance the prospects for a development that last week appeared moribund.

This project seems to have merit. It provides Federal participation to supplement the efforts of the State in providing more and improved attractions for tourists on the Oregon coast.

The local opposition has seemed shortsighted and the State administration's chilly attitude toward it has been hard to understand.

EXTENSION OF CERTAIN HEALTH BENEFITS TO EMPLOYEES OF AGRICULTURAL STABILIZATION AND CONSERVATION COUNTY COMMITTEES

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, a bill to extend the benefits of the Federal Employees Health Benefits Act to employees of county agricultural, stabilization, and conservation committees.

I am sure that every Member of the Senate is familiar with the vital work carried out by these employees. The exacting task of administering our complex, and many times confusing, farm programs falls on the shoulders of these dedicated employees. Their responsibilities are great and their compensation is small. Although they are paid almost entirely with Federal funds, they are not considered as Federal workers for purposes of employee-benefit programs.

These conscientious public servants work side by side with regular civil-service employees, who enjoy all the standard privileges and benefits accorded Federal workers. It is difficult for ASC employees to understand why they are treated as unwanted stepchildren for benefit purposes. Recognition of their contributions to the farmers of this country is long overdue. This bill would extend only one of the standard civil-service benefits to ASC employees. I realize this matter was considered by the Senate committee last year and was rejected because of supposed difficulties in administering a health program for ASC employees. I am confident that suitable means can be found to eliminate this objection. I hope the Department of Agriculture and the Civil Service Commission will consider this bill with a positive approach rather than come up with a reiteration of their previous unsubstantial objections.

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

The bill (S. 2899) to extend the benefits of the Federal Employees Health Benefits Act of 1959 to employees of the agricultural stabilization and conservation county committees, introduced by Mr. FULBRIGHT, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

SCHOOL ASSISTANCE ACT OF 1960—AMENDMENTS

Mr. CLARK. Mr. President, on behalf of myself and Senators MURRAY, LONG of Hawaii, NEUBERGER, MANSFIELD, MORSE, CHAVEZ, BYRD of West Virginia, MOSS, MARTIN, KEFAUVER, WILLIAMS of New Jersey, JACKSON, McGEE, GRUENING, MAGNUSON, KERR, HUMPHREY, HENNINGS, RANDOLPH, CHURCH, MUSKIE, and MONRONEY, I submit amendments, intended to be proposed by us jointly, to Senate bill 8, the education bill.

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

Mr. CLARK. Mr. President, the purpose of the amendments is twofold: First, to include among the permissible uses of Federal funds aid to teachers' salaries, if the States elect to so use the funds; secondly, to increase the amount of the authorized appropriation from half a billion dollars to $25 for each child of school age, which for the first year would total $1.1 billion, and to authorize the aid for an indefinite period rather than for 2 years only.

Mr. President, I ask unanimous consent that a brief digest of these amendments may appear at this point in my remarks.

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

A DIGEST OF THE TEACHERS' SALARY AMENDMENTS TO S. 8 TO BE OFFERED BY SENATOR CLARK AND OTHERS

The amendments would make the following changes in S. 8:

1. Increase the authorization from $500 million a year to $25 per child of school age, which amounts to $1.1 billion during the next fiscal year.

2. Authorize the aid for an indefinite period rather than for a 2-year term.

3. Authorize the States to use the Federal and either for school construction or for teachers' salaries, with each State's having freedom of choice as to the proportion it would devote to each purpose.

Other provisions of S. 8—including the prohibition against Federal control, the maintenance-of-effort provisions, and the equalization formula—would be applied to the grants authorized in the amendment just as they would to those authorized in the bill. The requirement in S. 8 that Federal funds be matched is adapted to conform to the broader purposes of the bill.

Mr. CLARK. Mr. President, in connection with these amendments, I ask unanimous consent to have a series of quotations from statements by President Eisenhower, by Secretary Flemming, by the Committee for the White House Conference on Education, by Commissioner of Education Derthick, by the Public Affairs Institute, by the Educational Policies Commission, by the Carnegie Foundation for the Advancement of Teaching, and by the Rockefeller Bros. Fund appear in the RECORD at this point in my remarks. These authorities all stress the importance of raising teachers' salaries in order to improve the standard of education in the United States.

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

President Eisenhower, commenting on report of Science Advisory Committee: "One subject discussed in the report warrants special emphasis—the importance of raising the standard of our teachers in their communities. Higher salaries are a first requirement." (May 24, 1959.)

Committee for the White House Conference on Education: "We recommend that greater inducements of all kinds be offered to attract and retain enough good teachers. * * * Practical steps must be taken to change the concept of teaching as an impoverished occupation. Teaching must be made a financially comfortable profession. * * * Present salary schedules have the effect of discouraging many able people from entering the profession. * * * Salary schedules and preparation courses should be reexamined and changed where necessary to make the teaching profession more attractive to the most able young men and women." (April 1956.)

Secretary Flemming:

"DOUBLING TEACHERS' PAY IS URGED BY FLEMMING

"Secretary of Health, Education, and Welfare Flemming today called for doubling teachers' salaries as a reasonable national goal." (Washington Star, Feb. 10, 1959.)

"I think the most serious weakness in our total educational system today is our salary structure. I don't care whether you are talking about elementary or secondary education, or whether you are talking about higher education. I think that as a nation we should be ashamed of the compensation that we pay those who are willing to serve us in what is certainly one of the most important areas in which people can serve the society of today." (November 1958.)

Commissioner of Education Derthick on the Soviet educational system: "We saw no evidence of any teacher shortage. Teacher workloads and other working conditions are advantageous. Teacher prestige is high. Salaries are at the levels of those of doctors and engineers * * * Only the best are chosen to teach—one out of six who apply."

"What we have seen has amazed us in one outstanding particular; we were simply not prepared for the degree to which the U.S.S.R., as a nation, is committed to education as a means of national advancement. Everywhere we went we saw indication after indication of what we could only conclude amounted to a total commitment to education. Our major reaction, therefore, is one of astonishment * * * at the extent to which this seems to have been accomplished."

Study by F. J. Seidner for the Public Affairs Institute: "The average income of teachers is far below that of most other professional persons. Only the income of clergymen, librarians, and dietitians is less. It is lower than the average income of all employees in manufacturing as well as the average income of all the civilian employees of the Federal Government. It is only slightly higher than the average income of all persons working for wages or salaries.

"Beginning salaries offered teachers are also far below those paid to college graduates in other fields. Graduates in teaching could expect an average starting salary of $3,650 in 1958. Average beginning salaries paid college graduates—both men and women—in all fields was $4,758, over $1,000 more. For graduates with a scientific background starting salaries averaged well over $5,000. With differences of this magnitude, the prevailing shortage of teachers becomes easier to understand. * * * And Dr. Arthur Flemming, Secretary of Health, Education, and Welfare, said recently that a 100 percent increase in teachers' salaries within the next 5 or 10 years was a reasonable national goal."

Educational Policies Commission: "Every major study of the status of American education tells the same story of neglect. It is a story of crises in education, of teachers poorly paid and in inadequate numbers, of poor communities struggling to pay mounting school bills, of classroom shortages. * * * These problems are not entirely monetary, but lack of money is the major element. * * *

"The conclusion is inescapable that hundreds of thousands of American children at every level of education are denied competent teaching.

"The highest single priority, therefore, in responding to the contemporary challenge to American education is the recruitment, education, and retention in the profession of qualified teachers. * * *

"At the minimum, expenditures on education should be doubled within a decade, as proposed by the White House Conference on Education. Realistic programs which will bring about such levels of spending should be developed without further delay.

"Called for are important increases in teachers' salaries, in school construction and equipment, in financial assistance to students and prospective teachers."

Carnegie Foundation for the Advancement of Teaching: "The teaching profession is slowly withering away."

Report of the Rockefeller Bros. Fund: "The root problem of the teaching profession remains financial. * * * Until we pay teachers at least as well as the middle echelon of executives we cannot expect the profession to attract its full share of the available range of talents. Salaries must be raised immediately and substantially."

Mr. CLARK. Mr. President, the sum and substance of these quotations is that, in terms of priorities, teachers' salaries should head the list in determining what should be done first to rehabilitate our educational system; school construction should come second; and scholarships and fellowships should come third.

In my judgment, and in the judgment of many of the educational leaders of our country, we in the Congress have the cart before the horse. We have already passed the national defense education bill, with the elaborate provision for student loans and fellowships—which is fine. It is now proposed that we pass the school-construction bill. That is fine, too. But the highest priority of all should be for aid to teachers' salaries, and it is this inadequacy which my amendment attempts to remedy.

Mr. President, I ask unanimous consent that at this point in my remarks there may be printed in the RECORD a copy of a letter written on January 7 by the Honorable David L. Lawrence, Governor of the Commonwealth of Pennsylvania, to Dr. William G. Carr, executive secretary of the National Education Association.

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

COMMONWEALTH OF PENNSYLVANIA,
GOVERNOR'S OFFICE,
Harrisburg, January 7, 1960.

Dr. WILLIAM G. CARR,
Executive Secretary, National Education Association, Washington, D.C.

DEAR DR. CARR: I have reviewed the statement of the National Education Association on Federal support for education proposals. This statement agrees with the perspective we have regarding education needs in our Commonwealth of Pennsylvania.

World demands and national needs have moved us from the concept that we are investing in education for the future, to the realization that we must invest in education for national survival now. This requires a full utilization of our financial potential, which precludes an unbalanced situation of strong local and State support for education and weak Federal support.

In the process of striving for national survival, we do not want to lose the democratic principles that make our cause worth the sacrifice and effort. Therefore, we must devise a manner of Federal participation in shoring up the education framework without jeopardizing local control and determination of policy.

Since the principles of the Murray-Metcalf bill support our requirements, I endorse the National Education Association's fight on its behalf and will lend my help whenever possible.

Very truly yours,

DAVID L. LAWRENCE.

Mr. CLARK. Mr. President, this letter places Governor Lawrence squarely behind the effort to provide Federal aid for teachers' salaries, as was originally proposed in the Murray-Metcalf bill, which he endorses.

There is a current shortage of 195,000 teachers, as reported by Commissioner of Education Lawrence Derthick. This is an increase of some 8 or 9 percent over the teacher shortage of a year ago.

We will not be able to attract and retain a sufficient number of teachers to meet the needs of a growing population—and certainly not a sufficient number with the training and competence that are needed—unless we pay salaries which signify our recognition of their worth to our society.

To pass a bill which is limited only to construction would be to close our eyes to the true scope and nature of the problem of financing education which faces our country.

Mr. President, I yield the floor.

ASSISTANCE IN CONTROL OF JUVENILE DELINQUENCY—AMENDMENT

Mr. CLARK (for himself, Mr. HENNINGS, Mr. CARROLL, Mr. HART, Mr. MORSE, and Mr. KEFAUVER) submitted an amendment, intended to be proposed by them, jointly, to the bill (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, which was ordered to lie on the table and be printed.

REGULATION OF THE ALASKA RAILROAD UNDER INTERSTATE COMMERCE ACT—AMENDMENTS

Mr. BARTLETT submitted amendments, intended to be proposed by him, to the bill (S. 1508) to provide for economic regulation of the Alaska Railroad under the Interstate Commerce Act, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF TARIFF ACT OF 1930—AMENDMENT

Mr. JAVITS. Mr. President, I submit an amendment, intended to be proposed by me, to the bill (H.R. 4384) to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes. This amendment, if adopted, would carry out the program suggested some time ago by the President's Advisory Council on International Travel.

The VICE PRESIDENT. The amendment will be received, printed, and referred to the Committee on Finance.

MAXIMUM RATES OF PER DIEM ALLOWANCE FOR EMPLOYEES TRAVELING ON OFFICIAL BUSINESS—AMENDMENT

Mr. PROUTY. Mr. President, on January 14, I submitted an amendment to be proposed to the bill (H.R. 5196) to increase the maximum rates of per diem allowance for employees of the Government traveling on official business and for other purposes.

The purpose of this amendment was to increase the maximum rate of compensation for the use of private automobiles from 10 to 12 cents per mile for U.S. marshals and their deputies.

Since I submitted this amendment, it has come to my attention that other personnel of the judicial system, including Federal judges and other personnel, are paid under regulations of the Director of the Administrative Office of the U.S. Courts.

In order to insure that these court personnel, including the judges, court clerks, probation officers, employees of the administrative office, and similar personnel, shall receive the benefits of the bill H.R. 5196, I submit an amendment to this bill, which directs the Director of the Administrative Office of the U.S. Courts to put into effect such regulations as he may deem necessary to give the increases provided by the bill to this class of court personnel.

The VICE PRESIDENT. The amendment will be received, printed, and referred to the Committee on Government Operations.

OFFICE OF COAL RESEARCH—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 22, 1960, the name of Mr. BYRD of West Virginia was added as an additional cosponsor of the bill (S. 2885) to establish an Office of Coal Research within the Department of the Interior, and to provide for and encourage research to determine improved means of producing and utilizing coal, introduced by Mr. CLARK (for himself, Mr. MURRAY, Mr. MCGEE, Mr. CARROLL, Mr. RANDOLPH, and Mr. DOUGLAS) on January 22, 1960.

PERMANENT MEMORIAL TO MEMORY OF WOODROW WILSON—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Under authority of the order of the Senate of January 21, 1960, the name of Mr. CHURCH was added as an additional cosponsor of the joint resolution (S.J. Res. 152) authorizing the creation of a commission to consider and formulate plans for the construction in the District of Columbia of an appropriate permanent memorial to the memory of Woodrow Wilson, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators) on January 21, 1960.

MEMBERS OF BOARD OF VISITORS TO COAST GUARD AND MERCHANT MARINE ACADEMIES

Mr. MAGNUSON. Mr. President, I wish to announce that, as chairman of the Committee on Interstate and Foreign Commerce, I have appointed the Senator from Alaska [Mr. BARTLETT] and the Senator from Kansas [Mr. SCHOEPPEL] as members of the Board of Visitors to the U.S. Coast Guard Academy.

I have also appointed to the Board of Visitors to the U.S. Merchant Marine Academy the Senator from California [Mr. ENGLE] and the Senator from Pennsylvania [Mr. SCOTT].

"IF COEXISTENCE FAILS"—(S. DOC. NO. 78)

Mr. JOHNSTON of South Carolina. Mr. President, the Senator from Connecticut [Mr. DODD] has written an outstanding analysis of our cold war position with relation to the Soviet Union. Under the title of "If Coexistence Fails" this notable study of one of the most important issues of our time has been printed in the Quarterly Journal of the Foreign Policy Research Institute of the University of Pennsylvania. This is an excellent publication but of somewhat limited distribution. I am confident that the great amount of research which has gone into Senator DODD's study, the keen insight he has brought to the subject, and the clear and incisive language in which he has couched his article, make it a matter of great interest to all the Members of the Senate, as well as something of lasting historical value. I therefore ask unanimous consent, Mr. President, that the text of this article by the Senator from Connecticut may be printed as a Senate document.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and 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. ROBERTSON:

Address delivered by Senator JOHNSTON of South Carolina, in Statuary Hall, the Capitol, on the 153d birthday of Gen. Robert E. Lee.

UKRAINIAN INDEPENDENCE DAY

Mr. DIRKSEN. Mr. President, there is no limit to the number of forces which motivate and put in motion humanity's forward march. Many are the aspirations and ideals of man, differing under different climes and in different ages, that drive him on, keep him going, in his eternal quest for a better life. Among all these forces and factors, among all spiritual aspirations, the spirit of freedom has a place by itself, holding perhaps the highest of all positions. We are often told that the human being is differentiated from all other living beings by his capacity and ability to think. To that one may add also his insatiable desire for freedom, for that, too, sets him apart from all other living creatures. And we consider his willingness to sacrifice his all for the attainment of that supremely noble goal as one of his finest virtues.

The Ukrainian people have possessed many fine virtues throughout their long and turbulent history, and they have clung to them steadfastly. During most of their modern history, they have suffered under alien rulers. During the times of their oppression, their sole spiritual sustenance has been their unwavering hope for freedom. Both under the autocratic czars of Russia, and under the tyrannical Communists of the Soviet Union, they have shown this characteristic tenacity, and thereby they have merited our admiration. The Communist totalitarian regime in the Ukraine has been, and I am afraid still is, terribly cruel toward these helpless and innocent Ukrainians. In the not too distance past, when there was no cold war and, therefore, no thawing or relaxation of the existing relations between the free West and Communist East, they suffered under Stalin's heartless agents. Since the end of the last war, and especially since Stalin's death, we hear much of freedom, of relaxations, of peaceful coexistence and brotherly love, all these soothing expressions emanating from the Kremlin. To what extent and in what degree the oppressed Ukrainians have benefited from such moves, by the Soviet regime, it is difficult to say. Unfortunately, and for good reason, we cannot vouch for everything we hear about the way things are in that proletarian paradise. We can only hope that a part of the good of what we hear is true, and in that we all rejoice. We ardently pray that the unbroken spirit of freedom of the Ukrainian people will live in their unfree land, and that eventually they will once more regain their rights. That is my cordial message to the Ukrainians on their 42d independence day.

Mr. HART. Mr. President, last Friday, January 22, marked the 42d anniversary of Ukrainian independence. At a time when the many unresolved issues of conflict between the Soviet Union and

the West are to be reexamined at the highest level, it is important that we not overlook the history and aspirations of such freedom-loving people.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the Ukrainian Congress Committee of America, as it appeared in the Ukrainian Bulletin of December 1–15, 1959.

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

STATEMENT OF THE UKRAINIAN CONGRESS COMMITTEE OF AMERICA TO THE UKRAINIAN COMMUNITY IN THE UNITED STATES IN THE MATTER OF INTENSIFIED ATTACKS OF MOSCOW ON UKRAINIAN LIFE

The free world can permit itself to conduct a hot or a cold war with Moscow, or live with it in peaceful coexistence, inasmuch as it has freedom and can avail itself of it accordingly. Its sole solicitude is the safeguard of its freedom against Russian aggression. But the enslaved Ukrainian people are compelled to live in a state of permanent struggle with Moscow, a life or death struggle. This protracted struggle can end either in full victory over the aggressor, which victory would restore freedom and independence to Ukraine, or in capitulation, which would mean the inevitable destruction of the Ukrainian people. If the Ukrainian people want to avoid destruction, they must continue their struggle for the national liberation until full victory is attained.

There can be no compromise in this struggle, inasmuch as the slightest retreat or the slightest manifestation of submission or agreement to coexistence in slavery will only strengthen the Russian enslaver and further the encouragement to aggression.

This maxim is well known to Moscow and it never can forget it. By its policies of ruses and deceit it tries to lull the vigilance of the Ukrainian people and to weaken their moral strength, and at the same time to strengthen its positions by mendacious promises of easing the regime and by suggesting the hope of a better life to be attained by peaceful development. On the other hand, Moscow at the same time systematically prepares and effectuates heavy blows against those Ukrainian forces which strive for independence.

Moscow conducts its planned and cruel attacks, directed at destroying the leading elite of the Ukrainian people, not only on the land occupied by it, but also on the territory of the free world, where Ukrainian political exiles live. Moscow is destroying the Ukrainian people on the occupied territory of Ukraine by mass famines, in concentration camps, in prisons and by deportations to Siberia and to virgin lands, and outside its own borders by man hunts and assassinations. In the 18th century Russian Czarist agents kidnaped from Hamburg, Germany, Andrew Voynarovsky, great adherent of Mazepa and one of the first Ukrainian political exiles. From the bullets of a Russian agent Simon Petlura, supreme commander and head of the Directory of the Ukrainian National Republic, perished on a street of Paris; and on a street in Rotterdam Col. Eugene Konovalets, leader of the Organization of Ukrainian Nationalists and commander of the Ukrainian Military Organization, was killed by a bomb planted on his person by a Soviet agent. Just recently, while the Russian enslavers were propagating their peaceful intentions to the world, Moscow committed a heinous crime: It assassinated Stepan Bandera, head of the Supreme Council of the Organization of Ukrainian Nationalists.

By its terroristic acts against Ukrainian patriots both in Ukraine and in the free world Moscow proves to us that it knows no respite in its march toward the destruction of the Ukrainian nation. Therefore, there should be no respite in the struggle of the Ukrainian people for liberation from the Russian yoke.

Against strengthening attacks by the enemy on every sector of life, we must respond by strengthening and solidifying our reaction, by strengthening and solidifying our work for the liberation of Ukraine.

Let us intensify the liberation struggle of the Ukrainian people by our moral and material support of the Ukrainian Congress Committee of America in all its activities, as well as by our own initiative.

The heroic struggle of the Ukrainian Insurgent Army, sanctified by the death of its first commander, Gen. Taras Chuprynka, and thousands of officers and men who fell in the struggle, the revolutionary struggle of the Ukrainian underground and the indestructible resistance of the Ukrainian people under various forms against the Russian invader, attest to the dignified stand of the Ukrainian people in the native land.

Let all Ukrainian emigration, as a unit and as individual members, prove that we stand honorably in a united front of the liberation struggle of the Ukrainian people.

Our firmness, unity, activity, and durability—constitute our best reply to the enemy for his stealthy and sneaking murderous attacks.

AIR SAFETY

Mr. HARTKE. Mr. President, late last week, I called attention of this body to the steadily worsening record of safety on our airways. As I pointed to the rising toll of crashes and mechanical failures of this new year and the year just ended, I suggested that bold steps might be considered. Among these steps, I listed comparing the methods used by airlines with excellent safety records, including MATS, with those of lines which have had less good records. I still feel that the administration should give serious consideration to grounding all planes for a few days while making an exhaustive check of equipment, crews, and methods. I know that all Americans will understand that we think in terms of lives rather than dollars.

Since then there have been no new crashes. But there have been at least four incidents of mechanical failures on domestic airships which forced these ships to undertake emergency landings.

The distinguished and well-informed chairman of our Aviation Subcommittee, while continuing hearings on the crash whose cause may have been a bomb, has suggested that concentration on jets has resulted in neglect of piston airplanes. A reporter for the Washington Daily News has written that equipment to prevent fires resulting from airplane accidents could now be in use except for the fact that no one seemed to push for safer airplanes.

An agency of our Government, the FAA, has the vital mission in this field. Its Administrator has been silent. The entire administration has been silent.

Are our airplanes safe? Do all carriers operating in this country follow the rules of common sense, safety, and the FAA? Are our airports safe? Is the latest safety equipment in use? Is everything possible being done to insure the safety of the public using the airplanes? Do we need more inspectors? New regulations?

I think these are fair questions. I think these questions and, perhaps, others are on the minds and lips of many Americans. I wish the administration would give us the answers. I wish the FAA Administrator would assure us that all equipment is safe.

Over the weekend, I read with interest that Deputy Administrator Pyle said a check is being made of older planes to see if there is credence to Senator MONRONEY's suggestion that these are being neglected in favor of jets. Mr. Pyle also told a television audience that, within 5 years, major airports would be equipped with the most modern electric and electronic equipment for safety.

This recalled to me the comments made after I had spoken of the need for more air safety. The great and learned colleague, the senior Senator from New York [Mr. JAVITS], told us he agreed with my sentiments and that he knew we would provide whatever money was needed to save lives.

Last year, we had an excellent airport modernization bill before this body. I was pleased to have joined with Senator MONRONEY in its sponsorship. Yet, we were forced to scale it down because the President had sent word he would veto it in its original form.

I hope Mr. Pyle or the President or General Quesada will now tell us whether appropriations could speed up the modernization of airport equipment. Are our airports as safe as possible? Must we wait 5 years to make the installations the FAA apparently believes we need?

I hope that the administration will give us these answers, the assurances that the public demands. I hope the heads of the FAA will advise our Interstate and Foreign Commerce Committee in complete frankness the state of our airports and airlines and airplanes. If Congress can help, we should be told how. I am sure that every Member of Congress will support safety programs and not put dollars before lives. I am sure the airlines and airplane manufacturer will.

Flying has become a virtual necessity in this day and age. We Senators fly to keep engagements as often as any group in the country. Fortunately most of our airlines have posted excellent safety records. I believe we should be told by the people responsible in this Government whether things could be safer and why we are seeing our safety record getting steadily worse.

This is not a matter of fixing blame. It is an attempt to do what needs to be done now to prevent further useless accidents and deaths. While we are doing so we can help set at ease the minds of those of us who must travel by air.

SUPPORT FOR OPTIMISTIC PICTURE OF U.S. DEFENSES

Mr. BUSH. Mr. President, I am sure there are some who want to believe there is a missile gap and who do not want to believe Secretary Gates was doing his duty and was talking perfectly sincerely when he testified, as he did last week, before the Senate Committee on Armed Services and elsewhere. However, I am

sure even those who would recognize that Hanson W. Baldwin, of the New York Times, is one of the outstanding critics of our military posture, one of the best informed, and most able writers on military subjects.

Accordingly, for the information of all who doubt and for the information of those who do not doubt but who may need some fortification in their thinking, I ask unanimous consent that two articles written by Hanson W. Baldwin, which were published in the New York Times of January 22 and 23, 1960, be printed in the RECORD following these remarks. The first one is entitled "The 'Missile Gap,' I" with a subtitle "Hardheaded Appraisals Support Gates in Optimistic Picture of U.S. Defenses." The second is entitled "Data on Missiles Support Optimism Over U.S. Defenses," with a substitute of "American Weapons Prove Accuracy—Soviet Might Is Found Exaggerated."

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

[From the New York Times, Jan. 22, 1960]

THE "MISSILE GAP," I—HARDHEADED APPRAISALS SUPPORT GATES IN OPTIMISTIC PICTURE OF U.S. DEFENSES

(By Hanson W. Baldwin)

Moscow's claim yesterday of a one-and-a-quarter-mile circular error in a 7,766-mile rocket flight caused raised eyebrows but no excitement in the Pentagon.

The first of a number of Russian missile shots into a new impact area in the central Pacific, whether or not it was as accurate and as successful as the Russians asserted, is unlikely to influnce materially the vigorous and aggressive presentation of the administration's defense policies just initiated.

Secretary of Defense Thomas S. Gates, Jr., Gen. Nathan F. Twining, Chairman of the Joint Chiefs of Staff, and Under Secretary of State Livingston T. Merchant, tipped the administration's hand in their opening testimony in Congress this week.

Their composite testimony totaled, in the opinion of some Congressmen, the rosiest picture of the U.S. defense posture presented to Congress for a long time. "The balance of military power is still heavily in our favor," Secretary Gates said. Even a Soviet surprise attack with all available missiles could not eliminate our nuclear retailiatory capability.

THE MISSILE GAP

Mr. Gates even cast considerable doubt on what has come by dint of constant repetition to be accepted as a fact by many in the Nation: A missile gap between the United States and the Soviet Union in the next few years. He indicated that if the Russians produced intercontinental ballistic missiles at our present maximum estimate of their potential capabilities they might have moderate numerical superiority in the next 3 years. But the United States has many other nuclear weapons systems, which, collectively, tip the balance of deterrent power heavily in our favor.

This is an election year. The Democratic opposition is already attempting to make a campaign issue out of the deficiencies in our military posture and is emphasizing particularly the alleged missile gap. The Republican administration, on the other hand, has been aroused and stung by the opposition attacks. The President, in particular, is known to have been greatly angered by the criticisms voiced in "The Uncertain Trumpet," a book recently published by Gen. Maxwell D. Taylor, U.S. Army, retired, who completed 4 years as Army Chief of Staff last June. The President's mood, particularly about defense matters, is typified by his recent heated response to a somewhat pointed news conference question about defense:

"I've spent my life in this and I know more about it than almost anybody I think in the country."

Is, then, Mr. Gates' testimony rhetoric, the opening guns of the defense in an election year; or is it solidly based on factual appraisal?

A COMPOUND ANSWER

The answer to this question is almost certainly compound. Mr. Gates has too much integrity—he is a public servant who is no politician and owes no man anything—to give other than his honest opinion. But he is aware, as is the White House, that the Pentagon case has not been put skillfully or forcefully in the past.

The administration feels that the public image of relative American weakness that has been created—partly by Communist propaganda, partly by undoubted Communist achievements, partly by the special pleading of the individual services, partly by opposition criticism, partly by inept administration presentations of our strength—is grossly exaggerated. Mr. Gates, therefore, is certainly determined to put his best foot forward, not only for domestic political reasons but also because he is keenly aware that a strategic deterrent is no stronger than the enemy thinks it is.

But at the same time his optimistic statements are based on hardheaded comparative appraisals of our own and of Soviet strength. The Secretary spoke of new intelligence estimates of Soviet missile strength, which he described as "very significant."

These estimates were not made public, but in an explanatory conference later, the Secretary got onto slippery ground when he admitted that the new estimates took into account what the Russians intended to do in missile production, rather than, as in the past, merely estimating their capabilities.

In the intelligence field this issue of intentions versus capabilities is one of the oldest of pitfalls, and many experts have come a cropper by trying, in effect, to read the enemy's mind.

Nevertheless, the new intelligence reports do include an estimate of current Soviet long-range missile strength and of current Soviet missile production that, in comparison with our own current status, is by no means discouraging.

[From the New York Times, Jan. 23, 1960]

DATA ON MISSILES SUPPORT OPTIMISM OVER U.S. DEFENSE—AMERICAN WEAPONS PROVE ACCURACY—SOVIET MIGHT IS FOUND EXAGGERATED

(By Hanson W. Baldwin)

The factual, rather than the political, motivation for the administration's new public relations policy of aggressive optimism about the Nation's defense posture has some firm foundations.

Our own missiles have demonstrated amazing accuracy, and widely published reports of tremendous Soviet missile strength are not supported by substantiated intelligence information. Here are some of the reasons for the newly expressed optimism:

Despite reports of 100 or more Soviet missile bases, there is still solid factual proof of only two long-range missile-launching sites—those long used by the Soviet Union for its test launchings at Kapustin Yar, near Stalingrad, and Tyuratam, near the Aral Sea.

Until this week's 7,762-mile rocket shot from Tyuratam to an impact area in the Central Pacific, only one Soviet missile had been tracked to a full 5,000-mile flight to land in the Northern Pacific. All the rest of the long-range shots—and there have not been many—have impacted in the Sea of Okhotsk or near Kylucki, the Soviet impact area on the Kamchatka Peninsula, a distance of 4,300 miles from Kapustin Yar and 3,850 miles from Tyuratam.

PROBABLE CIRCULAR ERROR

The approximate probably circular error of these Soviet intercontinental ballistic missiles has been estimated as possibly 7 to 10 miles, a much greater error than the Soviets claimed this week for their 7,762-mile shot.

It is quite possible that their new and more powerful rocket now incorporates an improved inertial guidance system that permits greater accuracy. On the other hand a CEP (circular error probable) for any weapons system cannot be determined except as an average of numerous flights.

The average circular error of the Atlas D missile, which is now being delivered to the Air Force as an operational missile, has been for the last eight 5,000-mile range shots considerably less than half of the 2-mile error the President revealed in his state of the Union message. The D-missile, with radio-inertial guidance, has demonstrated phenomenal accuracy, sufficient if it can be continued to destroy any point target (as well as an area target, like a city).

The Atlas E, scheduled for first flight shortly after midsummer, is a "bird" that will have complete inertial guidance as well as a lighter engine and longer range. This means that a whole salvo of 9 or 10 missiles can be fired simultaneously from the same base, whereas the radio-inertial system, because of possible mutual interference by radio transmissions, is limited to about 3 simultaneous firings from 1 base.

The new E-missile may not develop the same accuracy as the current model and it must be stressed that all the firing, except one performed by a Strategic Air Command crew at Vandenberg Air Force Base on the Pacific coast, were by experienced missileers down an instrumented range at Cape Canaveral, Fla.

Nevertheless, U.S. missile experts are confident that the problem of accuracy with the ICBM has been solved and available facts indicate we are equal to or ahead of the Russians in this field.

The Navy's Polaris missile, designed for launching from submerged submarines, registered equally phenomenal accurracy in one recent flight (with guidance equipment installed) of more than 900 miles. (The full 1,200-mile-range missile has not yet been tested and none has yet been fired from a submarine.) It landed almost on top of the target, in fact almost within the length of a city block from bulls-eye.

There is some evidence to suggest that the Soviet air defense system is not so effective as it had once been credited with being. The Hound Dog missile, now operational, launched from B–52 bombers in flight, adds considerably to the problems of the defense. To the admitted U.S. superiority in manned bomber strength, has now been added the first small nucleus of intermediate range and intercontinental range ballistic missiles.

All this collectively adds up to a reassuring reappraisal of present U.S. deterrent strength relative to that of the Soviet Union and to a short-term future that appears to be less black than had been painted in many quarters.

Many officers agree with the statement by Secretary of Defense Thomas S. Gates, Jr., that "there is no deterrent gap" and is not likely to be one within the foreseeable future.

Others go further and say they doubt that a missile gap, a Soviet superiority in numbers of long-range missiles, will, in reality, develop. There is, however, no unanimity on this point. Most officers from all services are worried about the long-term future and would like to see our calculated risks today and tomorrow reduced.

More funds for defense and a reallocation of the defense budget are urged by many.

THE BOND INTEREST CEILING

Mr. BUSH. Mr. President, another favorite subject in this Chamber is the interest rate ceiling. I invite the attention of Senators who are seriously interested in this matter—and everyone should be—to an article published last week in Barron's National Business and Financial Weekly, entitled "Flaws in the Ceiling," with a subtitle "Congress Should Stop Tinkering With Interest Rates." This article is a very able argument for the President's request that the interest rate ceiling be lifted on the long-term Treasury bonds.

I also invite attention to an article which was published in Time magazine, January 25, 1960, entitled "The Treasury Squeeze," and subtitled "The Bond Interest Ceiling Is Too Low." This article in turn shows the fallacy of the policy of Congress in refusing to yield on the question of the interest rate ceiling.

Mr. President, I ask unanimous consent that the articles be printed in the RECORD.

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

[From Barron's National Business and Financial Weekly, Jan. 18, 1960]

FLAWS IN THE CEILING—CONGRESS SHOULD STOP TINKERING WITH INTEREST RATES

On an ordinary business day, commercial banks in New York City are models of efficient decorum, where interest compounds quietly among the IBM machines and occasional masked bandits pass polite withdrawal slips to tellers. Early last week, however, their dignified premises resembled nothing so much as a bargain basement. From near and far an astonishing number of small investors, many of them less than expert in the arcane ways of high finance, came flocking to Wall Street. The lure: a new offering of 1-year Treasury bills, the yield on which, so rumor had it, was likely to exceed 5 percent. Despite its widespread lack of know-how—shared, evidently, by a few embarrassed bankers—the public did not go away emptyhanded. On the contrary, out of a total issue of $1.5 billion, small buyers accounted for an unprecedented $350 million.

In view of the great debate over interest rates which has burst out again in Washington, the episode cited above is vastly revealing. Despite cogent and repeated pleas by the administration, Congress in its wisdom has refused to raise the 4¼-percent ceiling on long-term Treasury bonds. In so doing the lawmakers, to judge by their oratory, have sought to keep a tight lid on money rates generally. If this in fact has been their aim—to some skeptics the whole issue smacks less of theoretical economics than of so-called practical politics—they plainly have missed the mark. Instead of lowering rates, the absurd restraint has served instead to raise them, especially at the short end of the yield curve, to the highest level in a generation. Thereby it also has wreaked havoc with thrift institutions, which have lost depositors and deposits, as well as diverted the flow of savings away from home finance, housing, and other traditional channels. Far from furthering the national interest, political intrusion in the money market, as in so many others, has done it harm.

The trouble began last spring, when interest rates, spurred by a record-breaking demand for funds, climbed to heights not scaled since the twenties. Under the Liberty Loan Act of World War I, the Treasury is prohibited from paying more than 4¼ percent on any security maturing in over 5 years (there is no ceiling on short-term issues). When this obsolete provision suddenly loomed as a threat to its financing operations, the Department, backed by the Federal Reserve, urged Congress to rescind it. The defiant lawmakers, however, smarting from a series of political defeats, chose instead to keep it on the books. Last week the President renewed the fight. In a special message to Capitol Hill, the first of the new session, he urged "the removal of this archaic restriction on flexible debt management." Failure to do so in the past, he added, has led to an unduly rapid increase in short-term debt, pushed borrowing costs to the highest level in decades, and in other ways worked against the Nation's welfare.

Mr. Eisenhower did not bother to document his charges, nor did he have to. The evidence is all too plain. Since July, the hard-pressed Treasury, effectively barred from access to medium- and long-term funds, has been compelled to cram some $36 billion of borrowing into the short end of the market. As a consequence, yields on 90-day bills have spurted to over 4¾ percent. An offering of 4-year, 10-month notes, subsequently christened the "magic 5s," gave investors a 5 percent return. Last week, as noted, a special issue of 1-year bills was sold at a discount rate of 5.07 percent, a figure comparable to simple interest of over 5¼ percent. Thus, by seeking to keep an artificially low ceiling on long-term interest rates, Congress merely has succeeded in pushing short-term rates through the roof.

By and large, the results of this misguided policy have not been happy. To be sure, some good, though plainly unintended on Capitol Hill, has come of it. A number of private investors have enjoyed a windfall, and the market for Government securities, once confined largely to institutions, has gained in depth and breadth. Within the past 12 months alone, to illustrate, individual holdings of marketable U.S. issues seem to have risen by a whopping $9 billion, to an alltime peak. Such unexpected gains, however, fail to outweigh the untoward effects. To begin with, the distortion of the yield curve has played hob with commercial banking. Instead of depositing liquid assets with the banks, corporate treasurers have tended to invest them in high-yield, short-term issues, which are the nearest thing to cash. Hence, tight money has been made still tighter and bank liquidity, none too plentiful at best, has been placed under greater strain.

Hardest hit of all have been the Nation's thrift institutions. In order to pay for their acquisitions of Treasury notes and bills, many buyers simply have drawn on their savings. In October, for example, when the "magic 5s" went on sale, U.S. savings banks, which usually report a substantial gain in assets in the month, actually showed a sharp decline. Last week's offering of bills gave them a similar jolt. Even the fast-growing savings and loan associations have been hurt. Savings banks and savings and loans, of course, are leading sources of mortgage credit, and, in turn, prime movers in home construction. The loss of deposits which they already have suffered, and the fear of further losses—"We are living under a sword of Damocles," complained one savings bank president—cannot fail to curtail the supply of home finance and impair the prospects for housing.

In sum, Congress has set in motion stresses and strains which, 6 months ago, it scarcely could have imagined. Whether the lawmakers will have the candor to admit their mistake and mend their ways remains to be seen; at the moment, the outlook is none too hopeful. However it may be resolved, the silly affair, while certainly damaging to U.S. finances and prestige, has not been a total loss. The Nation has been given an object lesson in roughshod partisan politics. Equally instructive, it has had a chance to observe the deplorable results of Government meddling in the marketplace. Long after the interest rate ceiling has been scrapped, these lessons may endure.

[From Time Magazine, Jan. 25, 1960]

THE TREASURY SQUEEZE—THE BOND INTEREST CEILING IS TOO LOW

The biggest demagogic campaign issue of 1960 revolves around the U.S. Treasury and the mandatory 4¼ percent interest ceiling on all Government bonds of 5 years or longer. Last year President Eisenhower asked Congress to remove the limitation, imposed in 1918, and Congress turned him down. Last week Ike asked again, and once more a Democratic Congress seems determined to make political capital out of an economic problem.

Every economist agrees that the U.S. Treasury is in a tough spot to refund Government issues that are constantly coming due. With top-grade corporate issues bringing more than 5 percent, the Treasury cannot sell long-term bonds limited to a 4¼-percent ceiling. The Treasury is forced to get its money by short-term issues, has to keep going to the market to raise cash, thus disrupting short-term borrowing for business and helping to drive up rates.

Nevertheless, a loud and powerful group of Congressmen, including Illinois Senator PAUL DOUGLAS and Texas Congressman WRIGHT PATMAN, refuses to grant the Treasury any relief, crying that interest rates are already too high. "The only inflation we have today," says PATMAN, with more emotion than economic reason "is inflation caused by high interest." The critics blame the Treasury for the rising cost of servicing the Nation's debt, argue that any further boost in interest rates would cost the taxpayers additional billions. They argue that if the Treasury wants to sell long-term bonds, it has the power to (1) sell them at a discount to increase the effective yield without changing the historic 4¼ percent coupon, or (2) ask the Federal Reserve to support the Goverment bond market as it did prior to 1951. (In 1953 the Federal Reserve decided to buy only relative short term notes and bills). Says DOUGLAS: "The abandonment of the bills only policy would add another weapon [to use] to help prevent economic fluctuations."

Against such adamant Democrats stand most economists and monetary experts, including such Democrats as House Speaker SAM RAYBURN and House Ways and Means Committee Chairman WILBUR MILLS. The plain fact, as they are well aware, is that a boost in Treasury long-term rates is probably the most effective way of holding overall interest rates down. By borrowing exclusively in the short-term market, which is the area where business gets its money for temporary or seasonal needs such as carrying inventories or financing sales, the Treasury has sopped up much of the money normally available. The scramble for the remainder has driven up short-term rates, eventually also forced up long-term borrowing costs.

So competitive is the short-term market that the Treasury's newest 91-day bill sells for nearly 4.6 percent. The effect of short-term borrowing, according to Government estimates, has been to drive overall interest rates up one-half percent in a year, and cost the Government an extra $700 million to carry its debt. The cost to private borrowers has run into the billions, is growing so worrisome that even housebuilders, who once opposed raising the ceiling, are now having serious second thoughts. The Treasury's medium-term magic 5 of last fall drew some $200 million out of New York savings banks alone, money that ordinarily would have gone for mortgages.

The problem is getting worse with each passing month. It is true, as some Congressmen say, that no long-term debt comes due for 10 months. But there will be almost

$80 billion in short- and medium-term borrowing. By November of 1961, so much debt will drop down into the 1-year-and-under category that the figure will top $92 billion, up from $81 billion in December 1959, in itself equal to the alltime record. The Government's only recourse will be more short-term financing, probably at higher rates.

Administration economists are dead set against trying to sell long-term bonds by gimmicks, meaning discounts, or by trying to force the Federal Reserve to support the market. They argue that this is simply funny-money financing. By supporting Treasury bonds, the Federal would, in effect, be pumping money into the economy, would lose control over the monetary system, and take the United States down the road to real inflation. Says Federal Reserve Board Chairman William McChesney Martin: "The world now knows that, as the night follows the day, inflation follows any effort to keep interest rates low through money creation."

The best argument against keeping the historic 4¼-percent interest ceiling is that it has not kept interest rates down. The best argument for removing the ceiling is that it will give the Treasury enough flexibility to lessen its reliance on the short-term market. By taking the pressure off these rates, the United States will have a good chance of stopping the rise in interest and the squeeze on money that, historically, has almost always ushered in a recession.

GEN. DOUGLAS MacARTHUR

Mr. DIRKSEN. Mr. President, January 26 marks the 80th anniversary of the birth of General of the Army Douglas MacArthur, a great general and a great American. MacArthur was born on January 26, 1880, in Little Rock, Ark., where his father, Arthur MacArthur, at that time a captain in the Army, was stationed. Although he has spent little time in Wisconsin, he is considered a native son by that State. His Scottish-born grandfather, Arthur MacArthur, who arrived in Milwaukee in 1849, was elected Lieutenant Governor on the Democratic ticket and later served 5 days as Governor in 1856. Douglas MacArthur's father, also named Arthur MacArthur, joined a Wisconsin regiment in the Civil War, became a colonel, and was awarded the Congressional Medal of Honor. Later he fought in the Indian wars in the West and Southwest, and participated in the Philippine campaigns. He advanced to become Chief of Staff and the 11th lieutenant general in Army history.

Following in his father's footsteps, young Douglas chose a military career. He entered the U.S. Military Academy on June 13, 1899. Graduating on June 13, 1903, with a scholastic average of 98.14, the highest ever achieved by a cadet, he was commissioned a second lieutenant of engineers.

It seems prophetic that MacArthur's first assignment was in the Philippines. In October 1905, after a year in California, he was detailed as an aide to his father, the American military observer in Tokyo. Next came a year as aide to President Theodore Roosevelt until August 1907. During the 10 years following, there were assignments to Milwaukee, Fort Leavenworth, the Canal Zone, Washington, and Vera Cruz.

When the United States entered World War I, 37-year-old Maj. Douglas MacArthur was a staff officer. Together with Newton D. Baker, the Secretary of War, he conceived the idea of the famous Rainbow (42d) Division, composed of National Guard units from 26 States and the District of Columbia. As chief of staff to the division commander, Maj. Gen. William A. Mann, and later to his successor, Maj. Gen. Charles T. Menoher, MacArthur was largely responsible for the organization and training of the division. In August 1917 he was promoted to a colonelcy in the infantry in the National Army, and in October he arrived in France with his division. He was with the division through all the fighting and his record for gallantry was conspicuous. Twice wounded and twice gassed, he refused to be sent to the hospital. Despite illness and wounds he kept going. He was promoted to brigadier general on June 26, 1918, and "actually commanded," an official report said, "larger bodies of troops on the battleline than any other officer in our Army, with, in each instance, conspicuous success." He was given command of the 84th Brigade, and for a brief period at the close of the war he commanded the entire division.

Back in the United States after the war, MacArthur spent 3 years as Superintendent of the Academy at West Point, winning a bitter fight against those who sought, in the interest of economy, first to abolish the Academy and then to reduce its term to 2 years. He also fought the entrenched and reactionary Academic Board and succeeded in liberalizing and modernizing the curriculum to include a full collegiate education.

The 3 years spent in Philippine commands, from 1922 to 1925, contributed to his understanding of the islands which was to prove so valuable in World War II.

In November 1930 he became the seventh Chief of the General Staff. His efforts for preparedness in this post caused him to be regarded, in a time of pacifism, as a warmonger and a militarist. Acting on orders of the President to evict the "Bonus Marchers" from Washington, he accomplished the assignment without firing a shot and without serious injury to soldiers or civilians. Sympathy for the ragged veterans resulted in widespread feeling against MacArthur, but unpopularity never caused him to swerve from his duty.

Most of MacArthur's term as Chief of Staff—1930–35—was spent trying to make Congress understand that the United States could not afford to strip itself entirely of military power. He proceeded to the modernization and mechanization of our Armed Forces and reorganized them on the four-Army plan.

At the conclusion of his term as Chief of Staff he became head of a military mission to the Philippines to draft a 10-year defense plan which the National Assembly enacted into law. Two years later he retired from the U.S. Army and accepted the position of field marshal of the Philippine forces. Although his critics derided the title, the Filipinos were inspired to patriotic fervor by the thought of having a field marshal at the head of their little army.

The clouds of war were gathering. MacArthur was recalled to active service as a major general in July 1941; he was advanced to temporary lieutenant general the next day, and to temporary general 11 days after Pearl Harbor. He was given command of the U.S. forces in the Far East. But those forces were pitifully small and planes and torpedo boats were not forthcoming in any quantity; the fighting on Bataan could be only a delaying action. In March 1942, under orders from the President, MacArthur with his family and staff officers escaped to Australia. From Australia under his brilliant leadership, his forces invaded New Guinea, New Britain, New Georgia, and Bougainville. At last in October 1944 began the liberation of the Philippines. He had returned as he had promised.

Advanced in December 1944 to the new five-star rank, MacArthur was named to command all U.S. Army forces in the Pacific, and also six Marine divisions.

Following the Japanese surrender, MacArthur served in Japan as Supreme Commander for the Allied Powers. His execution of a program for the enactment of widespread legal reforms and the establishment of constitutional government has attracted universal respect and admiration.

When North Korean forces invaded the South Korean Republic on June 25, 1950, MacArthur was given command of U.S. and U.N. forces with orders to repel the invaders. His grasp of military strategy was again demonstrated by the conception and execution of the landing at Inchon, which led to a precipitate retreat of the North Koreans.

On April 11, 1951, General MacArthur was dismissed by President Truman from his United Nations, Allied, and American commands in the Far East.

How well I remember the thunderous ovation he received when he returned to address a joint session of Congress, an ovation which registered the unalloyed confidence of Congress in their great soldier despite the strange and inexplicable action of the Commander in Chief.

I remember also his appearance before the Senate Committee and how eloquently the transcript spoke of his wide grasp of the problem before this country.

Even more vividly I remember the reception and ovation he received in the city of Chicago and the unrestrained acclaim he received from his fellow citizens.

He was not merely a great soldier but also a great philosopher; he was not merely a great commander but also a great statesman. It will be a long, long time before his contribution to the cause of freedom and the success of American arms will fade from the memories of his fellow citizens.

NOMINATION OF JAMES DURFEE TO BE JUDGE OF THE COURT OF CLAIMS

Mr. PROXMIRE. Mr. President, this morning I had the unfortunate duty of opposing the nomination of James Durfee, a man from my own State of Wisconsin, to be a judge of the Court of Claims. I made this decision with great reluctance, after very careful consideration. I ask unanimous consent that my statement before the Judiciary Committee this morning be printed in the

RECORD at this point as a part of my remarks.

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

STATEMENT OF SENATOR WILLIAM PROXMIRE BEFORE THE COMMITTEE ON THE JUDICIARY REGARDING THE NOMINATION OF JAMES DURFEE FOR THE COURT OF CLAIMS, JANUARY 21, 1960

Mr. Chairman, I oppose the confirmation of James Durfee to be a judge of the Court of Claims. I do so with reluctance and deep regret.

SUPPORT FOR DURFEE

Mr. Durfee is a Wisconsin man. He served as a district attorney and practiced law in my State for some 25 years. He has also served as chairman of the Wisconsin Public Service Commission. He has been a very popular man throughout our State. This is not only evident in his election as head of the Wisconsin American Legion, but in the many friends of his throughout our State in both political parties who have written and talked to me urging his confirmation. Some have even traveled to Washington from Wisconsin for this purpose.

Two months ago I was in Mr. Durfee's hometown of Antigo, Wis. I spoke at the high school, and talked informally with well over a hundred citizens of Mr. Durfee's hometown, including the fine newspaper editor of the Antigo Daily and a number of prominent businessmen and lawyers. Mr. Durfee is as popular in his hometown as any man I know. And the nominee is an honored man in our State. Our great university in Milwaukee, Wis., selected Mr. Durfee 3 years ago as alumnus of the year in recognition of his service in government.

Support for James Durfee is not confined to Wisconsin. I have had more visits and phone calls in connection with this nomination than with any other matter I have dealt with since I came to the Senate. I have had delegations of airline executives who have had an opportunity to observe the nominee's administration of the Civil Aeronautics Board at firsthand call on me and plead for his confirmation. National leaders from both parties have talked to me to ask I approve and support him.

REASON FOR OPPOSITION

In spite of all this I have decided that I must oppose James Durfee for this nomination for two reasons. First, I believe his qualifications for the position for which he has been nominated are at best minimal, and fall far below the standard established by the men who now serve on the court. Secondly, I oppose the nominee because his conduct as Chairman of the CAB shows a lack of the judicial behavior that is essential for the proper performance of the duties of the office to which he has been nominated.

QUALIFICATIONS FOR THE COURT OF CLAIMS

It has been said that as a matter of history the growth in power of the Supreme Court and the respect in which it is held by the people has been due largely to the legal ability and the force of character of the men who have composed that Court. This is particularly true of the Court of Claims. It is my understanding that there have been some 38 judges who have served on this court since its establishment in 1855. Almost all of the men who have been appointed to this court have before their appointment demonstrated competence relevant to the kind of work they would do on the court—on the bench, in Congress, or at the bar.

A man who has been a member of the Court of Claims bar for over 30 years recently wrote me in part as follows:

"The largest and most technical civil cases in America are decided in the Court of Claims. Individual suits against the United States sometimes involve millions of dollars. They are brought by railroads, aircraft companies manufacturing war planes and missiles, etc. A judge of the court should have an extensive background in this work. Tax refund cases, government contracts, employee pay cases, etc., require the highest degree of experience and legal skill.

"You cannot expect the lawyers who actually practice in the court to come forward on this matter at this late date and express their views. That would be putting one's neck on the block in case Durfee was confirmed. The District of Columbia bar, of course, has more lawyers who practice in the court than all the rest of the country put together. It has consistently refused to endorse Mr. Durfee. It did propose through its Court of Claims Committee the names of three competent and experienced lawyers to the Attorney General."

DURFEE AND THE DISTRICT BAR ASSOCIATION

On Monday, January 18, a member of the committee from the District of Columbia Bar Association on relations with the Court of Claims, called with the following information:

When Judge Littleton, who had an extensive tax background, retired, leaving the vacancy to which Durfee has been named, the bar association committee on relations with the Court of Claims considered the best possible replacement for the judge and submitted three names to the Attorney General. Mr. Durfee was not among the three named. The three named were a Commissioner of the Court of Claims, and two local lawyers, one with great experience in tax cases before the Court of Claims and the Tax Court of the United States, and the other experienced in claims involving Government contracts. Both practice before the Court of Claims.

The bar association committee on the Court of Claims is composed of 20 members, 15 of whom are private practitioners before the court and 5 are members of the staff of the Justice Department's Civil Division who defend these cases before the court. So the vote for the three nominees was a vote by lawyers on both sides of the fence.

An official of the Court of Claims stated that at least three-fourths of the court's work is in the field of tax law and Government contracts, including the Federal wage cases, which are treated as implied contracts. These include disability and retirement pay for military personnel and retirement and overtime compensation for civilian employees.

It is the general consensus of the knowledgeable practitioners before the court—and a large number of them have called me, some as recently as this morning—that Durfee is just not qualified for this job.

RESPONSIBILITY OF COURT OF CLAIMS

Mr. Chairman, I call attention to the dimensions of the responsibility of the Court of Claims. For the year ended October 3, 1959, the Court of Claims had disposed of 2,636 cases.

Amount of money claimed was $402,137,897.30.

Judgment for the plaintiffs totaled $11,434,127.65.

Amount of above judgments carrying interest—$1,881,929.45.

Judgments on defendant's counterclaims amounted to $535,889.78.

The tax cases handled by the court are all for refunds on almost any kind of tax—personal income, corporation, transportation, documentary stamp, excess profits, excise, etc.

Some of the larger money cases for the year were:

Plaintiff	Amount claimed	Amount awarded or disposition	Claim
Hingham Management Corp	$6,000,000.00	Case dismissed	Contract for lease of certain facilities, Naval Industrial Reserve Shipyard, Hingham, Mass., Navy Department.
Todd Shipyard Corp	2,617,401.18	$2,575,641.38 (stipulated judgment, with interest).	Refund of income and excess profits tax.
Idaho Maryland Mines Corp	5,021,799.00	Case dismissed	Compensation for property taken, WPB.
Homestake Mining Co	10,777,448.01	do	Do.
Empire Star Mines Co., Ltd	5,386,822.02	do	Requisitioning of gold mine by closure and suspension of operations pursuant to order L-208, WPB.
U.S. Smelting, Refining, & Mining Co	11,900,000.00	do	Do.
Clare Shove (and 5 other parties)	15,000,000.00	do	Do.
Mabel N. Scott (and 3 other parties)	10,000,000.00	do	Do.
Otilia Acensi (and 87 other parties)	9,089,329.67	do	Contract for supplies furnished to guerrilla forces, Philippine Islands.
American Cyanamid Co	1,689,625.82	do	Refund of excess profits tax.
Western Contracting Corp	1,144,535.00	$225,000	Contract for construction, etc., Department of the Army.
Enterprise Railway Equipment Co	587,681.52	$561,760.10 (with interest)	Refund of income tax.
Radio Patents Corp. (and 4 other parties)	10,000,000.00	Case dismissed	Infringement of patent, Army.
Sylvania Electric Products, Inc	7,050,468.00	do	Refund of manufacturers' excise taxes.
General Motors Corp	8,507,624.08	do	Do.
M. Meads	4,216,852.25	$1,405.65	Requisition of sawmill, Department of the Army.
Bulova Watch Co., Inc	732,134.71	$520,049.95 (with interest)	Refund of income and excess profits tax.
Mella Alvina Hoover	15,000,000.00	Case dismissed	Compensatory relief and pecuniary damages.
Burnham Chemical Co	44,711,028.00	Case dismissed; counterclaim dismissed	Losses and resonable profits, and damages.
Westinghouse Electric Corp	3,737,677.62	Case dismissed	Refund of manufacturers' excise taxes.
Chrysler Corp	5,344,864.48	do	Do.
Jose K. Lapus	2,448,596.00	do	Property requisitioned, Department of the Army.
Henry M. and Murray W. Garsson	18,500,000.00	do	Compensation for use of manufacturing methods, designs, process, and engineering developments of war materials, War.
Mississippi Valley Generating Co	3,543,778.45	$1,867,545.56	Dixon-Yates power contract, AEC.
Chicago, Burlington & Quincy RR. Co	21,008,304.42	Case dismissed	Refund of income and excess profits tax.

From report submitted to Congress on Jan. 6, 1960, by the clerk of the Court of Claims on all judgments rendered by the court for the year ended Oct. 3, 1959.

Mr. Chairman, I submit that the fairest standard for evaluating Mr. Durfee's qualifications is to compare them with those of the men who now serve on the court and the retired judge, the Honorable Benjamin H. Littleton, whom Mr. Durfee has been nominated to succeed.

Here are brief résumés of their biographies:

Marvin Jones, chief judge of the U.S. Court of Claims

Born near Valley View, Tex.

Received bachelor of arts degree from Southwestern University, Georgetown, Tex., in 1905.

Received bachelor of laws degree from the University of Texas in 1907.

Admitted to the Texas bar in 1907; practiced at Amarillo.

Was appointed chairman of the board of legal examiners for the seventh supreme judicial district of Texas in 1913.

Elected to the 65th through 76th Congresses (1917–41), 18th Congressional District.

Chairman of the House Committee on Agriculture from December 1931 to November 1940.

Appointed judge of the U.S. Court of Claims April 9, 1940.

Confirmed by Senate April 10, 1940.

Assumed duties November 20, 1940, after resigning from the House of Representatives.

On leave from January 1943 to July 1945: January 1943–June 29, 1943, adviser and assistant to James Byrnes, Director of Economic Stabilization; May 18–June 3, 1943, President, United Nations Conferences on Food and Agriculture, Hot Springs, Va.; member, President's War Mobilization Committee; June 29, 1943–July 1, 1945, Administrator, U.S. War Food Administration.

Resumed duties as judge of Court of Claims.

Appointed chief judge of Court of Claims July 10, 1947.

Joseph Warren Madden, associate judge, U.S. Court of Claims

Born at Damascus, Ill., January 17, 1890.

Received bachelor of arts degree from the University of Illinois in 1911.

Received doctor of jurisprudence degree from the University of Chicago in 1914.

Admitted to the bar of Illinois in 1914; bar of Ohio, 1918; bar of West Virginia, 1922; bar of Pennsylvania, 1927.

Professor of law at the University of Oklahoma, 1914–16.

Practiced law in Rockford, Ill., 1916–17.

Special assistant to the Attorney General of the United States, 1920.

Professor of law at Ohio State University, 1917–21.

Dean of the Law School, West Virginia University, 1921–27.

Professor of law, University of Pittsburgh, 1927–37.

Visiting professor of law at the University of Chicago, North Carolina, Cornell, Stanford, Yale, and Vanderbilt Universities.

Practiced law in Illinois and part time in Ohio, West Virginia, and Pennsylvania.

Assisted West Virginia Revision and Codification Commission in revising property statutes, 1925.

Adviser on property and torts to the American Law Institute since 1934.

Member of the Governor's commission (Pennsylvania) on private policing in industry in Pennsylvania, 1933–34.

Chairman, National Labor Relations Board, 1935–40.

Commissioned judge, Court of Claims, January 8, 1941.

Went to Germany in July 1945 and served as associate director of the legal division and in 1946 as director of the legal division and legal adviser to the U.S. Military governor and the deputy military governor, office of military government for Germany.

Awarded Medal of Freedom in 1947 for work with military government for Germany.

Returned to Court of Claims in July 1946.

Was exchange legal specialist, Germany, the summer of 1953.

Coauthor of a casebook on property.

Author of a treatise on domestic relations and a casebook on domestic relations.

Samuel Estill Whitaker, associate judge, U.S. Court of Claims

Born in Winchester, Tenn., September 25, 1886.

Student at Winchester (Tenn.) Normal College, 1902–5; University of Virginia, 1905–6.

Bachelor of law, University of Chattanooga, 1909.

Admitted to the Tennessee bar in 1909 and practiced in Chattanooga until outbreak of World War I.

Attorney, U.S. Department of Justice, 1919–20.

Attorney, Bureau of Internal Revenue, 1920.

Private practice in Chattanooga from 1921–37.

City attorney, Chattanooga, 1923.

Mayor of Riverview, Tenn., 1925–29.

Employed from time to time as special assistant to the Attorney General of the United States, 1933–37.

Assistant Attorney General of the United States, 1937–39.

Appointed judge, U.S. Court of Claims, July 13, 1939.

Don Nelson Laramore, associate judge, U.S. Court of Claims

Born at Hamlet, Ind., December 22, 1906.

Admitted to law practice in Indiana April 18, 1931.

Judge pro tempore, 44th Judicial Circuit of Indiana, 1942–44.

Elected judge, 44th Judicial Circuit of Indiana, November 1944 and November 1950.

Commissioned judge, U.S. Court of Claims, March 17, 1954.

Benjamin H. Littleton, retired judge of the Court of Claims, whose vacancy James Durfee has been nominated to fill

Born in Weatherford, Tex., in 1889.

Educated in the public schools of Tennessee.

Received bachelor of law degree from Cumberland University, Lebanon, Tenn., in 1914.

Admitted to the Tennessee bar in 1914 and practiced law at Nashville.

Appointed assistant U.S. attorney for the middle district of Tennessee in 1918 (1918–21).

Appointed special attorney, Treasury Department, in 1921.

Appointed a member of the U.S. Board of Tax Appeals,[1] July 16, 1924, for 2 years.

Reappointed June 6, 1926, for a term of 10 years.

Elected Chairman of the Board in April 1927.

Reelected Chairman in April 1929.

Commissioned judge of the Court of Claims on November 6, 1929.

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[1] Now called the Tax Court of the United States.

(NOTE.—The present Tax Court of the United States was formerly the U.S. Board of Tax Appeals. The Board was created by the Revenue Act of 1924 and continued by the Revenue Act of 1926, the Internal Revenue Code of 1939, and the Internal Revenue Code of 1954. The change in name to the Tax Court was made by the Revenue Act of 1942.)

To summarize the qualifications of these men to serve as judges on a court that is concerned with claims against the Government and particularly with immensely large tax claims, these men have the following qualifications:

Judge Laramore had served for 12 years as a judge on the bench in the 44th judicial circuit of Indiana prior to his appointment.

Judge Jones had served as chairman of the board of legal examiners in a judicial district in his State and had devoted some 24 years of his life to the Congress of the United States including 9 years as chairman of the House Committee on Agriculture.

Judge Whitaker had prepared for the Court of Claims by serving as an attorney of the Bureau of Internal Revenue, and in turn as an attorney in the Department of Justice, as special assistant to the Attorney General of the United States and finally for 2 years as Assistant Attorney General of the United States.

Judge Madden's experience for the Court of Claims included special assistant to the Attorney General of the United States, professorships of law at the great Universities of Oklahoma, Ohio State, West Virginia, and Pittsburgh, as well as visiting professorships at the Universities of Chicago, North Carolina, Cornell, Stanford, Yale, and Vanderbilt. He had been an adviser on property and torts to the American Law Institute and coauthor of a casebook on property.

Judge Littleton who would be replaced by Mr. Durfee had served as assistant U.S. attorney in Tennessee, a special attorney in the Treasury Department, a member of the Board of Tax Appeals (now known as the Tax Court) for 5 years and chairman of the court for the last 2½ years of his term.

Now, Mr. Chairman, I submit that each of these men had had a far broader and deeper and more relevant experience to qualify them for the Court of Claims than Mr. Durfee whose background and experience has been confined to the practice of law in Wisconsin (with no evidence of substantial experience in any kind of Government claim work), and service on two regulatory commissions, one State and one national, neither one of which provided a single day's experience or training in the kind of complex, highly technical work that would immediately confront Mr. Durfee on the Court of Claims. Mr. Durfee has had no visible experience in any of the three areas which have been the classic background for this important court. He has not served in Congress. He has not served as a judge on the bench. He has not had any substantial experience in handling claims cases of any kind either for the public or for the Government.

RECORD OF JUDICIAL BEHAVIOR OF NOMINEE

It might be said that as Chairman of the CAB, Mr. Durfee has enjoyed a kind of judicial experience. The CAB is a quasi-judicial agency, of course. It has judicial as well as rulemaking and administrative functions. The behavior of the nominee in his judicial role is for this reason particularly pertinent to his qualifications for this nomination.

Mr. Chairman, there are three incidents which are the most troublesome to me in the consideration of this nomination. Each of these incidents constitute a serious demerit in the fitness of the nominee for the Court of Claims. In each incident it is the contrast between the behavior of the nominee and the judicial code of the organization which he served as chairman which disturbed me. For this reason I call the careful attention of the committee to the "Principles of Practice of the Civil Aeronautics Board," sometimes called the code of ethics. I present herewith the pertinent regulations in full, from which I will read the sections

that pertain especially to judicial conduct and the behavior of the nominee:

"REGULATIONS, SERIAL NO. PR-10—UNITED STATES OF AMERICA, CIVIL AERONAUTICS BOARD, WASHINGTON, D.C.—PROCEDURAL REGULATIONS, PART 300

"(Effective, March 30, 1951; adopted, March 27, 1951)

"Principles of practice of the Civil Aeronautics Board

"Although the standards and principles which usually govern the proceedings of judicial bodies have always been applicable to the Board in the conduct of its quasi-judicial functions, the Board has not previously reduced to written form those principles of practice by which the Board and the persons appearing before it should be governed. In December of 1950 the Board requested a representative committee of industry counsel established as the Civil Aeronautics Board Advisory Committee on Practices and Procedures to assist and to advise it in formulating procedures and practices with respect to proceedings before the Board. As an initial phase in its activity, a statement of rules of conduct which will serve as a guide for all parties and the Board and its staff in relation to proceedings before the Board has been recommended by the Committee and as modified is being adopted and promulgated by the Board as a guide to all parties in relation to matters pending before the Board.

"In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates a new part 300 to the Board's procedural regulations to read as follows, effective March 30, 1951:

"'Part 300. Principles of practice of the Civil Aeronautics Board

"'300.0 Applicability of part: The principles of practice set out herein to the extent applicable shall govern the relationships between the Board, its staff, and all other persons.

"'300.1 Judicial standards of practice: In many respects the functions of the Board are similar to those of a court and parties to cases before it and those who represent such parties are expected to conduct themselves with honor and dignity. By the same token, the members of the Board, and those of its employees who participate with the Board members in the determination of cases upon a record, are expected to conduct themselves with the same fidelity to standards of propriety that characterize a court and its staff. The standing and effectiveness of the Board are in direct relation to its observance, that of its staff, and the parties and attorneys appearing before it, of the highest standards of judicial and professional ethics.

"'300.2 Hearing cases—Improper influence: It is essential in cases to be determined after notice and hearing and upon a record that the Board's judicial character be recognized and protected. In such cases—

"'(a) It is improper that there be any private communication on the merits of the case to a member of the Board or its staff or to the examiner in the case by any person, either in private or public life, unless provided for by law.

"'(b) It is likewise improper that there be any private communication on the merits of the case to a member of the Board or to the examiner in the case by any members of the Board's staff who participate in the hearing as witnesses or as counsel.

"'(c) It is improper that there be any effort by any person interested in the case to sway the judgment of the Board by attempting to bring pressure or influence to bear upon the members of the Board or its staff, or that such person or any member of the Board's staff, directly or indirectly, give statements to the press or radio, by paid advertisements or otherwise, designed to influence the Board's judgment in the case.

"'300.3 Conciseness of presentation: Persons practicing before the Board should endeavor to present their cases in concise form avoiding cumulative and repetitious evidence, since the members of the Board participating in the decision of a case, after notice and hearing and upon a record, must familiarize themselves with the evidence in the record and with the arguments made on behalf of the parties orally and in written briefs, and must base their decision solely on the record.

"'300.4 Unusual hospitality: It is particularly improper that persons interested in the business of the Board should provide unusual hospitality to the Board or its staff; nor should such hospitality be accepted.

"'300.5 Attorney-client relationship: Persons practicing or appearing before the Board, whether or not members of the bar, should have due regard for the standards of professional conduct applicable to the lawyer-client relationship and to the relationship between a lawyer and a judicial tribunal.

"'(a) The nontechnical nature of the Board's procedure calls for special adherence, by practitioners, to scrupulous standards of fairness, candor, and consideration for the rights of others in the pleadings filed, evidence submitted, conduct of the hearing, and briefs and arguments made. In appearing for a client, the practitioner thereby vouches on his honor that in his opinion the client's cause is one proper for determination, and in presenting pleadings and offering evidence he represents that the same are not offered for unwarranted delay and that in his opinion the content thereof is not misleading. Nor should he indulge in offensive personalities, unseemly wrangling, or intemperate accusations or characterizations.

"'(b) A practitioner, moreover, should advise his client to observe the law according to his conscientious belief as to its permissible meaning and should use his best efforts to restrain his client from improprieties in dealing with the Board or its staff. If a client persists in such improprieties, the practitioner should terminate their relationship.

"'300.6 Violations: The Board may disqualify and deny temporarily or permanently, the privilege of appearing or practicing before it in any way to any person who is found after hearing by the Board to have engaged in unethical or improper professional conduct. Violation of any of the foregoing principles shall be deemed to be such conduct.'

"(Secs. 205(a), 1001, 52 Stat. 984, 1017; 49 U.S.C. 425(a), 641.)

"By the Civil Aeronautics Board:

"M. C. MULLIGAN,
"Secretary."

INCIDENTS INVOLVING CODE OF ETHICS BY MR. DURFEE

Now, Mr. Chairman, there had been reports in the press that Mr. Durfee while Chairman of the CAB had accepted hospitality from airlines which had cases pending before his Board. The charge was further made in the press that in this alleged action, Mr. Durfee had violated the code of ethics, as the press put it—the regulations—which I have just finished reading.

In order to determine whether these press accounts were true or false, I wrote directly to the head of each airline which had allegedly entertained Mr. Durfee when he was the Chairman of the CAB.

Pinehurst, N.C.—October 19–21, 1956

I shall present my replies from these airlines in chronological order. The first letter is from Mr. L. C. Burwell, Jr., who was vice president of the Flying Tiger Airlines during the period October 19 to 21, 1956, when Chairman Durfee is alleged to have been the guest of Flying Tiger and Overseas National Airlines at a golfing party at Pinehurst, N.C.

Here is the letter, in toto. I shall read pertinent parts of the letter.

DECEMBER 4, 1959.

DEAR SENATOR PROXMIRE: I apologize for not answering your letter of November 25 until today, but I was away from the office practically all week. I am glad of the opportunity to set the record straight with regard to the Pinehurst golfing party, since there has been a considerable amount of rumor and distortion about this in the press.

When the reporter for the Capital Times called me, he implied that his paper was anxious to correct certain derogatory rumors relative to Mr. Durfee's participation. This was a misrepresentation on his part because his article as it came out was extremely antagonistic and not factual.

At the time of this outing I was vice president of the Flying Tigers. I did not associate with Overseas National Airways until July 1, 1957. My home is at Pinehurst, and I am a Democrat. I am a colonel in the Air Force Reserve and have been personally extremely interested in airpower, and officially concerned with the role of the Military Air Transport Service in the general air transportation scheme of things.

The Flying Tiger line, at that time, operated a business amounting to about $6 million a season in transatlantic commercial charters. The two largest competitors in this business were Pan American and, potentially, Overseas National. However, there was one thing on which the management of these three companies could agree, and that was a plan to curtail the competition of MATS in moving routine line haul traffic that rightly should go by commercial air carrier.

I conceived the idea of a golfing weekend and of inviting not only airline officials, but persons in the Government who represented both sides of the argument, plus the Chairman of the CAB and the Federal Communications Commission, whom we wished to persuade to our point of view, but only with advocates for both sides on hand.

We invited, in addition to those that did attend, Lieutenant General Smith, commander of MATS (who sent his alternate, General Wilson); General Twining, Chief of Air Staff; and Senator Symington. Neither of these could come. However, we did have Mr. Frank Pace, formerly Secretary of the Army; Mr. Juan Trippe, president of Pan American, and one of its directors, Mr. Mark McKee; Col. Hammar Denny, member of the CAB; Mr. Eugene Zuckert, formerly Assistant Secretary of the Air Force; and several others who are not important at this time. Mr. Prescott, president of the Flying Tiger Line, and I were there as well as Mr. George Tompkins, president of Overseas National. In order to avoid any appearance of impropriety, I asked Mr. Tompkins if he wished to share the cost and be cohost, which he agreed to do.

As many of the guests as I could accommodate stayed at my house. All of the guests were from time to time entertained at my house. This was entirely at my personal expense. Those who were accommodated at the Carolina Hotel had their bills paid by the two airlines. The transportation was by rail, and this was paid by the two airlines, using a chartered pullman car. There never was but one outing so that the reference to similar excursions being paid alternately is incorrect. The costs were borne jointly on a 50–50 basis.

Now answering your questions specifically:

1. Mr. Durfee was present.

2. The two airlines bore the costs jointly and the approximate figure per person was $85.

3. Mr. Durfee, to my knowledge, has not accepted any other hospitality, service, or any other consideration from either the Flying Tiger Line or Overseas National Airways.

I would like to add that in addition to the golf and good fellowship, we had serious, and I believe fruitful, discussions as to possible ways and means of allocating logically and fairly certain airlift missions of MATS to the civil industry. When I invited Mr. Durfee, I pointed out that under the act Congress had charged him with the responsibility of fostering the growth of civil aviation and here was a good chance for him to strike a blow for freedom.

We got far more accomplished in 2½ days than we had in the past 2½ years, or would have gotten in the next 2½ years through uncoordinated random efforts. The CAB, MATS, and the airlines, I believe, saw each other's positions clearly and without prejudice. I think much good has come out of the meeting.

I hope this answers your questions.

Sincerely,

L. C. BURWELL, Jr.

I would call particular attention of the committee to two sections of this letter which I will read in connection with the regulations or code of ethics of the Civil Aeronautics Board.

Mr. Chairman, I refer to section 300.4 of the Principles of Practice of the CAB which reads and I quote:

"300.4. Unusual hospitality: It is particularly improper that persons interested in the business of the Board should provide unusual hospitality to the Board or its staff; nor should such hospitality be accepted."

On this point I refer the committee to the following statement in the Burwell letter on the Pinehurst outing and I quote:

"In order to avoid any appearance of impropriety, I asked Mr. Tompkins (that's George Tompkins, president of Overseas National) if he wished to share the cost and be cohost, which he agreed to do.)

"As many of the guests as I could accommodate stayed at my house. All of the guests were from time to time entertained at my house. This was entirely my personal expense. Those who were accommodated at the Carolina Hotel had their bills paid by the two airlines. The transportation was by rail and this was paid by the two airlines, using a chartered pullman car."

And a little later in the Burwell letter, I quote:

"Now answering your questions specifically:

"1. Mr. Durfee was present.

"2. The two airlines bore the costs jointly and the approximate figure per person was $85.

"3. Mr. Durfee, to my knowledge, has not accepted any other hospitality, service, or any other consideration from either Flying Tiger Line or Overseas National Airways."

Did this constitute a violation of section 300.4?

In the first place, there is no question that both Flying Tiger and Overseas National were deeply interested in the business of the Board, before, during, and after this outing.

I call attention to the following applications of Flying Tiger and Overseas National pending on October 19, 20, and 21, 1956, which I received yesterday from the CAB:

TIGERS

"Docket 6893, temporary exemption: transport ships crew from Lisbon to Baltimore for Mystic Steamship Co.

"Docket 8255, temporary exemption: 4 round trip charter, American Legion Post from Frankfort to New York.

OVERSEAS NATIONAL

"Dockets 4233, 5302, 5303, 5304, applications for various atuhorities in the Large Irregular air carrier case, which involved supplemental air carriers the scope of their operations and the type of authorization to be issued.

"Docket 8056, United States to various points in Europe, route application.

"Docket 7838, temporary exemption: From certain tariff filing provisions in connection with military charters (later dismissed as moot.)"

In the second place there is no question that hospitality was offered by these interested persons and no question that it was accepted. The only question remaining is: The reference in 300.4 to "unusual" as the description of the kind of hospitality that is forbidden. I ask the committee to consider what type of entertainment might be considered unusual if this were not. Is there one man in a thousand who would not consider it unusual hospitality if he were taken on a golfing outing to Pinehurst, N.C., in a chartered pullman car for 2½ days of golfing and entertainment? Frankly, I think I've enjoyed my share of entertainment, but I can recall no occasion in my life where the entertainment was as unusual as this weekend. My own opinion is that this was a direct and flagrant violation of section 300.4 of the CAB Code of Ethics.

Mexico City incident

The second letter I received in reply to my inquiry concerning the conduct of the nominee was from Mr. Eddie Rickenbacker, chairman of the board of Eastern Airlines. I will submit the letter in toto and then read pertinent parts of the letter as they seem to relate to Principles of Practice of the CAB, section 300.4, "Unusual Hospitality," which I repeat provides:

"It is particularly improper that persons interested in the business of the Board should provide unusual hospitality to the Board or its staff; nor should such hospitality be accepted."

Now let me say that on August 14, 1957, the CAB, headed by Mr. Durfee had approved the award of a nonstop route from New York to Mexico City for Eastern Airlines. On September 13, 1957, Pan American Airlines petitioned the CAB to reconsider the allocation of the route to Eastern. From September 15, 1957, to September 18, 1957, Mr. Durfee was alleged to be the guest of Eastern Airlines on a special trip to Mexico City and back. On October 23, the CAB upheld the award of the route ot Eastern Airlines and denied the petition of Pan American.

Let me also add for the record that on September 30, 1957 (the nearest date to the alleged trip for which statistics were available), there were no less than 76 applications by Eastern Airlines pending before the Civil Aeronautics Board according to information recently furnished me by the CAB, as follows:

"Docket 7375, service to Puerto Rico case.

"Docket 4842, service to Puerto Rico case.

"Docket 7759, service to Puerto Rico case.

"Docket 4096, reopened Charleston-Columbus.

"Docket 8239, St. Louis-Southeast Service case.

"Docket 8240, St. Louis-Southeast Service case.

"Docket 2396, Great Lakes-Southeast Service case.

"Docket 7286, Great Lakes-Southeast Service case.

"Docket 7287, Great Lakes-Southeast Service case.

"Docket 7288, Great Lakes-Southeast Service case.

"Docket 7289, Great Lakes-Southeast Service case.

"Docket 7290, Great Lakes-Southeast Service case.

"Docket 7291, Great Lakes- Southeast Service case.

"Docket 7292, Great Lakes-Southeast Service case.

"Docket 7529, Great Lakes-Southeast Service case.

"Docket 8207, Dallas to the West case.

"Docket 3207, Chicago-Twin Cities case.

"Docket 8726, enforcement proceeding.

"Docket 3406, southeastern area local service.

"Docket 5255, southeastern area local service.

"Docket 7146, southeastern area local service.

"Docket 8147, southeastern area local service.

"Docket 8481, southeastern area local service.

"Docket 3151, Eavansville, Ind.-Minneapolis/St. Paul, via intermediates.

"Docket 3624, Nonstop, Richmond or points north; points west of San Antonio.

"Docket 3986, Chicago-Minneapolis/St. Paul; St. Louis-Tulsa, etc.

"Docket 4090, consolidate routes 5 and 6 and part of route 10.

"Docket 4092, remove restriction of Columbia and Charleston, S.C., on route 6.

"Docket 4278, more flexible operation on cargo flights on routes 5, 6, 10, and 47.

"Docket 4931, extend route 6 from Roanoke to Chicago (severed from docket 4837).

"Docket 5973, St. Louis, Mo.-Kansas City, Mo.

"Docket 6052, New York-San Francisco/Oakland, via intermediates.

"Docket 6053, Fort Worth-San Francisco/Oakland, via Albuquerque, Phoenix, Los Angeles.

"Docket 6054, Washington-San Francisco/Oakland, via Cincinnati, Indianapolis, etc.

"Docket 6055, San Francisco/Oakland-New York; New Orleans-Detroit.

"Docket 6722, remove restriction from route 5 re service to Raleigh, Durham.

"Docket 6829, intermediates between a proposed Houston-Dallas route (severed from docket 4144).

"Docket 6833, Oklahoma City, San Francisco-Oakland (severed from docket 6056).

"Docket 6834, Memphis-Chicago; Memphis-Kansas City, etc. (severed from docket 6057).

"Docket 7153, Miami-Dallas and El Paso; Birmingham-Dallas.

"Docket 7293, extension route 10: Chicago-Seattle, via intermediates.

"Docket 7294, extension route 10: St. Louis-San Francisco; Chicago-San Francisco.

"Docket 7295, extension route 10: Chicago-Seattle, San Diego, and San Francisco.

"Docket 7452, delete restriction on Pittsburgh-Akron, Cleveland, Detroit service.

"Docket 7453, Washington-Minneapolis/St. Paul, via Pittsburgh, Cleveland, etc.

"Docket 7499, Birmingham-San Antonio, via intermediates (severed from docket 7286).

"Docket 7500, Pittsburgh-New York/Newark/Detroit-Minneapolis/St. Paul (severed, docket 7287).

"Docket 7501, New York/Newark-Pittsburgh (severed from docket 7288).

"Docket 7502, New Orleans-Louisville; Houston-Louisville (severed from docket 7289).

"Docket 7503, Atlanta-Lexington/Frankfort; Detroit-Minneapolis/St. Paul (severed from docket 7290).

"Docket 7504, Birmingham-San Antonio, via intermediates (severed from docket 7291).

"Docket 7505, Chicago-Seattle, via intermediates (severed from docket 7292).

"Docket 7779, New Orleans, La.-Louisville and Chicago, Ill. (severed from docket 7529).

"Docket 8274, Cleveland, Ohio-Syracuse, N.Y., via Buffalo and Rochester, N.Y.

"Docket 8275, Syracuse, N.Y.-Cincinnati, Ohio, via Pittsburgh, Columbus, Dayton.

"Docket 8276, New York, N.Y.-Cincinnati, Ohio, via Philadelphia and Pittsburgh.

"Docket 8277, Washington, D.C.-Pittsburgh, Pa.

"Docket 8278, Pittsburgh, Pa.-Buffalo, N.Y.

"Docket 8528, Atlanta-Dallas/Fort Worth; Chattanooga-Dallas/Fort Worth.

"Docket 8529, Chattanooga-Memphis, via Huntsville and Muscle Shoals.

"Docket 8653, Rockford, Ill. and Rochester, Minn. (on Chicago-Twin Cities route) (3207).

"Docket 8870, Remove certain restrictions on routes 5 and 10; etc. (from 3406).

"Docket 2055, New York-Montreal and Quebec.

"Docket 3825, Miami/Tampa-Bogotá; Miami-Caracas, New Orleans-Bogotá; etc.

"Docket 5925, Extend routes 6 and 10 to West End, Grand Bahama, B.W.I.

"Docket 6605, Boston and New York-Mexico City.

"Docket 7250, Pittsburgh-Toronto; Pittsburgh-Buffalo-Toronto.

"Docket 7365, Miami-Nassau; New Orleans-Nassau, via Miami; (severed from docket 6717).

"Docket 8926, consolidate routes 5 and 6 with FAM-33 (Bermuda route).

"Docket 8581, Hugh Knowlton.

"Docket 9035, nonstop; Ottawa-Patrick Henry Field; Patrick Henry Field-Washington.

"Docket 4287, suspend Capital's route 51, Washington-Rocky Mountain via Richmond.

"Docket 6591, complaint re resort's tariff on Miami stopovers.

"Docket 7154, petition for investigation re southern transcontinental interchange.

"Docket 7155, petition for investigation re southeast-southwest interchange.

"Docket 8268, night-coach fares."

If ever an airline had an interest in the business of the CAB in September of 1957 it would seem to be Eastern.

Here is the Rickenbacker letter:

EASTERN AIR LINES, INC.,
New York, N.Y., December 21, 1959.

MY DEAR SENATOR: I have received your letter of November 25, 1959, addressed to our vice president, Robert Ramspeck, and we are happy to give you the information requested concerning the participation of Mr. James R. Durfee, Chairman of the Civil Aeronautics Board, on the ceremonial preinaugural flight conducted by Eastern Air Lines between New York and Mexico City, September 15–18, 1957.

In order to answer the specific questions you asked, we requested, and your office kindly supplied, copies of the articles you referred to, as published in the Capital Times, of Madison, Wis., under the dates of March 31 and April 30, 1958.

The following are the facts:

1. The ceremonial introduction of new international air services has long been an accepted tradition between the countries and the airlines involved.

Representatives of the Government, including officials responsible for aviation, are customarily honored guests on these important get-acquainted occasions.

In this case, the successful conclusion, after nearly 11 years of effort, of the first bilateral air agreement between the United States and Mexico, was of unusual interest on both sides of the border. It made possible the first direct U.S. air services between New York and Washington and the capital city of Mexico over the New York-Mexico City direct route which, until September 1957, had been monopolized by a government-owned European-flag airline.

This final check flight over the new route, preparatory to inauguration of regularly scheduled service, therefore, presented an exceptional opportunity for aviation officials of both countries to meet and exchange views, to make proper response to the invitation to attend the President of Mexico's official reception, and to encourage, through press and other public channels, a better understanding of the common interests of both countries.

2. There was nothing unusual about the program carried out by Eastern Air Lines. The food and beverage service on the preinaugural flight was identical with the standard set for the subsequently established regular service on this route and is competitive with the paralleling continental service of Air France.

3. All details of the preinaugural program and the list of invited guests were publicly announced, in advance, in Washington and Mexico City and the information was publicized throughout the United States and Mexico.

4. The schedule of the flight was as follows:

Southbound, September 15, 1957: Leave New York, 10 a.m., e.d.t.; arrive Washington, 11:03 a.m., e.d.t.; leave Washington, 11:30 a.m., e.d.t.; arrive Mexico City, 4:15 p.m., c.s.t.

Northbound, September 18, 1957: Leave Mexico City, 11 a.m., c.s.t.; arrive New Orleans, 2 p.m., c.s.t.; leave New Orleans, 3 p.m., c.s.t.; arrive Washington, 8:20 p.m., e.d.t.; leave Washington, 8:50 p.m., e.d.t.; arrive New York, 9:48 p.m., e.d.t.

5. The program of entertainment for the preinaugural guests from the United States was purposely limited in order to enable them to devote maximum time to informal activities with their official counterparts in Mexico.

6. The trip to Acapulco (where President Eisenhower and President Lopez Mateos subsequently met) was at the invitation of Mexico's former President Miguel Aleman. Aeronaves de Mexico (now owned and operated by the Government of Mexico), which was designated to operate the reciprocal service on the Mexico-New York route, was the participating host. There were no hotel accommodations required in Acapulco.

The 1-day trip was scheduled to allow for sightseeing and a luncheon at the home of Mr. Aleman. The party was to return to Mexico City at 5 p.m. the same day, to attend a dinner given in their honor by the national airline of Mexico, Aeronaves.

Due to inclement weather, the trip to Acapulco was canceled and a sightseeing trip around Mexico City and outlying areas was substituted.

7. The preinaugural party was accomomodated at the Hotel Del Prado in downtown Mexico City.

8. For more than 13 years Eastern Air Lines has maintained, in Mexico City, the largest and best located city ticket office of any U.S.-flag airline, located on the plaza of the corner of Reforma and Morelos Avenues. It also has one of the major locations at the airport terminals.

9. On July 18–21, Eastern also operated preinaugural flight over the New Orleans-Mexico City route. This route was certificated to Eastern by the Civil Aeronautics Board and the President in 1946, but, until conclusion of the bilateral air agreement with Mexico in 1957, could not be implemented.

The purpose of this New Orleans introductory program was to introduce, to Mexico, civic and other representatives of the principal cities to be served on this route.

A guest list of those who participated on these flights is also attached.

10. The personal expenses, paid by Eastern Air Lines, were limited to individual hotel accommodations and the nominal charge for continental breakfasts which are served in the rooms, according to custom.

11. Attached are documents, publicly distributed at the time these flights were being planned and carried out, including the flight schedule, itinerary, and list of guests.

The only other occasion on which Eastern Air Lines was host to Mr. Durfee was during an introductory program for the first Golden Falcon-type Douglas DC–7B aircraft. This consisted of a 45-minute luncheon flight, circling Washington. Members of the Civil Aeronautics Board and some 55 members of the staff were guests on this educational flight, one of a series conducted in the principal cities of the eastern half of the United States.

If there is any further information you desire, we would be most happy to try to locate it for you.

Sincerely,

E. V. RICKENBACKER,
Chairman of the Board.

Now, Mr. Chairman, in the first place, Mr. Rickenbacker confirms the fact that Mr. Durfee did take the flight. In the second place, Mr. Rickenbacker asserts that Mr. Durfee was the guest of Eastern Air Lines. He says that Eastern provided food and beverage service which he describes as "identical with the standard set for the subsequently established regular service" on the route and Rickenbacker says it's no better than Air France continental service. Rickenbacker says there's nothing unusual about the program in this sense. He also points out that the entire program was publicly announced throughout the country, and says the entertainment was deliberately limited to enable guests from the United States to devote maximum time to informal activities with their official counterparts in Mexico.

Mr. Rickenbacker also said and I quote:

"The personal expenses, paid by Eastern Air Lines, were limited to individual hotel accommodations and the nominal charge for continental breakfasts which are served in the rooms, according to custom."

Mr. Rickenbacker did not answer my request for the approximate value of this trip. Unaccounted for, at the least, were air transportation and several items listed in the itinerary, such as reception and cocktails, Sunday evening, September 15 at the Del Prado Hotel, where the group stayed; cocktails and luncheon in the chandelier room of the Del Prado the following day where the party reviewed the Independence Day parade; and later the same day, from 9:30 to midnight dinner and entertainment at El Rancho del Artista.

An industry source told me that the excursion cost Eastern Air Lines in his opinion $2,000 per person or $110,000. Even if the cost was only half this much, a 4-day excursion to Mexico City and back on Eastern Air Lines with cocktail parties, midnight dinners and entertainment, would be considered by most persons as unusual entertainment. Certainly any judge of any court would consider such entertainment by any litigant to be unusual at the least. And I remind the committee that if the code of ethics of the CAB serves any purpose at all it is to place the Board of the CAB in a judicial posture.

For these reasons the Mexico City trip constitutes in my judgment a second flagrant violation of the CAB code of ethics by Mr. Durfee. To construe it any other way would make the code of ethics a pious and ridiculous affirmation that in fact limits no one in any sense. It would mean the code of ethics is a meaningless mockery.

Rome, Italy, incident

The third letter I received in reply to my inquiry concerning the conduct of the nominee was from Mr. Charles S. Thomas, president of Trans World Airlines. Once again I refer to the CAB code of ethics and the section which provides, and I repeat:

"It is particularly improper that persons interested in the business of the Board should provide unusual hospitality to the

Board or its staff; nor should such hospitality be accepted."

Did TWA have any interest in the business of the CAB during the period October 2 through 6, 1957, when Mr. Durfee is alleged along with his wife to have been the guest of TWA on a 4-day trip to Rome, Italy?

The CAB has informed me that as of September 30, 1957, the nearest date to the Rome trip for which figures are available, the TWA had 15 applications pending before the CAB, 5 of which were regarded as of major importance. I submit the list of applications which TWA had pending at the CAB on September 30, 1957:

"Docket 5065, Transpacific Certificate Renewal case, docket No. 5031 et al. (deferred portion).

"Docket 7378, transfer Cincinnati-Detroit route.

"Docket 8216, TWA versus Northwest—Capital's family fare plan.

"Docket 7209, Seven States Area case.

"Docket 8997, complaint re Southwest's EX-2, CAB 15; PR-4, CAB 43; PF-5, CAB 44.

"Docket 7831, St. Louis-Southeast Service case.

"Docket 7268, Great Lakes-Southeast Service case.

"Docket 8235, control of TWA and Northeast by Howard Hughes.

"Docket 7157, extend route 2: Albuquerque-Houston, via Fort Worth and Dallas.

"Docket 8061, Hughes Tool Co. and TWA.

"Docket 7703, eliminate restriction on route 2 re Las Vegas-Los Angeles.

"Docket 7797, Las Vegas on segment 5 of route 2; Las Vegas-Phoenix service.

"Docket 7957, remove restriction, Los Angeles-San Francisco/Oakland service on route 2.

"Docket 3473, include Kuwait between Basra and Dhahran.

"Docket 4546, include Madrid, Spain on international route."

Certainly TWA qualifies as a concern which had an obvious and vital interest in the business of the Board.

Secondly, did Mr. Durfee in fact accept unusual hospitality from TWA during the period?

I submit for the committee's information the letter in toto from the president of TWA, Mr. Thomas.

TRANS WORLD AIRLINES,
New York, N.Y., December 1, 1959.

HON. WILLIAM PROXMIRE,
U.S.Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: In reply to your letter of November 25, TWA was host on a 4-day trip to Rome in October 1957, to approximately 100 Americans who were representative of their many respective fields, which included education, religion, the arts, sciences, sports, business, government, and finance. The purpose of the trip was a meeting in Rome with their counterparts from European nations in furtherance of the President's people-to-people program.

As TWA's contribution to the program, our company helped to ararnge the Rome meetings and transported representatives under International Air Transport Association authority as part of our polar route and our New York-Rome nonstop inaugural flights.

Mr. and Mrs. James Durfee were guests on one of these flights and Mr. Durfee was an honored guest on the dais at the people-to-people dinner of all nations as a representative of American civil aviation. The dinner and preceding people-to-people meetings were attended by representatives from all over Europe, particularly NATO countries, and it was the consensus that the meetings made a positive contribution to the cause of better understanding between the United States and nations abroad.

Three groups—one each from Los Angeles, San Francisco, and New York—departed from the United States on October 2 and arrived in Rome on October 3. They departed from Rome for the United States on October 6.

Mr. and Mrs. Durfee were in the group departing from New York. The cost of their transportation, if paid for at 1957 fare levels, would have been $1,776. The approximate cost of their accommodations in Rome was $100.

In reply to the second part of your question, Mr. Durfee, to the best of my knowledge, has not accepted any hospitality, services or other consideration of value from TWA.

Sincerely,

CHARLES S. THOMAS.

In this letter Mr. Thomas flatly asserts that Mr. and Mrs. James Durfee were guests on a New York to Rome round trip flight. He also writes and I quote:

"The cost of their transportation, if paid for at 1957 levels, would have been $1,776. The approximate cost of their accommodations in Rome was $100."

Did the chairman of the CAB—Mr. Durfee—accept hospitality from this airline which had such a massive interest in the business of the CAB?

The answer of course is "Yes," on the testimony of the president of TWA.

Was this hospitality "unusual"?

Mr. Chairman, any time anyone will provide a trip from New York City to Rome and return for any man and his wife with $25 a day hotel room in Rome for 4 days, that hospitality would be unusual for the most jaded millionaire.

Is there any lawyer anywhere who wouldn't call such hospitality "unusual" for a judge who enjoyed it at the expense of a litigant before his court?

Once again, Mr. Chairman, the nominee for the Court of Claims flagrantly violated the code of ethics of the agency he served as the responsible chief. Any contrary view must assume that there is nothing unusual about hospitality that would fly a man and his wife half way around the world and back.

SUMMARY AND CONCLUSION

I must oppose Mr. Durfee for two principal reasons.

First, he wholly lacks the technical training and experience required for a court that annually passes on hundreds of millions of dollars of claims against the Government. He has no congressional experience, no tax nor Government-claim experience, no actual judicial experience. As compared to the high technical qualifications of the man he would succeed and the present judges of the Court of Claims, Mr. Durfee is just not adequately qualified.

Secondly, in the only Federal quasi-judicial experience Mr. Durfee has enjoyed, he has on three distinct occasions flagrantly violated the code of ethics of the agency which he himself heads. On every one of these occasions it is clear: first, that he accepted "unusual" hospitality; and second, that the hospitality was provided by persons who had an intense and obvious pecuniary interest in the business of the Civil Aeronautics Board, his agency.

It is true of course that on every one of the three occasions cited at length above, there was an apparent public purpose of sorts. The trip to North Carolina was to lend the authority of the head of the CAB to achieve a more cooperative relationship between MATS and the commercial airlines. The trip to Mexico was a ceremonial inaugural flight to encourage "a better understanding of the common interests of both countries." The purpose of the Rome trip, another ceremonial inaugural flight, was to advance the "people to people" program for greater international understanding.

It can be argued that these are all laudable purposes designed to advance the public interests. And the participation of the head of the CAB in such good ends should be encouraged and praised rather than castigated.

But who determined that the head of the CAB should lend the prestige and authority of his position to these purposes? The answer of course is that it was certain commercial airlines that have an intense and pecuniary interest in the business of the CAB. On no occasion was there any sanction in law, congressional resolution, or any other public action for achieving these laudable purposes by commercial airline hospitality for the head of the CAB.

This is a free country. Any group of men can decide to advance any worthwhile purpose they desire. But it is good public policy for a judicial officer to lend his office to such a group for a public purpose determined by them, if the group are litigants before the official at the time and if in the process they entertain him? I think not. Is it justification for violation of the explicitly stated code of ethics of the office he serves for such a public official to accept the kind of hospitality we have described at length above to help such litigants achieve ends they deem laudable? My answer is "No."

Is there any possible justification in "good motives" for the action of Mr. Durfee in accepting this entertainment?

The answer to this is apparent when we ask: What did the airlines spend their money for when they entertained Mr. Durfee? Did Flying Tiger fundamentally want greater freedom for civil aviation and smoother working relations with MATS, or did they want MATS routes so they could make bigger profits while cultivating the Chairman of CAB, the Board that determines the allocation of routes? My answer is frankly that they wanted all three. The CAB Chairman while unusually entertained enabled them to achieve all three.

Did Eastern want better "understanding between Mexico and the United States" or a slick promotional job to increase the air traffic on their new run so that they could improve profits and entertain and win better acquaintance with Jim Durfee, the head of the CAB, in the process? The answer again is "Yes" three times and the "unusually" entertained CAB Chairman helped them achieve it.

Finally, did TWA want to advance the President's people-to-people program or did it want to curry a little better relationship with the head of the CAB and increase profits by letting the world know about their new New York-Rome nonstop flight?

Once again, they probably wanted all of these things and the nominee for judge of the Claims Court helped them achieve all of them.

If this hospitality does not redound to the profit of the airline it would be interesting to know how the corporate officers of TWA and Eastern Airlines justify those costs.

Finally, let me say that I feel sure that the nominee did not look at these entertainment occasions as coldbloodedly as I have described them. I presume he was chiefly interested in the public purpose on all these occasions. But is there any man who can doubt what realistically happened? Can any man tell me what the purpose of the "unusual hospitality" clause of the CAB Code of Ethics is if it isn't to prevent exactly what I have described? And is there any doubt in anyone's mind that a judge—and certainly a judge on the Court of Claims—who is intelligent enough and realistic enough to serve the public should recognize this?

Mr. Durfee is not being prosecuted for removal from office. He is not being disciplined for misconduct. He is being considered for elevation to a judicial position

that has been graced and is now graced by eminent jurists: a lifetime appointment at $25,500 a year to the Court of Claims.

The President, would-be-Presidents, and Senators today make impassioned speeches decrying the sagging moral fiber of too many of the American people. Such practices as radio and TV disk jockey payola and rigged TV shows, for instance, have shocked our moral sensibilities. But let us not forget that disk jockeys and quiz-show participants were not entrusted by their Government with responsibility for their conduct. They are not enjoined with a specific and direct code of ethics. And yet guilty disk jockeys have been fired and subjected to a lifetime blackball by their industry. Rigged quiz show participants are in disgrace.

Today's nominee has been entrusted by his Government with a heavy responsibility. He has been enjoined by an explicit code of ethics. He has violated that ethical code. What has been the consequence for him? It has been elevation, subject to the approval of the Senate, to a very high lifetime judicial office.

Approval by this committee is a moral issue. Mr. Chairman, I feel it is my sad duty as Senator from Wisconsin to ask that the nomination of Mr. James Durfee to the Court of Claims not be confirmed. I want to make it clear that in good conscience I cannot say that the nominee is "personally obnoxious" to me. I have absolutely no personal antipathy toward Mr. Durfee and indeed no reason to have any. I oppose him solely for the reasons I have stated above.

FEDERAL AID FOR EDUCATION

Mr. PROXMIRE. Mr. President, this morning's Washington Post carries an excellent editorial pleading for this Congress to consider an adequate Federal aid for education bill. The Post pleads for this Congress to pay its debt to the future of our country by acting where the administration has shown it will not act, to do something significant and decisive about the shortage of teachers and classrooms. This teacher and classroom gap is more serious to America's future than the missile gap.

I ask unanimous consent that this editorial be printed in the body of the RECORD at this point.

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

FOUNTAIN OF YOUTH

The Senate's Democrats, in caucus assembled on Wednesday, are reported to have expressed strong sentiment for a broad Federal aid to education bill—including aid for teacher salaries, college classrooms and school construction. "There is nothing more vital to America and nothing more important," Majority Leader LYNDON JOHNSON told reporters, "than passage of education legislation." If the Democrats really believe this—and there is good reason for them to believe it since it happens to be incontrovertibly true—they ought to act on it. They could devote themselves to no more useful—and no more politically profitable—issue in this presidential election year.

The public schools of this Nation suffer today from a shortage of 132,400 classrooms. The number of pupils enrolled in excess of normal classroom capacity rose from 1,850,000 in the fall of 1958 to 1,883,000 this fall. These figures are taken from a statement by Arthur S. Flemming, Secretary of Health, Education, and Welfare in a Republican administration. "We have made very little progress over the years," Mr. Flemming said, "in dealing with the huge backlog of need for classrooms which developed during the war years, when school construction was virtually at a standstill." A press release issued simultaneously by the Commissioner of Education, also a Republican, says that "State departments of education reported in the survey that 98,800 full-time teachers have not met full certification standards for teaching. This total is an increase of 5,900 or 6.3 percent over that of last year."

But it is now perfectly apparent that the Republican administration which recognizes and presents this problem is not going to do anything to solve it. The President's school aid proposal is so meager, so niggardly, so inadequate as to amount to no more than an empty, mocking gesture in the school crisis. "The administration has been up and down the hill on this issue," Senator HUBERT H. HUMPHREY told newsmen, "but never in the schoolhouse. This is the time to put them on the line." He is abundantly right. Perhaps, as Senator FULBRIGHT predicted, the President would veto any real school bill passed by Congress. The Democrats could choose no firmer, more advantageous ground on which to take their stand.

For all Americans are touched by the public schools. All Americans can see their decay. All Americans can understand that the schools are the essential source of the Nation's security and strength—that the quality of the schools today will determine the quality of scientific and industrial and political performance in the United States a decade hence. All Americans know that from the earliest days of this Republic, the public schools have been its fountain of youth. And they will not choose to let that fountain run dry.

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

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

NAME CALLING DURING POLITICAL CAMPAIGNS

Mr. DIRKSEN. Mr. President, in the Washington Sunday Star of January 24, 1960, appears the following headline: "Top Democrats Join in Attack on NIXON."

The subhead is: "Two Thousand Five Hundred Hear Seven Hopefuls and Truman."

That is quite a favorite indoor sport in the political arena. Everyone fully understands that that is a part of the American tradition. The fact that we shoot at the other side and they shoot at us is an accepted technique.

I am reminded a little of the uninitiated bombardier who landed in Korea. On his first mission, when the antiaircraft guns first shot at the plane and flak began to tear through the fuselage, this boy, not only bewildered, but frightened to tears, turned to a grizzled old sergeant and said, "Sarge, they are shooting at us." The old sergeant said, "Yes; they are allowed to."

So there is plenty of shooting. But it seems to me that there are limits beyond which the shooting should not go in a political war.

I read a paragraph from the article in the Sunday Star, written by feature writer David S. Broder, of the Star staff, as reported on the front page of the Sunday edition of the Star:

The assembled Democrats cheered happily as various speakers assailed the Vice President as a "juvenile delinquent," "a slicker," and "a man about whom too many questions remain to be answered."

Mr. President, perhaps that is a manifestation of an inferiority complex. Some people manifest that complex by wearing loud neckties. The beatniks satisfy their inferiority complex by going around in dirty underwear, unshaven, reading poetry that no one understands, and carrying on in an amazingly crass fashion.

Then, of course, there are some who register their inferiority complex by dipping into Roget's Thesaurus to find what other terms they can use as they assail someone who is a contender for public office.

I think it is a great testimony to the Vice President that he does not shoot back in kind, and stoop to such procedures.

In my second campaign for Congress I took an oath that I would not mention my opponent from that day on. I think, as I go back and examine the history, I did not mention him. I let him saw his own wood, carry his own water, and peddle his own merchandise. I have never sought to downgrade a man on the other side of the fence in terms that were not printable on every possible occasion.

If this is a preview of what we are to have in the 1960 campaign, we might as well know it first as last. I have a leather-bound copy of Roget's Thesaurus, and I shall dust off all the favorite synonyms; perhaps we shall do some swapping on that basis. However, I think the kind of nomenclature used is uncalled for. I believe that if such a term as "a juvenile delinquent" is meant to be applicable to the Vice President of the United States, then indeed we have fallen from grace in our political decorum, and it is about time to take a little inventory.

Thank God, the Vice President is a man of stability, character, and restraint. He does not employ terms of that kind in a campaign.

Mr. BUSH. Mr. President, I wish to support the remarks of the minority leader. I was shocked to read in the press yesterday accounts of the dinner to which the minority leader has referred, and the language which was used in discussing the Vice President of the United States.

Certainly, in recent years no man has ever carried our flag into foreign countries, under greater difficulties, and at times great danger, than has Vice President NIXON. He has earned the respect and admiration of Americans all over the United States, and of other free peoples throughout the world.

To speak of him in the terms which were applied to him at the Democratic dinner last Saturday night, I believe, is a disgraceful performance. It reminded me to some extent of a group of little schoolboys who meet after school to

think up names to call the captain of the opposing team when he appears on the athletic field. The whole picture had some very juvenile aspects of its own.

I believe that this kind of performance and this kind of name calling applied to a man in high public office who has demonstrated his patriotism, his ability, and his willingness to run great risks in serving the people of the United States is a thoroughly disgraceful procedure, and I am very glad to have the opportunity to add my remarks to those of the distinguished minority leader.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. BUSH. I do not have the right to yield. If I may have unanimous consent to do so, I shall be glad to yield.

Mr. LONG of Louisiana. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Connecticut has the floor. He has 1 minute remaining.

Mr. BUSH. If I may do so, I am glad to yield.

Mr. LONG of Louisiana. I do not in any way endorse any criticism of the Vice President. I had nothing to do with making any of the speeches referred to.

Does the Senator not recall that on other occasions important persons have been criticized? For example, a distinguished lady representative from the great State of Connecticut who was nominated to be our Ambassador to Brazil. She was criticized because she had once suggested that a former Democratic President lied the country into war. Many of us felt that that type of thing should be considered along with many other things said in campaigns, in which perhaps everyone overstates his position somewhat in the heat of the campaign.

After all, this dinner was regarded as something of a kickoff dinner for the presidential campaign.

Mr. BUSH. Nothing the Senator from Louisiana has said changes in the slightest the view which I have previously expressed.

Mr. JOHNSTON of South Carolina. Mr. President, I do not have much to say on this question, except to observe that what has been said will no doubt make others feel they will have plenty of time in which to answer it. I rather think that what is complained of now will be very mild, indeed, compared with what will be said by the time the campaign is over. So we need not get excited about it at this time, because we will find that many more names, and stronger names, will be called before the campaign is over. I recall, Mr. President, that we have had some names called in past campaigns, and that is true on both sides of the aisle. I am sure the coming campaign will be carried on in the same way. Perhaps the name calling was caused by something that had been said before, which led up to the name calling. Perhaps those who did the name calling had a good reason for calling names. Perhaps that happened at the meeting on Saturday evening. I was not present. I am not defending anyone. However, I do feel that during the coming campaign other names will be called. Let us remember, also, that this is not necessarily a party speaking, but, rather, individuals speaking. We will find, during the approaching campaign, that many individuals throughout the United States will be calling their political opponents all kinds of names. That will be true of candidates of the Republican Party and of the Democratic Party. Therefore, I do not believe we should become too excited.

Mr. WILLIAMS of Delaware. Mr. President, I wish to join the minority leader and the Senator from Connecticut at this time in expressing regret at the remarks which were made concerning our Vice President. Although I very much regret those remarks, I cannot join my colleagues in their concern as to their effect.

The fact is, as I read those remarks in yesterday's newspaper, I was reminded of a story I heard a few years ago about a farmer who had an old mule. The mule had outlived its usefulness and generally was unpleasant to have around the farm. The farmer kept putting off disposing of the mule. He always intended to do something about it but kept putting off the action.

Also on the farm the farmer had an old well which he had been promising to fill in. His wife one day insisted that he could no longer put off filling up this well but must do so as soon as possible.

The farmer got the idea that he could do both jobs at one time, fill in the well and dispose of the mule. He led the mule to the well, and got on its blind side, gave it a shove, and the mule landed about 40 feet down the well. The farmer then rounded up all his friends, and they all began shoveling dirt down the well. As the dirt was shoveled it landed on the old mule's back. The old mule in the well just kept shaking his back and stepping on top of the dirt, and finally he walked out of the well safely.

All I can say to my friends on the other side of the aisle is that if they will keep on shoveling dirt, Vice President NIXON will walk into the White House in 1960. [Laughter.]

Mr. KEATING subsequently said: Mr. President, I ask unanimous consent that what I am about to say may follow the remarks of the distinguished Senator from Delaware [Mr. WILLIAMS].

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

Mr. KEATING. Mr. President, what candidates for high office may say at a big political rally is, to a degree, excusable. One does not get very many cheers from the faithful by dealing with issues; he gets great cheers from those who are dedicated to one philosophy only by calling the opponent names. We can expect much of that kind of conduct. The course was charted by the chairman of the Democratic National Committee on a nationwide television program a couple of weeks ago, when he said that this campaign would be the roughest in history, that all attacks would be centered on Vice President NIXON, that there was much in his past which would be dredged up, and so forth and so on.

We will hear much of that kind of talk, but in my judgment none of those things can be made to stick. They will not stick. Our distinguished Vice President will emerge on top. The story related by the distinguished Senator from Delaware [Mr. WILLIAMS] is, indeed, very pointed.

It is significant that on the same day those candidates for high office were taking the low road, the distinguished Vice President was taking the high road and was dealing with one of the great issues which face our country. On the day of the debacle at the Sheraton Park Hotel, the Vice President released a very interesting letter to Mr. Alexander F. Jones, known to many of us as "Casey" Jones, of Syracuse, N.Y. Mr. Jones is the executive editor of the Syracuse Herald-Journal and is widely known as an independent thinker and writer.

In his letter, the Vice President set forth in some detail his views on the recent steel dispute and his ideas as to possible future action. Because his vigorous and helpful participation in the settlement of the steel impasse was so successful, the comments of the Vice President deserve the close attention of every Member of Congress. The Vice President, in cooperation with Secretary of Labor Mitchell, performed a great service in getting the parties together and in working out an agreeable solution.

I noted with particular interest the Vice President's call for legislation to deal with future national emergencies resulting from labor-management disputes. I suggest that it might be appropriate for some of those who excoriate the Vice President so severely on the basis of personalities to join him in the effort to promote such legislation. I agree wholeheartedly with the Vice President's view that we should not simply sit back now that the steel situation has been cleared up, and wait for another crisis. In my judgment, Congress has a solemn obligation to come to grips with this problem and to provide the President with flexible and workable means for helping to settle future labor-management disputes.

Certainly, the Vice President's expertise must be recognized by all of us. I am hopeful that his feeling that legislation is needed will be heeded.

Mr. President, I ask unanimous consent that the Vice President's interesting letter to Mr. Jones be printed at this point in the RECORD.

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

OFFICE OF THE VICE PRESIDENT,
Washington, January 21, 1960.

Mr. ALEXANDER F. JONES,
Executive Editor,
Syracuse Herald-Journal,
Syracuse, N.Y.

DEAR CASEY: I greatly appreciated your letter of January 5 and particularly the candor and frankness with which you discussed the steel settlement.

I realize that a number of questions have been raised as to the settlement and the role that Secretary Mitchell and I played with regard to it. I think perhaps the best way to answer those questions is to review the

factors which led to our mediation efforts and the alternatives which confronted us.

As you will recall, just before the President left on his trip abroad, he said in his television address to the Nation: "It is up to labor and management * * * to adjust responsibly and equitably their differences * * * what great news it would be if, during the course of this journey, I should receive word of a settlement of this steel controversy that is fair to the workers, fair to management and above all fair to the American people."

The first question the Secretary and I undertook to explore was whether the President's expressed desire for a settlement could be realized without some new mediation action on our part. Our preliminary discussions with representatives of both sides convinced us that there was no chance whatever for a settlement unless some new initiative was undertaken to bring them together.

We, therefore, asked Mr. Blough and other top management representatives and Mr. McDonald and other representatives of the union whether they wished us to attempt to mediate the dispute. While both sides indicated that they did not feel there was too much hope that they could reach a negotiated settlement, they agreed that such a procedure was worth trying and that they would cooperate to the extent possible. This was the origin of the meetings which took place in my home in which Secretary Mitchell, Mr. Blough, Mr. McDonald, Mr. Goldberg, and I participated.

At the beginning of these negotiations, the possibilities of settlement seemed hopeless. The companies' offer was for a wage-benefit package which the companies estimated would add 31 cents to their costs over a period of 30 months. In addition, the companies asked for revision of section 2B of the contract so that management would have more control over local work practices which they felt was essential for increased efficiency.

The union completely opposed any changes in the work practices provision of the contract. On the economic side, Mr. McDonald at our first meeting bluntly stated, "I cannot settle with the steel companies for less than the amount that I received from Can and Aluminum without a strike." I think it is important at this point to recall that our negotiations began the week that he had completed his negotiation of the Aluminum contract. And the companies' computation of what McDonald contended was the Can and Aluminum pattern was an increased wage-benefit cost of 52 cents for 30 months.

In other words, at the beginning of the negotiations, the companies were offering a 31-cent increase over 30 months as against 52 cents demanded by the union and the parties were in complete disagreement on the local work practices issue. During our first few meetings we made very little progress. At a meeting in my home 2 days before Christmas, the negotiations reached a point where both sides refused to move any further in the direction of an agreement and there seemed to be a hopeless deadlock.

It was at that point that the Secretary and I talked to Mr. Blough and Mr. McDonald separately and asked whether they thought it might be useful if we were to consult individually with each party and recommend an amount in between their two positions which each would be completely free to accept or reject if he saw fit.

Both agreed that this course of action might be helpful and after 2 days of intense negotiations and discussions and consultation with the President, we recommended the figure of 41 cents which both the union and management voluntarily accepted. As far as the work practices issue was concerned, the best that we were able to get the union to agree was to set up a study commission with a neutral chairman.

I realize that a number of questions have been raised as to why we recommended the amount that we did. I think the answers to those questions can be found when we examine the bargaining position of each party.

Mr. McDonald came to these negotiations in a stronger position than the companies. He had just won from Aluminum and Can without a strike higher settlements than the one he eventually agreed to accept with the steel companies. Polls that he had taken (and incidentally, the polls the companies had taken substantiated his claims in this respect) indicated that the union members would vote down the companies' last offer by a majority of over 90 percent. He also believed that if the dispute were not settled and had to be sent to the Congress by the President he would do better in a Congress heavily dominated by Members elected with union support in an election year than would the companies. Considering the strong bargaining position of the union, their agreement to a settlement which was less than the pattern that they had been able to negotiate with Can and Aluminum was, in my opinion, a major achievement.

Looking at the settlement from the standpoint of the companies, no one questions but that they agreed to an amount which was greater than they thought could be absorbed by increased worker productivity, though it is entirely conceivable that the rising efficiency between now and 1962 could offset the increase in labor costs during this period. In addition, the companies failed to win substantial concessions on the work rules issue. But company representatives have pointed out some of these positive factors which led them to agree to the recommended settlement.

1. The amount they settled for was lower than any offer they had been able to get from the union during the course of their negotiations up to that time.

2. It was less than one-half of the postwar pattern in wage-benefit increases in the steel industry. For example, in the last steel contract the wage-benefit increase was 81 cents for 3 years as compared with 41 cents for 30 months on this occasion.

3. As Conrad Cooper, the chief negotiator for the companies, has stated, the amount of this settlement was 30 percent less in company costs than would have been the case had the Can, Aluminum, and Kaiser patterns been applied to steel. In other words, this settlement rather than setting off a new pattern of higher wage increases was actually lower than the pattern in wage settlements already established in 1959 and checked, rather than increased, the so-called ripple of increased wage costs.

4. The cost-of-living escalator provision, which had resulted in a 17-cent wage increase over the 3 years of the previous contract, was finally limited in this contract to a maximum of 6 cents over 30 months. In addition, it is provided that if the insurance costs which the company has assumed under the contract prove to be greater than the amount estimated, the excess costs will be deducted from any cost-of-living increases which may have accrued.

A basic question which many have raised is whether a better result in the end would have been achieved had the Secretary and I not offered our good offices for mediation of the dispute at this time. This, of course, is a matter of judgment on which there can be an honest disagreement of opinion. I can only indicate my own appraisal as to what would have happened had we not acted as we did.

In my opinion, the price the union would have insisted upon would inevitably have gone up rather than down. It seems only logical to conclude that after the union had won an overwhelming victory rejecting the companies' last offer they would have insisted on an even higher settlement than they accepted at the present time. I also believe that if the parties had failed to agree after the union rejected the companies' last offer and the President, as required by law, had submitted the dispute to Congress any Government-imposed settlement that the Congress would have brought about through compulsory arbitration, plant seizure, or some other Government device, would have been higher than the one agreed upon at this point.

I recognize that there are those who have suggested that it would have been better in the long run to allow the issue to go to the Congress so that the Congress could meet head on the whole question of too much power in the hands of the union as well as management. I can only say that any objective observer would have to agree that there could be nothing more irresponsible than to place before the Congress in an election year the complicated and potentially explosive issue of labor-management relations.

In my opinion, the result would not only have been a Government-imposed settlement of this dispute but a real possibility of the enactment of permanent legislation which would have provided for some form of Government-imposed compulsory arbitration in all major labor disputes. I don't need to tell you that Government arbitration means Government wage fixing and that Government wage fixing inevitably means Government price fixing. Once we get into this vicious circle not only collective bargaining but the productive private enterprise system, as we know it, is doomed.

I would be the last to contend that there could not be honest differences of opinion as to the wisdom of the course of action the Secretary and I followed in mediating this dispute. But after weighing all the factors involved, we concluded that our failure to do everything possible to bring about a voluntary settlement at this time would have been highly detrimental to the public interest.

As chairman of the Cabinet Committee on Price Stability for Economic Growth, I am acutely aware of the dangers of inflation which can arise from wage increases that consistently exceed increases in productivity. But on the plus side it should be noted that while the wage-benefit increase was greater than the companies wanted to pay, this was the first contract since the war in which the increase was such that the companies did not find it necessary to increase prices at the time the contract went into force. Whether price increases can be avoided in the future will depend to a great extent upon how the union and the companies carry out the President's injunction in his state of the Union message that "the national interest demands that in the period of industrial peace which has been assured by the new contract, both management and labor make every possible effort to increase efficiency and productivity in the manufacture of steel so that price increases can be avoided."

Incidentally, I believe that one of the constructive results of the long fight the companies made on the work-rule issue was that it focused nationwide attention on the critical necessity of increasing our efficiency and productivity if we are to maintain our competitive position in the world.

As I told the representatives of the major companies and the union at a dinner in my home after the settlement, the people of the country will not tolerate another massive struggle of this type in the steel industry. Their interest, as well as that of the country at large, will be at stake as they explore every possible means of increasing productivity, reducing costs, and improving relations between union and management during the period of this contract.

For my part, I intend to continue my studies of this problem with a view to determining what legislative action might be taken which would provide better protection for the public interest in the settlement of labor-management disputes and at the same time not impair the basic strength of our private enterprise economy.

With every good wish.

Sincerely,

RICHARD NIXON.

THANKS, MR. VICE PRESIDENT

Mr. SCOTT. Mr. President, people in all parts of the Nation breathed a sigh of relief when the long and costly steel strike was settled. We have the Vice President and the Secretary of Labor to thank for bringing together the opposing sides so that free collective bargaining could be resumed toward the end of settling the strike.

I ask unanimous consent to have printed in the body of the RECORD an editorial from the San Diego Union which thanks Vice President NIXON, as well as a column by Mr. David Lawrence which clarifies some of the provisions of the strike settlement, and, finally, a column by Mr. John M. Cummings in the Philadelphia Inquirer.

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

[From the San Diego Union, Jan. 5, 1960]

A BURDEN LIFTED—THANKS, MR. VICE PRESIDENT

With powerful leverage by Vice President NIXON and Labor Secretary James P. Mitchell, the burden of the longest steel strike in the Nation's history has been lifted from the back of the economy. The Nation marches into the new decade relieved and confident it can master the economic and defense challenges that lie ahead.

The acceptance of Mr. NIXON's formula for settling the strike brought an orderly and harmonious conclusion to a dispute that has defied the best efforts of arbiters since May. The fact that the settlement was achieved voluntarily indicated that when free collective bargaining is prosecuted in good faith no labor-management issue is too big to resolve.

The offices of Mr. NIXON and Mr. Mitchell were instrumental in accentuating the positive in the negotiations. As Mr. Mitchell pointed out yesterday, the differences between the parties had narrowed to a point the Government-recommended settlement was accepted voluntarily.

The agreement, when ratified by the USW membership as expected, will give the workers an estimated 39 to 40 cents an hour increase in pay and benefits over the next 30 months. It is estimated that the steel industry's costs will increase by $600 million a year.

In the compromise nailed down by Mr. NIXON the union won more wage increase than management had been willing to give. But this concession was balanced off by the union's agreement to submit the acrimonious work rules issue to a union-management committee. This was recognition that the issue needs a thorough airing, and it was a major concession on the USW's part.

It had not been determined whether the settlement will result in steel price increases. However, it is noteworthy that Mr. NIXON acted in his capacity as chairman of the President's Cabinet Committee for Price Stability and Economic Growth, Mr. NIXON hardly would author a settlement that contributed to the very thing—inflation—that this committee is fighting.

Every corner of our land will feel the relief stemming from the settlement of the steel strike. Individual workers, cities, States, and the Federal Government are out from under a crushing burden that threatened to flatten them and their pocketbooks.

Mr. NIXON's stature as a national leader, already great, is further enhanced. He put the economy back on the track and restored labor peace with tact and skill. Those who benefit from his efforts—and that includes everybody—have reason to remember and to say, "Thanks, Mr. Vice President."

[From the Washington Evening Star, Jan. 18, 1960]

THE STEEL PACT IN "GRAY AREA"—EXECUTIVES OF TWO MAJOR FIRMS AGREE STRIKE SETTLEMENT WAS NOT "ALL BLACK"

(By David Lawrence)

Executives of the various steel companies have been reviewing what really happened in the settlement of the steel strike, and most of them have come to the conclusion that maybe the final agreement reached was not as bad for them as it has been painted.

There is a tendency to agree with what President Eisenhower said about the pressure of circumstances, rather than the pressure of Government, as the paramount influence in bringing about the settlement.

The head of one company put it this way:

"We have been in this wage-price spiral for 20-odd years. You can't stop a great wave of that kind dead in its tracks all at one crack. We've made a great effort in the steel business to try to stop it. We made some mistakes as we went along but, by and large, we tried our best to slow the thing down.

"Now, the settlement, as actually made, gives an advance of about half in the next 3 years of what we've had in the past 3 years. That's a pretty fair step forward. The thing that really ended the matter—really what finally made us capitulate—was the politicians in Congress.

"The real pressure that developed was the fear of a Democratic Congress and what they would do if they had to meet an emergency. If there was a threat of a resumption of the strike, Congress would be proposing all kinds of laws to prevent it, and these laws would not be the kind that would be carefully considered or thoughtfully discussed. They would be emergency laws passed in order to force a settlement of the strike. It was the fear of that kind of law, as well as the threat of the steel strike being resumed, which most of us thought would do a lasting damage to our employer-employee relations and to the whole country. We would have had a difficult time ever getting repeal of the drastic, ill-considered legislation that would have been passed."

The head of another steel company believes the adverse nature of the settlement has been overemphasized. He says:

No one, of course, could ever say this settlement was a victory for the steel industry, for we did not accomplish our main objectives of a noninflationary settlement and change in work rules which would promote efficiency. Nevertheless, as Mr. Blough of United States Steel pointed out, we did reduce the rate of increase in employment costs to about 3¾ percent as compared with an average of 8 percent throughout the postwar period. This is no mean accomplishment. In addition, we alerted the public, including the steelworkers, to the importance of the work-rule issues, and one may hope that this could bring some fruitful results as time goes along.

Some writers contended, for one thing, that if the industry had settled on the union offer of 15 cents an hour prior to the strike, this would have meant 37½ cents for a 30-month period as compared with 41 cents in the actual settlement. The kind of 15-cent-an-hour offer made by the union prior to the strike was the same as the 1956 settlement which resulted in an employment cost of 81 cents an hour for the 3-year period. This is exactly what would have happened had we accepted the original so-called 15-cent offer. The union never counts the related costs of wage increases for overtime, holiday pay, vacation pay, and so forth—nor did they at that time look with favor at any limitation of the cost-of-living clause.

"In addition, some writers painted the picture of the Kaiser settlement as being more favorable than the industry settlement. This is not true. The Kaiser settlement cost about 5 percent per annum as compared with 3.75 percent for the industry settlement. The Kaiser wage increase becomes effective July 1 as compared with December 1 for the industry. Furthermore, the industry has an offset against the 3-cent cost-of-living clause in excess insurance costs; Kaiser has no such offset. In addition, the industry is settled for an extra year which is in itself an advantage. A settlement which was better than the Kaiser, can industry, aluminum or copper settlements also was quite a remarkable achievement.

"So what am I saying? Simply that this deal was not 'all black' nor 'all white.' It was in the gray area. If those who believe in this cause keep at it, additional progress can be made with the hope that intelligent people can truly arrest inflation over a reasonable period of time."

Both the foregoing expressions from executives of two important steel companies were spontaneously made, independently of one another, in an informal review of the controversy. It is conceded that, while the industry paid a heavy price in the cost of work interruption, the drawing of public attention to the basic issue of work rules was a gain in a long-range sense for management.

Just what the political gains or losses will be remain yet to be determined. The administration's position is that it acted as an informal mediator and that it made no promises about future legislation and gave no sanction to any agreement on prices. The steelmen say privately that each company will have to decide for itself whether or not to increase prices and when such prices would go into effect.

[From the Philadelphia Inquirer, Jan. 24, 1960]

PRESIDENT'S PRESTIGE, POPULARITY INCREASE

(By John M. Cummings)

President Eisenhower enters on the last year of his second and final term with his popularity undiminished, his prestige unmarred, and fully confident in his mission of peace.

He has weathered serious illness, brushed off political opposition. Mr. Eisenhower has a firmer hold on the hearts of his countrymen than at any other time in his 7 White House years. He is stronger than his own Republican Party as the returns of two presidential elections testify.

The "loyal opposition," or Democratic Party, hesitates to come to grips with this man who openly professes his unfamiliarity with the devious ways of politics. In marking the seventh anniversary of the Eisenhower administration the other day, Democrats joined with Republicans in the Senate in singing the praises of the President.

Some observers see President Eisenhower's great popularity as resembling that enjoyed by former President Franklin D. Roosevelt at the height of the New Deal. There is, however, a significant difference.

In the Roosevelt heyday the President enjoyed the support of a strongly Democratic Congress, a Congress of his own party. During most of the Eisenhower regime the Congress has also been Democratic, while the President himself is a Republican.

In this connection the Weekly Review of the Times (of London) recently observed:

"There is a theory that after 6 years of divided government Americans are coming to regard the Presidency as something apart from partisan politics and are prepared to return a Republican to the White House and Democrats to Congress as a regular thing. But this is yet to be proved."

Most Americans, we believe, will disagree with this theory. They feel progress in Government is best assured when the President—be he Republican or Democrat—and the Congress are of the same political faith.

In the opinion of the London publication, President Eisenhower, termed "an exception to many rules," has strongly affected the personality and the politics of Vice President NIXON.

"What is self evident," says the Times, "is that Mr. NIXON has succeeded in transforming the idea which the public had of him and that he has identified himself, under Mr. Eisenhower, with the passionate longing of Americans for peace."

This seems to lend support to the new Nixon idea, a rainy-day brainstorm of the more superficial Washington commentators forced by the inclemency of the weather to forego their late afternoon foraging in the cocktail lounges of the Capital.

Mr. NIXON, destined to be nominated as President Eisenhower's successor at the coming Republican National Convention, has improved over the years as a campaigner.

As the running mate of Mr. Eisenhower in two campaigns, Mr. NIXON fought hard and consistently. The Vice President was never known as a punch puller; he was never distinguished as the champion of the pillow fighters or of the cream-puff heavers. He is a fighter, an aggressive fighter, one who goes into combat as if he meant it.

Fighters don't last very long if they become lax in their training and fail to show improvement. President Eisenhower, trained in the art of war, knows a fighter when he sees one. Which helps to an understanding of why he said of NIXON: "He's my boy."

There has been some intimation of late that the President, at the proper time, will take the stump in behalf of Mr. NIXON. This is to be expected from a man who appreciates how NIXON stepped into the breach at critical periods when the President really needed assistance.

The only President to claim Pennsylvania as his home since the day of James Buchanan goes into his last year in office admired and revered by Republicans and Democrats alike. It may be left to history to determine whether he belongs among the greats of the White House. Certainly no man has done more to advance the cause of world peace.

Under the 22d amendment to the Constitution, a President is limited to two terms. Ike has had it. When he retires a year hence our much-traveled President, our apostle of peace, will carry with him the well done of Americans regardless of party.

THE ROSE

Mr. JAVITS. Mr. President, I should like to call the attention of my colleague to a discussion which has been proceeding about the rose, a flower in which the people of my State take great pride, a pride which is shared by many Members of the Senate who love beautiful flowers.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an article in Parade magazine of January 24, 1960, entitled "The Nation Picks a Flower," which shows that the rose, which is the State flower of the State of New York, in a nationwide poll of more than a million citizens, obtained two-thirds of the vote. The details of the vote are recorded in the article. I am very pleased to be able to submit this article for the RECORD showing the finding of the popularity of the rose.

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

THE NATION PICKS A FLOWER

WASHINGTON, D.C.—At left (illustration not printed in RECORD) is the flower that Americans apparently love best—the rose. In a nationwide poll of more than a million petal-loving citizens, florists learned that the rose was a 2 to 1 favorite over its nearest rival, the carnation.

Below are the complete results of the poll, announced exclusively in Parade. Tomorrow these official returns will be handed over to congressional committees, which for some time have been raising a tempest in a hothouse over a thorny issue: our national flower.

It seems we have none, a national blot we share with Russia. Last year nine flowers were nominated in Congress, but none ever got out of the ground. Trying to be helpful, the Florists' Telegraph Delivery Association put ballot boxes in 11,000 florist shops, then listed 20 flowers on the ballots, including the nine suggested in Congress. There also was write-in space for personal favorites.

The rose won in a landslide, getting more than two-thirds of the votes. Only one State, Colorado, was out of step, going carnation.

Reason for the rose's popularity, said voters in Waynesboro, Va., are fourfold: Everyone knows a rose when he sees one; roses are easy to care for; they stand for purity; they grow everywhere.

News of the victory will delight at least two rose-picking Senators. Pennsylvania's HUGH SCOTT has stoutly contended that the rose is "a solid tradition in America." Using softer tactics to influence votes, Maine's MARGARET CHASE SMITH simply wears a rose corsage every day.

With the people apparently agreeing with these two Senators, the big question in Washington now is: Will Uncle Sam soon sport a rose in his buttonhole?

Voting in flower race

1. Rose	386,841
2. Carnation	171,591
3. Chrysanthemum	75,729
4. Lily-of-the-valley	60,033
5. Orchid	46,681
6. Tulip	31,639
7. Gladiolus	30,569
8. Camellia	27,560
9. Black-eyed-susan	22,248
10. Mountain-laurel	20,840
11. Geranium	17,177
12. Magnolia	16,871
13. Goldenrod	16,831
14. Rhododendron	16,678
15. Daffodil	16,675
16. Peony	15,887
17. Shasta daisy	14,542
18. Grass	13,614
19. Corn tassel	12,788
20. Marigold	10,741
21. All others	30,093
Total votes	1,055,629

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

Mr. JAVITS. I yield.

Mr. KEATING. Mr. President, I join my colleague from New York in expressing gratification over the selection of the rose as being by far the most popular flower in our country. The rose, according to the poll referred to by my colleague, received 386,000 votes. The next flower in popularity, the carnation, received 171,000 votes. None of the other flowers came anywhere near the vote for the rose, the rose receiving about 38 percent of the total vote cast.

The result of the poll demonstrates overwhelmingly that the rose is a flower Americans love best. Over two-thirds of the votes went to this finest of all flowers, and that vote provides added evidence of the desirability of selecting the rose as our national flower.

The solid vote for the rose comes as no surprise to me. For years I have advocated its designation as our national flower symbol, because I feel it embodies the fragrance, beauty, and identity with America which should characterize the national flower.

Furthermore, the rose is one of the finest products of my State of New York, where the best of all roses are grown. I am confident that the results of this poll will add greater impetus to the forces working for the rose's selection as the national flower.

I appreciate my colleague yielding to me at this point.

Mr. JAVITS. All of us in New York are honored by the fact that this beautiful flower is grown particularly in the area from which my colleague comes, and which he represented in Congress as a Representative—Rochester, N.Y. He and I had some pictures taken in connection with our advocating the rose as our national flower.

It is gratifying to both of us that the American people have given the rose this vote of popularity.

Mr. President——

The PRESIDING OFFICER. (Mr. YOUNG of Ohio in the chair). The Senator from New York.

GRAND STREET BOYS RECOGNIZE DEDICATED TEACHERS

Mr. JAVITS. Mr. President, in the discussion of ways and means to aid our schools and teachers, not enough attention is being given to the role of civic organizations in supplementing the services provided by the local, State, and Federal Governments.

The need for providing incentives leading to an increase in teacher's salaries, which is one of the features of the school construction bill introduced by the Senator from Kentucky [Mr. COOPER] and myself, is recognized in another fashion by the Grand Street Boys' Association and Foundation of New York, of which I have the honor to be a member. I am a member of that organization in the full meaning of the word, because that is where I was born—that is my origin. The president of that fine organization for many years was Judge Jonah B. Goldstein, a very distinguished New Yorker and one time candidate for mayor of the city of New York.

This is one of the most noteworthy local organizations in New York City, and its tribute to the dedicated school

teachers of that city should be widely recognized. I call attention to the fact that the organization has given 100 awards to teachers, each of whom received an illuminated scroll, and 10 of whom were awarded, in addition, a prize of $500 each.

This is a noteworthy example of what citizens can do in recognizing the high calling of the profession of teaching, which we want to see not only better paid but also ennobled by citizen recognition.

I ask unanimous consent that the editorial entitled, "Dedicated Teachers," published in the New York Times of January 18, be printed in the RECORD at this point in my remarks.

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

DEDICATED TEACHERS

The Grand Street Boys' Association and Foundation has called fresh attention to the thousands of dedicated teachers in our New York City school system, men and women who work far beyond the call of duty, who through wise and friendly guidance inspire their pupils and who successfully mold the character of the youngsters who will be the voting citizens of tomorrow.

A committee of 35 prominent retired and active educators carefully screened more than 1,000 nominations made by principals, assistant superintendents, faculty councils, parent-teacher organizations, alumni associations, and community leaders. One hundred were selected to receive an illuminated dedicated teacher scroll, and in addition 10 of these were awarded a prize of $500 each.

This expression of appreciation, we are told, should not be interpreted as a substitute for adequate increases in the salary schedules of our teachers. In fact, the Grand Street Boys' Association and Foundation looks upon this project as a starting signal for a general campaign in which all citizens will participate in an effort to improve our schools by providing attractive salaries for our teachers. This will not only help solve the serious problems of our teacher recruitment program, but will also assure us that the effectiveness, the spirit and the morale of our 40,000 New York City instructors will bear the hallmark of the dedicated teacher.

RACIAL BIAS IN UNIONS

Mr. JAVITS. Mr. President, I wish to call to the attention of the Senate a very remarkable development in the labor union field which has resulted in the Brotherhood of Railroad Trainmen, who recently met in convention, eliminating discrimination on grounds of race or color. It has erased from its charter, its organization, and its operation this racial ban.

This action comes following considerable debate on this subject at the annual convention of AFL–CIO. At that time a pledge was made that great efforts would be undertaken to bring about this advance in trade unionism. It has resulted in this action by the Brotherhood of Railroad Trainmen. I am delighted to see that this has been accomplished. In that connection I ask unanimous consent that there may be printed in the RECORD at this point in my remarks an editorial entitled "Racial Bias in Unions" published in the New York Times.

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

RACIAL BIAS IN UNIONS

The erasure of the color line from the constitution of the Brotherhood of Railroad Trainmen, by the overwhelming vote of the delegates to its recent convention, deserves unqualified applause. It marked a notable step forward in the efforts of the American Federation of Labor and Congress of Industrial Organizations to wipe out race discrimination, for the brotherhood had been admitted to the federation on condition that this action be taken. But this step also raises the question of how far the federation still has to go.

There can be no question as to its commitment to racial equality in its own ranks. Its constitution pledges it to encourage all workers without regard to race, creed, color, or national origin to share in the full benefits of union organization. And its civil rights department is dedicated to redeeming that pledge.

Great advances have been made in that direction—many beginning long before the merger of the AFL and CIO. A conspicuous measure of that progress is the fact that there were bars to Negro membership in the constitutions of 26 AFL affiliates 20 years ago, while only 1 remains—in that of the Brotherhood of Locomotive Firemen and Enginemen. Positive guarantees of racial equality are common in union constitutions and bylaws.

But there are still wide divergencies from these principles in the practices of local unions, largely in the building trades. Some locals go so far as to refuse admission to colored applicants—especially serious where jobs themselves depend on union membership. There is also wide exclusion of Negroes from apprentice training programs, which has the same effect.

During the past 2 years the National Association for the Advancement of Colored People has made a special effort to prod the AFL–CIO into taking more aggressive action to limit these practices. But the federation has been hampered by a lack of punitive power, except for expulsion, which it is increasingly reluctant to use. And persuasion takes time, especially when deep-rooted customs are involved. Undoubtedly, however, more pressures could be applied. The need for them should be given high priority at the meeting of the federation's executive council next month.

[From the New York Times, Jan. 21, 1960]

A LOSS FOR JIM CROW—TRAINMEN'S VOTE TO SCRAP RACIAL BAR SHOULD EASE FRICTION IN AFL–CIO

(By A. H. Raskin)

The merged labor federation has just scored its most dramatic breakthrough in its fight to eliminate racial discrimination in its affiliated unions. The victory took the form of an overwhelming decision by a special convention of the 200,000-member Brotherhood of Railroad Trainmen to scrap the color bar in its constitution. The action should do much to temper the bitterness that erupted in a floor fight over the race issue at the biennial convention of the American Federation of Labor and Congress of Industrial Organizations in San Francisco last September.

The debate had left in the minds of many Negro workers doubts about the sincerity of the federation's desire to wipe out Jim Crow rules and to give meaningful expression to the antibias guarantees embodied in the merger compact 4 years ago.

The unhappiest aspect of the bitter exchange was that it created the outward appearance of a rift over principle between the two men who had been most conspicuous in the implementation of the no-discrimination drive. They were George Meany, the federation's president, and A. Philip Randolph, its only Negro vice president.

DIFFERENCES OVER SPEED

Actually their differences have never been over which way the federation should go, but over how fast its progress should be and how much pressure it should exert to make it faster. One of their specific points of disagreement at San Francisco was whether the parent organization should set a 6-month deadline for action by the trainmen to erase their whites-only clause. Mr. Randolph said "Yes"; Mr. Meany said "No." Mr. Meany's view prevailed.

The topheavy vote by which the brotherhood's convention put its constitution in line with the federation's policies of racial equality vindicated Mr. Meany's belief that more could be accomplished by moral suasion than by using the big stick of an expulsion ultimatum.

He labored quietly, but with typical bluntness, to make certain that the constitutional issue would be put before delegates to the special convention, which had been called primarily to deal with problems raised by the passage of the Landrum-Griffin Act.

He reinforced his behind-the-scenes activity with a telegram to the convention, urging that the brotherhood's basic law be brought into compliance with the general labor ban against racial discrimination. Yesterday, his wish fulfilled, he sent another telegram, in which he said:

"True trade union brotherhood knows no racial distinction—a fact which your brotherhood has now underscored. The trade union movement cannot and will not rest until the civil rights battle hase been won."

NAACP PRAISES MOVE

The National Association for the Advancement of Colored People, which has been sharply critical of the federation's performance in the civil rights field, also registered its gratification.

Roy Wilkins, the association's executive secretary, called the action a heartening reaffirmation of the American principle of equal opportunity for all.

He expressed hope that the decision would spur laggard unions to move forward in ending bias.

The National Urban League and the National Labor Service of the American Jewish Committee urged business organizations to match labor's zeal in promoting fair employment practices.

The trainmen's move leaves only one federation affiliate, the 87,000-member Brotherhood of Locomotive Firemen and Enginemen, with a constitutional wall against the admission of Negroes. This contrasts with 26 unions in the AFL alone that had such keep-out clauses in 1940 when Mr. Meany first went to Washington as the federation's secretary-treasurer.

However, it is fanciful to pretend that the mere setting right of constitutional language has opened union gates to Negroes everywhere. There are many union locals, especially in the building trades, that are as opposed to integration as any member of the White Citizens Council.

At its midwinter meeting in Miami Beach next month the federation high command intends to strengthen the enforcement machinery that is designed to back up its standing committee on civil rights. Whenever the compliance efforts of the regular committee prove unavailing, a special committee of AFL–CIO vice presidents will be appointed to demand that discrimination cease.

No one expects labor to achieve perfection in this field overnight. The same problems, real and imagined, that block headway in education, housing and most other aspects

of community life operate to retard union leaders and rank-and-file members. But Mr. Meany has given new proof that he and his associates are dedicated to the proposition that bias must go.

Mr. JAVITS. Mr. President, in this connection I wish to say that we have been told—those of us who are fighting so hard for civil rights legislation—"just give education a chance, and it will do the job. Don't try to pass laws." I point out to those who advocate that position that it is a fine position if something happens, but that it is a very bad position if nothing happens. Here is a perfect example of that.

No one seeks to pass laws about this matter because it is obviously an action being taken which is consonant with the safeguards of the Constitution. This encourages us to feel that measures of self-regulation and self-discipline in terms of the Constitution will be observed. But when there is a flouting of the law, as there has been in many areas, such as that relating to desegregation in the public schools, and when citizens are denied the right to vote—and there has been a finding by a Federal Commission composed half of Southerners and half of Northerners that citizens are being denied the right to vote—what are we to do but to pass legislation?

I think this is an object lesson to those who would have us take some other course, because it enables us to show a record of performance in compliance with the Constitution. I think we should all realize that there is very much more to these arguments than appears to be the case.

TRIBUTE TO THE LATE C. G. WELLINGTON

Mr. HENNINGS. Mr. President, Mr. C. G. Wellington, one of the most important contributors to American journalism, died last week. Mr. Wellington, better known as "Pete" to the Nation's reporters and editors, was executive editor of the Kansas City Star. He was a newspaperman's newspaperman—a friend of mine of many years. I ask unanimous consent that two editorials dealing with Mr. Wellington be printed in the RECORD.

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

[From the Columbia Missourian, Jan. 22, 1960]

LIFE OF TALENT, TRUTH

American journalism lost one of its really great men last Wednesday when C. G. Wellington, for many years an editor of the Kansas City Star, died suddenly of a coronary occlusion. He would have been 70 years old in about 2 months. He had been city editor, managing editor, and executive editor of the Star; but it was as night editor from 1925 to 1942 that he left his greatest impress on the paper.

"Pete" Wellington did more than anyone else in his generation to maintain the tradition of the Kansas City Star as a paper interested in the man on the street, in the common life of its readers, in the small incidents—amusing, pathetic, entertaining—which go to make up the lowly history of our streets, our homes, our everyday living. These are what we sometimes call "human interest" stories—stories that are interesting not because they deal with so-called "important" events and personages, but because they give back to us bits of our own ordinary life.

"Pete's" activity in this kind of journalism was not limited to setting his reporters on the search for such stories and hunting them out, but he was determined that they should be written simply and effectively. It is easy to overwrite such material, to sentimentalize, to sensationalize. "Pete" taught his boys the values of simplicity, directness, and brevity. That is the reason that Hemingway (to cite but one famous Wellington trainee) has always acknowledged generously the help he received from the great editor during his short term as a Star reporter.

The Star owes much to the work of "Pete" Wellington, and so do the paper's hundreds of thousands of readers throughout the Middle West for the last 40 years.

[From the Kansas City Times, Jan. 22, 1960]

C. G. WELLINGTON

To more than a generation of newspapermen C. G. Wellington has been known as one of the great technicians of his profession. Quiet of manner, unerringly considerate of people who worked under him, he kept up a constant pressure for top performance.

His professional life was a continuous drive for perfection. Of course he knew that in the massive, fast-moving production of a metropolitan newspaper there could never be absolute perfection. Few persons outside a newspaper office could have any conception of the task. As executive editor, Pete Wellington headed a day-and-night operation in which 12 separate editions roll off the presses every day. It requires assembling and evaluating news ranging from the danger spots of the world to a human interest episode on Charlotte Street. Many stores must be rushed to the copydesk a few lines at a time as they are written. Through the many departments and features the operation covers the full range of human activity.

Pete Wellington presided over this operation with an apparent calm and a constant vigil. In this he worked through many people in Kansas City and in the bureaus at the State capitals and Washington. Far more than most staff members realized, he followed their individual work. He maintained a close association with many of the reporters for the press services and other agencies who covered the world.

To some newcomers, perhaps, his quiet and reserved manner was interpreted as aloofness, which was far from his real nature. Persons who knew him realized that Pete Wellington was deeply concerned for the welfare of all the people in the Star operation. He wanted to hear about individual problems. He recognized that in a large organization talent varies widely and he went to strenuous lengths to find the work that would bring out the best in each person.

In the production of the Star, Mr. Wellington was the man in the background. Of course he was known intimately to a very large number of personal friends. But the city as a whole seldom heard his name. He was an editor, not a writer. He was the man behind the bylines of many fine reporters and thousands of stories. He seldom made speeches and was seldom found in the spotlight. The nerve center of his world ranging news interest was at his own desk.

The Wellington reputation as a perfectionist was made as assistant city editor and city editor, jobs that put him in the closest direct contact with reporters and copy readers. He was known for the high standards of Star style that have become familiar to many newspapers. But his conception of fine writing went much deeper than anything that could be specified in a style book.

Ernest Hemingway credits him with bringing a concept of flexible narrative writing to a profession that was then tied to a cut-and-dried dogma of leads and secondary leads. From afar he could sense the drama of a big story. But in his book the fundamental was absolute integrity of facts. A sloppy piece of reporting called for an item-by-item grilling that many a seasoned newspaperman can remember even to this day.

Wellington was a newspaperman's newspaperman. Through his leadership in national professional associations he had friends in the key posts of hundreds of papers. For him a convention of editors was like old home week. And from the delightful visits with friends he brought home a wide range of ideas.

Friendships were extremely important to the exacting Pete Wellington, friendships and his closely knit family. Those of us at the Star, especially, realize that we have lost an extremely warmhearted and devoted friend. We are confident that the professional standards of excellence set by him have left an imprint on "The Star" that will last for many years.

JUVENILE DELINQUENTS

Mr. HENNINGS. Mr. President, the Senate Subcommittee To Investigate Juvenile Delinquency, of which I am chairman, has held hearings in widely separated sections of the country during the past year.

Our job, as defined by Congress, is to visit communities and inquire into local programs and problems in the delinquency field in order to determine the national scope of juvenile misbehavior and suggest areas in which action by the Federal Government may be required.

I might say that we have yet to visit a community in which the presence of our committee was not welcomed by the press, by public officials, by professional personnel working in the delinquency field and by citizens alarmed at the ever-rising tide of juvenile misbehavior and crime.

Examples of this local concern with the national problem of juvenile delinquency are to be seen in two newspaper editorials—one from the New York (N.Y.) Journal-American, entitled "How United States Can Help," and the other from the Wilmington (N.C.) Star, entitled "Juvenile Crime Is Everyone's Business." I ask unanimous consent that these two editorials be printed at this point in my remarks.

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

[From the New York (N.Y.) Journal-American, Sept. 24, 1959]

HOW UNITED STATES CAN HELP

The image of rampant juvenile crime, which the Senate Committee on Delinquency saw in its first New York hearing, clearly established that local and State authorities will need Federal help to fight teenage terrorism.

How can the Federal Government help New York City and every other American community plagued by juvenile hoodlumism?

The answer lies in two areas: (1) the allocation of sufficient funds to insure establishment of necessary work camps and detention facilities; (2) enactment of effective

Federal legislation to outlaw the interstate traffic in lethal weapons.

Obviously an action program is needed. Such a program, looking to a utilization of the Federal resources, should embrace:

The process of setting up youth work camps, operated on semimilitary lines, could be greatly speeded up if the Government ceded some of the many camp sites it has available to New York State and local authorities. These camps would permit the authorities to weed out the hard core young hoodlums and remove them from circulation. Thus, more effort could be given to reclaiming the salvageable remaining delinquent groups.

Uniform Federal legislation is necessary to dry up the source of firearms, daggers, stilettos and other dangerous weapons now easily available to teenage killers. New York City, according to Supreme Court Justice John E. Cone, has become the dumping ground of vast shipments of foreign weapons of all types because of loopholes in existing weapons laws.

The United States could cede presently vacant Ellis Island, with its numerous buildings, to the city for use as a boys town. This would provide desperately needed custodial facilities. At present, convicted offenders are frequently sent home because there is no place left for them in corrective institutions.

The war on the international and national traffic in narcotics must be stepped up. As Mayor Wagner pointed out, the tie between narcotics and juvenile crimes becomes stronger each day.

Consideration should be given to enactment of more realistic child labor laws to permit youngsters to work rather than being forced to remain in school for which they have no aptitude or interest.

Undoubtedly, there are many other areas where the Federal Government can be of tremendous help in trying to stamp out juvenile gang terrorism.

The assistance of the Government would ease the strain on local and State finances caused by a mobilization of forces to cope with the outbreak of teenage warfare.

Such an action on the part of the Federal Government would in a way be a repayment of some of the $15 billion which the citizens of New York contribute annually to the U.S. Treasury.

Such funds, if wisely expended, could return enormous dividends by saving some of our presently wayward youths from themselves.

[From the Wilmington (N.C.) Star, Sept. 22, 1959]

JUVENILE CRIME IS EVERYONE'S BUSINESS

A casual observer may think Congress is stepping beyond its bounds in beginning a series of nationwide hearings on juvenile gangs in New York, scene of recent widespread teenage violence, tomorrow.

But that, we believe, is not the case.

Senator THOMAS C. HENNINGS (Democrat of Missouri) chairman of the Senate committee, explained the situation well when he said "this is not a problem unique to New York City. It transcends State and even national boundaries. He cited cities other than New York which have reported youthful violence and added, "The past decade has seen a sharply yearly rise in unprovoked attacks by juveniles, especially of the 'rat-pack' or gang-type assaults."

This committee, if it fulfills its responsibility, will give official recognition to a type of crime that, so far, has been recorded only in police records and the daily newspapers. It deserves that recognition. The problem simply is too large to ignore on the national level. This is a move against terrorism. What Congress can do about it remains to be seen. But this much can be expected from the committee—an overall picture of the ugly situation with possibly definite recommendations for its correction. In fact, it would be far better if Congress did not attempt any legislation but leave that step to the States and localities. After all, this is a local problem and successful solutions may vary in keeping with the peculiarities of the situation.

Meanwhile, it is logical to expect that any community, including Wilmington, may benefit from the congressional findings. At the least, the fact Congress has made this problem its business emphasizes it should be of concern to every law-abiding citizen, here, or elsewhere.

EDUCATION—INVESTMENT IN AMERICA

Mr. HARTKE. Mr. President, the Senate soon will begin debate on legislation affecting our educational system. Much has been said about the educational needs of our Nation. Statistics from my own State of Indiana indicate that Indiana has a serious shortage of classrooms and qualified teachers. This situation exists throughout the Nation. As we begin discussing this problem I would like to call to the attention of my colleagues a good expression of one of the major prevailing viewpoints. This was made in a speech by one of the members of the Indiana delegation to Congress, the Honorable JOHN BRADEMAS of the Third Congressional District. In a speech at the seventh annual National Conference on Federal Legislation of the National Education Association in Washington last month, Congressman BRADEMAS discussed this problem ably and intelligently. It deserves the serious attention of Members of the Senate. It is printed in the CONGRESSIONAL RECORD of January 18, 1960, on pages 717–718.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER. Is there further morning business?

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. The Senate is still conducting morning business.

Is there further morning business?

THE BATTLE OF THE BUDGET

Mr. BUTLER. Mr. President, one of the most important questions facing this country today is whether or not the Federal budget should be balanced. My own unequivocal answer is "Yes." Last week, as a part of a personal campaign to emphasize the need of balancing the budget, I mailed to thousands of Marylanders a questionnaire entitled "The Battle of the Budget." The letter asked each constituent to indicate whether he would increase or decrease the basic items of the Federal budget, estimated for the coming fiscal year at $84 billion. My purpose was twofold: To stimulate a general interest and understanding of how tax funds are spent, and to use the results in my fight to hold back Government spending, for I am confident that the people of Maryland and the entire country understand that if a nation spends more than it has, it risks bankruptcy and disaster.

It has since occurred to me, Mr. President, that a more general dissemination of the questionnaire might be helpful, and so I ask unanimous consent to have "The Battle of the Budget" inserted in the body of the RECORD following my remarks, extending an invitation to everyone who reads it to send his answer to me. It is my firm conviction that this battle is everyone's fight.

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

JOHN MARSHALL BUTLER PRESENTS THE BATTLE OF THE BUDGET

As a taxpayer who pays—I invite you to join me in the battle of the budget. There is but one rule—the basic law of economics—to avoid economic ruin, keep your expenses within your income. As a nation of individual, if you spend more than you have, you risk bankruptcy and disaster.

Below are the basic budget items and amounts the President recommends be spent to meet our Nation's needs, and yet achieve a balanced Federal budget for the coming year. What items would you decrease or increase?

Basic budget items	President's recommended expenditure in billions	Your suggested expenditure in billions
Defense:		
Army	$9.4	
Navy	11.7	
Air Force	18.6	
Missiles ($3,500,000,000 included in the above 3 items)		
Office of the Secretary of Defense	1.3	
Military assistance to friendly foreign nations	1.8	
Atomic energy	2.7	
Stockpiling and defense production expansion	.1	
Foreign aid	2.2	
Space exploration	.6	
Commerce and housing:		
Public housing and community development	.4	
Business aids, regulation, and postal service	1.7	
Agriculture:		
Price supports	4.0	
Other programs	1.6	
Natural resources:		
River development and public power	1.4	
Conservation	.5	
Labor and welfare:		
Payments to needy and unemployed persons	2.1	
School lunch and vocational training programs	.4	
Health, education, scientific and medical research	2.1	
Veterans benefits	5.5	
Interest on public debt of $290,000,000,000 (a "must" item)	9.5	$9.5
General Government expenses	2.0	
Allowance for contingencies	.2	
(Surplus revenue available for debt or tax reduction)	(4.2)	
Total	84.0	

To meet these expenditures, the Government is expected to collect about $84 billion in taxes. If the total of your suggested expenditures is not more than $84 billion, you have won the battle of the budget.

But the real victory lies in taxpayers like yourself maintaining a general understanding of how our tax funds are spent. In detail, the Federal budget is incredibly complex. It is more than 1,000 pages long. Congress will require many months of study before deciding upon next year's expenditures. However, this complexity should not discour-

age taxpayers from a more general interest in budget affairs nor obscure the desperate need for a balanced budget. This is why every American should concern himself with the Federal budget and why I have sent you this letter.

Furthermore, as your Senator, your views on Government spending, high taxes, and inflation as reflected by your suggested expenditures will be of considerable value to me as Congress examines the Federal budget and new spending proposals.

So, may I respectively urge you to join the battle of the budget and return this "scorecard" to me. Remember, every Federal tax dollar is partly your own.

(Name)

(Address)

JOHN M. BUTLER,
U.S. Senator, Maryland.

FEDERAL ELECTIONS ACT OF 1959

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed, and the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2436) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. KEATING] to the amendment of the Senator from Louisiana [Mr. LONG].

Mr. LONG of Louisiana. Mr. President, I should like to modify my amendment on page 1, line 2, by striking out the word "No," and inserting this language:

Except in the cases of elections held to fill vacancies, no.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield for the purpose of my suggesting the absence of a quorum, without his losing the right to the floor?

Mr. LONG of Louisiana. I do not have the floor.

The PRESIDING OFFICER. No Senator has the floor at the present time.

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

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

Mr. KEATING. Mr. President, I modify my amendment to the amendment of the distinguished Senator from Louisiana in accordance with the memorandum, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The modified amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

And provided further, That no candidate's nomination in a primary election shall be valid if it shall be determined by a Federal court of competent jurisdiction that any otherwise qualified person was denied the right to register or vote in the primary on account of race, color, or previous condition of servitude.

Mr. KEATING. Mr. President, I have asked that copies of the amendment be placed on the desks of Senators. It is in effect the same as the amendment I offered shortly before we concluded our business on Friday. It effectuates the purposes which I had in mind more accurately, and does follow the language of the 15th amendment in precise terms.

I concede, Mr. President, that my original amendment, which was written on the floor, was inspired by the very moving speech made by the distinguished Senator from Louisiana [Mr. LONG] in support of his amendment to require all candidates for the Senate and for the House of Representatives to be nominated by a primary. In his speech the Senator spoke very eloquently about the need for extension of the suffrage, in the "great liberal tradition." He described as "undemocratic" any system in which a political convention can reverse the judgment of the people in an election "where everybody had a right to vote," and he concluded with a question, which I should like to quote, "Why should we not guarantee democratic procedures?" I think no one could help being moved by such a stirring appeal as that made by the Senator from Louisiana.

Mr. President, I know the deep conviction with which the Senator from Louisiana speaks on this subject. I have only recently reviewed the discussion of the voting problems in Louisiana, which appears in the report of the United States Commission on Civil Rights. I am sure the distinguished and able Senator from Louisiana has also read the report.

I sensed, in listening to the Senator's brilliant advocacy of his amendment, a keen awareness on his part of the problems discussed in the report of the Civil Rights Commission. I interpreted the Senator's amendment as an attempt to deal with these problems wherever they might exist in the Union, including the great State of New York.

In an effort to strengthen the Senator's proposal by the addition of a sanction for violating its proscriptions, I offered my own perfecting amendment. I had hoped the Senator would welcome my amendment but apparently he is not willing to accept it as an amendment to his amendment.

Mr. President, it may be that some Members of the Senate are unaware of the discussion in the report of the Civil Rights Commission which has bestirred this interest in guaranteeing elections under "democratic procedures," to use the words of my distinguished friend from Louisiana.

It seems, according to the report, that there are four parishes in Louisiana in which voting-age Negroes far outnumber voting-age whites. Those are the parishes of East Carroll, Madison, Tensas, and West Feliciana.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Louisiana?

Mr. KEATING. I am happy to yield to the Senator.

Mr. LONG of Louisiana. I would like to know if the Senator from New York knows that the junior Senator from Louisiana was one to take the attitude in Louisiana that all qualified persons are entitled to vote. In those parishes to which the Senator from New York makes reference, most of the parish officials met and unanimously signed a declaration condemning the junior Senator from Louisiana for his position.

Furthermore, I want the Senator to know what the situation will be under his proposed amendment, assuming that the candidate runs for election and is denied the benefit of having the votes of those people who would otherwise vote for him.

If such a person were successful, notwithstanding the fact that many people who would like to vote for him did not have that privilege, he would nevertheless not have the benefit of being elected, under the Senator's amendment, even though those people would have voted for him had they had the opportunity.

Mr. KEATING. In the first place, in answer to the distinguished Senator, I commend the Senator without reserve for the fine attitude which he took with reference to the revelations in these four parishes. The Senator's reiteration of the right of every qualified voter to vote is highly commendable. I cannot praise him enough for that assertion and the reassertion of it here on the floor today. It is to insure that right that my amendment is proposed.

I cannot see why the amendment would be objectionable, if it will insure what the Senator from Louisiana has so vigorously fought for and as to which he has taken issue with the people in these very parishes.

What the Civil Rights Commission found was that not a single Negro has been registered to vote in any one of these four parishes.

When the Commission attempted to inquire into this situation, what was the result? The Commission was met immediately with a demand from the counsel for the joint legislative committee of the Louisiana Legislature that the Commission disclose the names of the Louisiana citizens who had complained. It seems this State official wanted to restore democratic procedures in Louisiana by presenting the complainants' names to a grand jury so that they could be charged with perjury and duly prosecuted by the Louisiana authorities. Is there any wonder that after an experience like that even as firm a believer in States rights as the Senator from Louisiana calls upon the Federal Government, as he does by his amendment, to protect democratic procedures in elections?

The Civil Rights Commission has thus far been stymied in its efforts to hold public hearings in Louisiana. However, the Commission's field investigations indicated three major tactics of voting denial in Louisiana, which are worth recounting here.

First, an effective bar to Negro registration is the so-called voucher requirement exacted by registrars, under which the registrar requires that each prospective registrant obtain two registered voters to swear to his identity. Since no Negroes are registered in four parishes, and since no white person, with only one exception, indicated in the Commission's report, would vouch for a prospective Negro registrant, prospective registrants are rather effectively discouraged.

The second method is by preliminary questioning on the part of the registrars. This has become very widespread since the initiation of a campaign by the joint legislative committee of the Louisiana Legislature in December 1958 to reduce Negro regstration in Louisiana from 130,000 to 13,000 out of 481,000 eligibles.

A typical tactic in this preliminary examination is to ask the applicant for registration to explain the meaning of the clause in the Louisiana constitution which reads as follows:

> The legislature shall provide by law for change of venue in civil and criminal cases.

That would be rather hard for anyone other than a lawyer to explain, and would be hard for many of the voters in this county to explain.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question at that point?

Mr. KEATING. I ask the Senator to permit me to finish my sentence.

There is another clause about which applicants are asked, according to the report. They are asked to interpret the clause which reads:

> Proscription shall not run against the State in any civil matter.

That, likewise, might be difficult even for lawyers to explain, as a basis for obtaining the right to vote.

I am happy to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Is the Senator familiar with the fact that the attempt to which he refers, to disenfranchise 126,000 Negroes, occurred about 18 months ago, and continued for a period of 7 or 8 months, and that there are still about 139,000 Negroes registered, notwithstanding the effort by some persons to reduce the number of Negroes registered to 13,000?

Mr. KEATING. As I pointed out, this occurrence took place in December 1958, and I hope the situation has been corrected to some degree since that time. But I shall point out in a moment that in another case representations were made to our committee by the Attorney General of Louisiana—never by the Senator from Louisiana—which were not borne out when further investigation was made. I shall deal with that question in a moment.

Mr. LONG of Louisiana. The Senator is talking about reducing the number from 130,000 to 17,000. I suspect he will find that the number registered now is greater than it was at the time to which the Senator refers.

Mr. KEATING. I hope so, because the Commission found that there were 481,000 who were eligible.

Mr. LONG of Louisiana. The Senator refers to 481,000 who were eligible. Does he mean that that number are eligible, all factors being considered?

Mr. KEATING. Four hundred and eighty-one thousand were deemed eligible by the Commission on Civil Rights, made up of the six men to whom reference has been made. I am sure the Senator feels, as I do, that they are distinguished citizens.

Mr. LONG of Louisiana. Can the Senator tell us the percentage of white voters deemed eligible who are registered?

Mr. KEATING. I cannot do that, but I am sure that there is a greater percentage of white eligible voters who do vote than of Negro voters.

Mr. LONG of Louisiana. The Senator will concede, will he not, that in Louisiana, and in many other States, a substantial number of white persons eligible to vote simply have not gone to the trouble to register and qualify?

Mr. KEATING. There is no question about it, and it is a national shame. I believe that in our last Presidential election only 60 percent of the eligible voters voted. That is regrettable. There is no question that that is true.

Mr. HENNINGS. Mr. President, will the Senator from New York yield for a question?

Mr. KEATING. I am happy to yield.

Mr. HENNINGS. Let me say, by way of preface, that no one has been more diligent in the furtherance of a clean elections bill which has as its primary objective reporting, limitations, and full public disclosure of contributions, than has the distinguished Senator from New York.

The able Senator from New York is aware that the Committee on Rules and Administration reported the bill, which has been amended, and which is sought to be further amended.

The bill has as its primary objective the things I have mentioned. The Senator is also aware that for several days last past hearings have been held, which will continue until February 5, on the so-called Federal registrars bill, and that the civil rights issue will be drawn in the Senate on February 15, less than a month hence.

Bearing in mind that all Senators who have supported the registrar bill have a keen interest—indeed, an overriding interest—in the primary purposes of this elections bill, which is a reporting bill, a disclosure bill, and a limitations bill, does the Senator not believe that at this time he could withhold his discussion of civil rights? I think the Senator need have no question as to my views upon that subject. That question could be brought before the Senate in connection with civil rights legislation.

This is not a civil rights bill, any more than I think—most lamentably—the amendment of the Senator from Louisiana to require primaries relates to the two basic issues of the bill.

I believe that the amendment of the Senator from Louisiana is a sweeping measure. Bearing in mind, of course, that democratic government has its foundation in free elections of the people's representatives, I believe that, as a matter of broad principle, any proposal which extends and builds up the application of elections is substantially good.

In the past few days, as I have tried to point out, we have almost reached the point of final passage of the bill. A number of amendments have been offered, many of which have been withdrawn. They were not directed to the subject matter of the pending legislation.

On Friday last the Senator from South Dakota [Mr. CASE] and the Senator from Colorado [Mr. ALLOTT] demonstrated that the adoption of the amendment offered by the Senator from Louisiana would raise innumerable questions as to its effect on various State laws. I do not believe that these issues are so simple as they appear to be on the surface. Neither of the questions now presented was suggested to the committee when the bill was under consideration there.

I am glad the Senator from Louisiana voted for one of the amendments, the so-called reporting amendment, relating to the many committees which it has been possible heretofore to set up within the limits of a State. I think it would be most unfortunate if we should continue the discussion of the bill by constantly offering amendment after amendment which bears no relation, really, to the essence of the bill, any more than to the purposes of the bill.

The Senate has voted, by two record votes, by a very satisfactory majority, that it wants intrastate committees included, and that it wants primaries included—primaries, as defined in the bill, also to include caucuses and conventions.

This is not a bill designed to compel the various States to proceed in a given manner with respect to their own conduct of elections. Now we find ourselves off on the civil rights issue, which I had hoped might be properly debated—and I am sure it will be thoroughly and extensively debated—following the 15th of February.

I make these suggestions, I hope, without presumption, but in all good spirit. If the bill can be voted upon by the Senate as an elections bill, stripped of extraneous matters which do not relate to the heart and soul and purposes of the proposed legislation, we shall all be better off. The other questions could be reached in some other way, at some other time.

I think it is very distressing that, after almost 2 weeks of discussion and voting on various amendments, we should be faced with a situation in which amendment after amendment is offered and debated. I do not mean to say that Senators do not have the right to offer amendments. However, if we are to have a cascade of amendments upon all manner of subjects and questions which could be raised in connection with some phase of an election, we may encounter greater difficulty than I presently anticipate in

the House of Representatives. I know that we have very strong support in the House of Representatives for the pending legislation. Many Members of the House have so expressed themselves to me, without any solicitation on my part.

I entreat Senators to bear in mind that this bill is the product of a great deal of work and consideration, and that undertaking to write legislation of this importance on the floor of the Senate is not in the interest of good legislation. We might have another amendment, and another so-called retaliatory amendment offered, ad infinitum, far into the night, far into the week, and far into the Lord only knows where.

Civil rights is one question to be considered. I believe that the question of the States proceeding as they decide to proceed under their electoral procedures is another sort of question. The bill does not set forth electoral procedures. It sets forth reporting procedures. It sets forth limitations, under the amendment which has been adopted; and it sets forth what a candidate may do with respect to his own expenditures, and other matters which are germane.

I recognize that in the Senate no point of germaneness can properly be raised and upheld by the Chair. But I find it very disappointing that we are now going so far afield in connection with all these matters which have not heretofore been considered. We may find ourselves in a state of exceedingly great confusion if we go beyond the point where the essential elements of the bill agreed to by the process of amendments relate only to the strengthening of the 1925 Corrupt Practices Act and the extension of that act. That was my primary purpose in the bill of 1955, the bill of 1957, and the pending bill which was intended to have been acted upon in 1959.

I hope Senators may find it in their judgments and consciences a matter of consideration, if we really wish to pass the basic and fundamental measure which is before the Senate at this time.

I thank the Senator from New York for yielding to me. He has been exceedingly interested in this proposed legislation and has been exceedingly diligent with respect to it. I would say the same certainly of the Senator from Louisiana.

I do not undertake in any way to sit in judgment upon the consciences or the inclinations of Senators with respect to the offering of amendments. That is not my province and not my intention.

I believe the membership of the Senate is ready to vote upon the heart and soul of the pending bill as it now lies before us. We have had amendments proposed relating to extraneous matters, such as labor and various inhibitory and extensive applications of the bill. Many of them have been withdrawn, and I am very grateful to the proponents of those amendments who have done so.

I hope—and I know many other Members of the Senate also hope—that we may, within the confines of free and unlimited debate, as is the right of every Senator, to come to some termination of the proposed legislation before us, and not to wander so far afield that we will be unable to recognize exactly what it is we are trying to say at the end of the period of discussion and the adoption or failure of adoption of the several amendments here proposed. I thank the Senator from New York for yielding to me.

Mr. KEATING. In reply to the rather extensive question of the distinguished Senator from Missouri, I would say that I share to a very great degree the views the Senator has expressed. I recognize a civil rights debate, so-called, will take place on the floor starting February 15.

I said on Friday evening—and I renew the statement now—that I am perfectly willing to withdraw my amendment provided the Senator from Louisiana withdraws his amendment. I do not believe the Senator from Louisiana, when he attempts to impose upon all States a specific method of nominating candidates, is keeping within the primary purpose of the pending bill, which is to place a limit on expenditures in elections and primaries and to provide reporting procedures. That is the essential purpose of the bill.

We now have before us an amendment which provides that every State must hold primaries to select their candidates. A few States do not hold primaries for candidates either for Members of the House or the Senate, or both. All my amendment to the amendment of the Senator from Louisiana provides is that every qualified person shall have the right to vote in the primaries which he wants to require. If we are to require States to hold primaries, then I believe the States should be required to permit all qualified persons to vote.

I differ in one particular with the implications of the Senator from Missouri. My amendment involves a question of civil rights, but it is by no means a civil rights measure. It is only one facet of it. It is one of the protections which we should afford to every qualified voter in this country. It does not open up by any means the whole field of civil rights legislation; it does not guarantee our citizens the equal protection of the laws in many other areas, which, I hope, before this session of Congress adjourns, we will take care of. In light of the fact that the Senator from Louisiana is disinclined to withdraw his amendment and desires to press it, which is entirely his right and privilege, I believe we should deal with the entire implications of this subject.

I have just finished describing the second method used in the State of Louisiana for disenfranchising Negro voters.

The third method of disenfranchising Negroes is by massive challenges under the auspices of the White Citizens Councils.

One of the most common bases for such challenges was alleged errors in spelling on the application forms, although some of the challengers seemed to have a little trouble with their own spelling, since they spelled the word "s-p-i-l-l-i-n-g." These challenges were timed so that it would be impossible to obtain relief in time to vote in the next election.

Mr. President, is it any wonder that the Senator from Louisiana is shocked and dismayed by the absence of democratic procedures in Federal elections? Who can help but be shocked and dismayed by these conditions? I would be shocked and dismayed if any Senator was unshocked and undismayed by such revelations.

Of course, there are some of us in this body to whom the Commission's findings are not exactly revelations. I remember well a colloquy I had with the attorney general of Louisiana in 1957 when he was a witness before the House Committee on the Judiciary, of which I was then a member. He was asked about a purge of thousands of registered Negro voters in Ouachita Parish in Louisiana in 1956 at the behest of the white citizens councils. He assured the committee that this was an isolated incident, expressed his own regret at its occurrence, and in answer to a question from me stated that 99 percent of the persons involved had been restored to the rolls. When these facts were checked by the Assistant Attorney General of the Department of Justice, it was reported to the committee that the purge was widespread, and in specific reference to the situation in Ouachita Parish, that over 3,000 out of a total of 4,000 registered Negroes were prevented from voting in the general elections as a result of the purge. This same attorney general by State law serves as counsel for the State registrars. Is it any wonder these conditions still persist in this State?

Mr. President, now that I have acknowledged the inspiration for my amendment, I want to make it clear that I am perfectly willing to withhold discussion of the problem of democratic procedures in elections until the date of February 15 previously announced for this purpose. If the Senator from Louisiana is unable to restrain his desire for electoral reform until that date, however, then I see no reason for not dealing with the issue he has raised in the most effective way possible and that is all my amendment seeks to do.

There was some talk in this Chamber on Friday of hypocrisy. I do not want to deal with motives in this debate, only with facts. And anyone who will face the facts will admit, first, that the two-party system in New York guarantees greater political choice to the electorate of that State than any direct primary does to the electorate of a one-party State; second, that the elimination of discrimination on account of race and color in elections is the most important step the Congress can take in guaranteeing democratic procedures in Federal elections; third, as indicated by the distinguished Senator from Missouri, that this whole subject is unrelated to the Corrupt Practices Act, which is the pending business; and finally, that, if we are going to have forced primaries in each State of the Union, then we should see to it that every qualified voter is accorded the right to vote in those primaries.

I would be happy to join in the request of the Senator from Louisiana that he withdraw his amendment, so that I may withdraw my own amendment. If he is unwilling to do so, then I shall be forced to ask for a vote on my amendment.

Mr. LONG of Louisiana. Mr. President, I had prepared a memorandum with regard to the amendment which was offered on the

floor on Friday, pointing out several things which demonstrated the complete ridiculousness of it. Some of the obviously ridiculous things in it have now been eliminated.

For example, the amendment offered on Friday would have caused an entire primary election to be invalidated in any of the States which hold them—that does not include New York, but includes 47 other States—if a person had failed to vote because there was a snowstorm. In other words, the amendment of the Senator from New York would have thrown out the entire election because an act of God had prevented someone from going to the polls.

The Senator from New York has now more or less corrected that situation by pinpointing his amendment on the race question, which I assumed he would do over the weekend, once he discovered that he had failed to pinpoint his proposal on the race question. But now he has pinpointed his amendment more on the race issue.

Even so, the memorandum to which I have made reference contains several points which are equally valid to show how ridiculous the proposal of the Senator from New York remains. For example, the Senator from New York had said that if one qualified person had been denied the right to register or to vote, an entire primary election would be thrown out. Now he pinpoints his amendment on race, color, or previous condition of servitude.

The junior Senator from Louisiana has been criticized in a resolution signed by practically every official in every parish in Louisiana where no Negroes are registered because he has said that Negroes have the right to vote. Those officials got together and signed a resolution stating that the junior Senator from Louisiana was not representing his people because he took the attitude that Negroes do have that right.

If an election were held in Louisiana without Negroes voting in those parishes, and if the junior Senator from Louisiana should be elected notwithstanding that fact, and even if it were established that those people would have voted for him had they been accorded the opportunity, nevertheless he would be denied the privilege of having his name on the general election ballot.

Moreover, the amendment of the Senator from New York overlooks the fact that even if we pass a so-called Civil Rights Act providing that the Federal Government should take over the registration and attempt to regulate the procedures thereunder, if the Federal agency might not be successful in seeing to it that every colored person who was qualified had an opportunity to register and to vote. If the Federal registrar should fail to do that, if he should fail to make certain that someone who was entitled to vote was on the rolls, then the entire election would have to be thrown out regardless of how those people voted. The election would be void even if the disenfranchised voter would have voted for the same result as occurred in the election.

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

Mr. LONG of Louisiana. I yield.

Mr. KEATING. The Senator did not mean to imply that there was anything in my amendment about a Federal registrar, did he?

Mr. LONG of Louisiana. No.

Mr. KEATING. My amendment leaves it to a Federal court to determine the question.

Mr. LONG of Louisiana. Yes; but I have no doubt whatever that when a proposal is offered to set aside State registration procedures in favor of a Federal registrar, the Senator from New York will vote for it.

Mr. KEATING. I have not proposed that we set aside State election machinery. To that I would be opposed. The Federal registrar would supersede the State election machinery in a State election only when the State machinery broke down or failed to function. Only under those circumstances would the Federal registrar function.

Mr. LONG of Louisiana. All I am saying is that if the Senator included everything recommended by the Civil Rights Commission, including the so-called Federal registrar proposal, and if the Federal registrar should fail to register someone who was qualified to vote, then the whole election would have to be thrown out, regardless of whom the person might have voted.

Mr. HENNINGS. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield for a question.

Mr. HENNINGS. With the Senator's indulgence, I should like to refer to both his amendment and to that of the Senator from New York. Irrespective of any attempted influence by the candidate, or by any of his agents or others, under the language of the amendment of the Senator from New York, a man could be nominated, but if one person, otherwise qualified, was denied the right to vote because of his race, color, or previous condition of servitude, the nomination would be invalid. Is that correct?

Mr. LONG of Louisiana. That is correct.

Mr. HENNINGS. That would not be constitutional.

Mr. LONG of Louisiana. No; it would not be.

Mr. HENNINGS. Now we come to the Senator's amendment. The Senator is a firm believer in States rights.

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

Mr. HENNINGS. I will yield as soon as I have finished.

Mr. KEATING. The Senator disposes of these things rather cursorily.

Mr. HENNINGS. I do not want to dispose of them cursorily, because obviously there has been no desire to consider these amendments cursorily during the past several days. So I am certain that none of them will be disposed of very quickly.

I do not know whether the amendment offered this morning by the Senator from New York has been changed from his amendment which was under consideration on Friday.

Mr. KEATING. The amendment I offered this morning differs from the one which was offered last week.

Mr. HENNINGS. The one offered today reads:

And provided further, That no candidate's nomination in a primary election shall be valid if it shall be determined by a Federal court of competent jurisdiction—

I presume that could be a Federal district court, sitting in that capacity, irrespective of other appellate jurisdictions, such as the court of appeals and the Supreme Court of the United States, and a judgment by that tribunal of the first instance would, of course, be controlling.

Now we come to the amendment of the Senator from Louisiana. There are various laws in the different States which regulate the process of nomination. Does the Senator from Louisiana believe that we should as a matter of legislative policy reach into the State of Louisiana, for example, and say that Louisiana is not entitled to have runoff primaries? Would the Senator say that one primary election shall be sufficient, and that it shall be determining as to which nominees shall appear on the ballot in the general election?

Mr. LONG of Louisiana. It had never occurred to me that the Federal Government should seek to require primaries by legislation until an amendment was agreed to on the floor of the Senate to regulate primaries.

This is a bill which, in its present form—and the Senator himself was a sponsor of an amendment which made it such—regulates primary elections. It seems to me that it is putting the cart before the horse to try to regulate primary elections without first requiring that primary elections shall be held.

The Senator from Missouri asked about the constitutionality of the Keating amendment. I think most of the difficulty could be corrected by a modifying amendment; therefore, I make no particular point of it. However, article I, section 5, of the Constitution provides:

Each House shall be the judge of the elections, returns, and qualifications of its own Members.

It would be my judgment that that in itself would prohibit a Federal court from taking jurisdiction of a primary election.

Mr. HENNINGS. I thank the Senator for yielding. I simply point out the unfortunate position in which we find ourselves when we try to legislate by amendments offered on the floor of the Senate, and which I am sorry to say seem to bear certain patent defects.

Mr. LONG of Louisiana. I shall be willing to vote on the amendment in short order, and then in short order to vote on the amendment I have offered.

Mr. KEATING. Mr. President, will the Senator from Louisiana yield so that I may answer the Senator from Missouri?

Mr. LONG of Louisiana. I yield.

Mr. KEATING. The Senator from Missouri rather cursorily said that this amendment is unconstitutional. I should like to know what provision of the Constitution the Senator from Missouri thinks this amendment violates.

It has been drawn to come expressly within the provisions of the 15th amendment.

My reply to the Senator from Louisiana is that it is true that we are the judges of the qualifications of our own Members. We, by this amendment, will continue to be the judges of the qualifications of our Members.

We would, in turn, after such an election had been held, have to apply the amendment to each specific instance. But there is nothing in this amendment, which, in my judgment, violates the provision of the Constitution to which the Senator from Louisiana has referred.

Mr. LONG of Louisiana. The Senator from New York will find a number of cases which hold that the courts will not take jurisdiction of election cases, because of the constitutional provision that each House shall be the judge of the elections, returns, and qualifications of its own Members.

Mr. KEATING. That is true. I am familiar with those cases. I served several times on the House of Representatives committee which conducts investigations of elections under the present state of the law. If this amendment were written into the law, in my judgment, the court would then take jurisdiction of only such cases as came within its terms.

Mr. LONG of Louisiana. It seems to me that the particular defect of the Senator's amendment could be eliminated by modifications to achieve the same effect. But the earlier studies I have made indicate this his amendment is not subject to correction so long as it is in the form in which it is: First, on the basis that this is an attempt to justify a denial to all people of the right to vote, merely because one person has been denied the right to vote, notwithstanding the fact that that one person might have voted the same way as the prevailing majority, had he had the opportunity to vote.

The 15th amendment itself guarantees to all persons the right to vote. It provides that they shall not be denied the right to vote on account of race, color, or previous condition of servitude. By virtue of that provision, the so-called white primaries in the Southern States have been declared unconstitutional. By virtue of that same provision, colored people barred from the rolls have been ordered restored to the rolls. A Federal court in New Orleans, La., recently ordered a number of persons restored to the rolls, after their names had been removed because they had been challenged. This was done on the basis that they had been discriminated against.

In addition to this, the Senator from New York stated on the floor last Friday:

> I am opposed to the amendment submitted by the Senator from Louisiana. I shall vote against that amendment, either with or without the amendment which I have sought to have attached to it.

So does the amendment offered by the Senator from New York represent a sincere attempt to benefit those who might have been discriminated against in the election proceeding. Oh, no. It is not an effort to assure their right to vote. This is apparently merely an attempt to have withdrawn an amendment which would give members of all races, in the most populous States of the Union, the right to choose who their nominees shall be, rather than have them chosen by party machinery, or by politicians of the major parties.

Here is an amendment I have proposed to protect all minorities and all majorities, and give them an opportunity to vote. They have that right, and it is protected by the 15th amendment, to which I have made reference. Furthermore, there is to come before the Senate a civil rights bill, in which attempts will be made to make sure everybody will have an opportunity to vote by sending into certain areas Federal registrars who will see to it that everyone will enjoy the right to register and vote. The Senate will vote on it.

But I say that if we are to regulate primaries, the first thing we should provide for is to make sure that the people have the right to see that a candidate of their choice is selected. Forty-seven out of the fifty States have that system.

We have heard of undemocratic practices in other States. For example, it has been contended that the South Dakota procedure should be permitted. What is that procedure? We are told that if, in an election for Representative, and I assume for Senator, less than 35 percent vote for the leading candidate, that man's name can be taken off the ballot and he can be denied the opportunity for nomination in favor of someone who may have received only 1 percent of the votes.

How would that apply to the great State of Louisiana? We recently had the election of a Governor. The high man received about 33 percent of the votes. The second man received 26 percent. The third man had 19 percent, and so on down. It went down to a number of candidates who had less than 1 percent. If the procedure which is in effect in South Dakota had existed in Louisiana, then the democratic governing body—which is elected by the people, by the way—could have picked any one of those 10 candidates and put him on the ballot as the Democratic nominee, notwithstanding the will of the people as expressed for the high man and the second man.

My amendment does not require second elections or runoffs. The States can use high-man systems if they desire. The amendment I have proposed applies only to Federal officers; it does not apply to State officers. It requires that in Federal elections there shall be an election in primaries if it happens that one of the major parties is involved. I have provided that that does not have to take place if one has received less than 10 percent of the votes in previous elections. I would be willing to provide 20 percent. In some States that may apply to the Democratic Party or Republican Party. Certainly, the Republican Party may in the South get 10 percent, or even 20 or 25 percent. But certainly, insofar as the nomination is concerned, it means one of two persons is going to be selected.

It seems to the junior Senator from Louisiana, and I am sure it seems to others, that the election system should let the people speak for themselves in determining who the candidate shall be.

I believe the amendment I have offered has great merit, because it embodies the way 47 of the States have decided the election should take place. The argument that it is more democratic to select party nominees for the office of Senator or Representative by those who represent the Republican or Democratic Party is completely without reason.

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

Mr. LONG of Louisiana. I yield.

Mr. KEATING. Let me make one minor correction. In the State of New York, candidates for Representatives in the House are now selected in primaries. Candidates for the Senate are chosen at a convention, the delegates to which are elected. There is that distinction. I wanted to clear the record on that point.

The Senator has challenged my statement in which I said that I would vote for this amendment to the amendment, but would vote against the Long amendment, whether or not it had this amendment attached, as a lack—I know he did not mean it as such—of sincerity on my part in offering my amendment to his amendment. I consider that there is no inconsistency whatever in my position. I feel that the effort of the Senator from Louisiana to impose a primary system and to supplant the State legislatures in prescribing how a candidate shall be chosen is an invasion of the rights of the States to determine their own method of electing their public officials.

However, I would say that if that amendment is to be adopted, then really we should provide that every qualified person shall have the right to vote and that none shall be denied the right to vote because of discrimination on account of race, color, or previous condition of servitude.

I would vote for that language in a civil rights bill. I think it should be in the law of our land. But I recognize that there are other methods more orderly than this of incorporating such a provision in our law. I am offering it at this time only because, if we are to adopt the Long amendment, then certainly this simple amendment should be added to it.

Mr. JAVITS. Mr. President, I seek the floor only for one purpose, of attempting, as a matter of duty, to make it clear that the pending bill is not a civil rights measure. I think the Senator from New York and the Senator from Louisiana have made it clear that in the case of the Senator from Louisiana, he is seeking to make the primary system applicable to all States as long as primaries are going to be regulated by this proposed law. In the case of the Senator from New York, he says that if we are going to make primaries universal, they should be made so to the extent of including the right of everybody to vote in them.

I agree with the junior Senator from New York, and say that I shall vote for his amendment to the amendment, but shall vote against the Long amendment

even if the amendment to it should be adopted. I say that because some idea has gotten abroad that a civil rights bill is being attached to the pending bill. I do not believe anyone is looking at this bill as a civil rights bill, nor does anyone have any desire to introduce into this bill the Federal registrars proposal, which I as well as others advocate, to secure the right to vote, in view of the disclosure of the very deplorable conditions which have been set forth by the Civil Rights Commission.

Mr. President, what presents itself is one of the situations we meet in parliamentary experience. Mine is no greater or less than that of other Members, but legislative bodies have a handy way of dealing with this problem.

I will say to my friend from Missouri [Mr. HENNINGS] that I sympathize with him in his effort to have this amendment withdrawn—I, too, would hope to have it withdrawn—but it does not seem probable or even possible. However, I know that the Senate in its wisdom will dispose of this particular matter. I think it would be a great mistake to have the proposal touch a civil rights bill. I think it would be unfair. I think those opposed to civil rights legislation do not consider me a friend of their position, but I think very sincerely it would be unfair to have this civil rights matter touch this bill. I hope it will not happen.

Finally, on the issue of primaries, I will say to my friend from Louisiana, I have no particular preconception of whether a primary system is better than our system in New York. As a matter of fact, as the junior Senator from New York [Mr. KEATING] has pointed out, we do have primaries for Members of the House of Representatives and presidential electors within each congressional district. As a matter of fact, when I ran for office in 1956, at the convention candidates for the House were chosen by primaries in the congressional districts. They are survivors of a primary. Everybody knows what functions they will perform when they are elected. They might even qualify within the definition of the Senator's amendment, if our legislature chose to call such processes primaries.

Nevertheless, laying that point aside, I think what the Senator from Missouri is trying to do, because of varying State laws or the question of morality in parts of the country, due to the problem of contributions, is to have the Congress do its duty according to article I, section 4 of the Constitution, and to amend or alter regulations otherwise made by the States.

I respectfully submit to my colleagues that on the issue of universal primaries no such case has been made. Therefore, no matter how we may feel about States rights, we are responsible. Sixty percent of us in this body are lawyers. We do not want to go into an area where there has been no proof, no demonstrable case made, that the Federal Government should impose its power.

I can understand the logician's position in terms of what we passed, and now of what the Senator from Louisiana says we should add to it. That same logic extends, with the greatest sincerity, to my very distinguished and learned colleague from New York.

All of this leads me to two propositions. First, no case has been made with respect to Federal intervention in respect to ordering universal primaries. Secondly, I do not think it is to the interest of anybody—and it is certainly not to the interest of the country—to have this matter touch off the civil rights debate.

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

Mr. JAVITS. I yield.

Mr. PASTORE. Does the Senator not think a service would be done in regard to the clean elections bill if both amendments were withdrawn?

Mr. JAVITS. I said that earlier, before my dear friend, with whom I have had many spirited debates on this subject, came into the Chamber. I said exactly that. I think all of us have in a way agreed on that.

Mr. HOLLAND. Mr. President, I join the Senator from Missouri, the Senator from Rhode Island, and other Senators in expressing the hope that both of the proposed amendments will be withdrawn.

First, I should like to address myself for a moment to the position taken by my learned friends from New York, the gist of which is that theirs is not a civil rights amendment. We know perfectly well that this amendment is not addressed to the general elections because it is sought to be limited to the primaries. That means, of course, it is limited to the States in which the primaries are the elections.

I have not heard any expression of passion upon the part of my friends as to protecting the civil rights of even the lowliest single voter in their State in the general elections. It is rather evident that the Senators are adopting a procedure which is well known on the floor of the Senate, as well as in military life, which is that the best defense is a good offense. They have evidently taken over that position in offering the amendment.

Mr. KEATING. Mr. President, will my distinguished friend yield to me on that point?

Mr. HOLLAND. I am glad to yield.

Mr. KEATING. I think the Senator is entitled to an explanation as to why the amendment is limited to primaries. That is the limitation in the amendment of the Senator from Louisiana, to which this is an amendment. In other words, the amendment of the Senator from Louisiana relates only to primaries, and therefore this amendment also is so limited.

I would of course contend that the same rule should apply in general elections as in primaries, but the injection of the primaries into the picture was not the work of the Senator from New York, but was the work of the Senator from Louisiana, whose amendment is drawn only to that point.

In the light of what has been said here, I renew my complete willingness to withdraw my amendment provided the Senator from Louisiana is willing to withdraw his.

Mr. HOLLAND. Mr. President, if we are to take at face value the statement of my learned friend from New York—and I am sure we shall—it means that if his amendment is agreed to and is attached to the amendment as it relates to primaries, he will immediately offer an amendment, if he is to be logical, which will apply to general elections. I am sure the Senator is going to be logical, because the Senator from New York is always logical, and I compliment him upon that fact.

Mr. KEATING. Mr. President, will my friend yield on that point?

Mr. HOLLAND. I yield.

Mr. KEATING. I appreciate those fine compliments. They are what I would expect from the generous Senator from Florida. However, I think it would be very illogical at this point, as has been indicated, to go further into the civil rights field.

The junior Senator from New York never stated that this particular amendment did not relate to civil rights. It does relate to civil rights. I say that affirmatively. However, it is limited only to the confines of the amendment of the Senator from Louisiana. I shall not offer such an amendment in regard to the bill, nor do I think it would be appropriate in regard to this proposed legislation to deal with civil rights generally or civil rights in general elections.

So, logical or illogical, I shall not do that, much as I contend that the same rules which apply in primaries should apply in general elections.

I think the proper time to deal with the subject of general elections is on or about February 15, when we consider the bill dealing with civil rights.

Mr. HOLLAND. Mr. President, if I correctly understand, this bill does deal with general elections. The primary matter was injected on the floor. My learned friend must admit, I think, since he now states that the same degree of protection in the civil rights field should be allowed with reference to general elections as is allowed in the case of primary elections, if he is going to be logical at all that we must assume that if his amendment is agreed to and if the amendment of the Senator from Louisiana [Mr. LONG] as amended is agreed to, it would then be his very clear duty to offer the same amendment as applicable to the general elections.

Mr. KEATING. Mr. President, will my friend yield to me?

Mr. HOLLAND. I yield gladly.

Mr. KEATING. I appreciate the effort of my good friend and generous colleague to point out my duties in this regard. Advice from him is always welcome. He is sound. He is constructive. He is, I believe, my good friend, and I really sincerely appreciate his guidance. But I shall not offer an amendment relating to general elections. I do not consider I am violating my duty in that regard. I do not think that we should get into a general civil rights debate on this particular bill. I think it would be harmful to what the Senator from Missouri is seeking to accomplish, and what many of the rest of us are seeking to accomplish.

I think so long as we have before us the Long amendment we are more or less required to assure that all the

people have an equal opportunity to vote in the primaries he seeks to force on us all over the country.

Mr. HOLLAND. Mr. President, I appreciate the kind remarks of the Senator from New York. I think it becomes increasingly apparent that the Senator is following the tactic which is always permissible, that the best defense is a stern offense. I say that he is a good strategist and a good tactician.

Mr. PASTORE rose.

Mr. HOLLAND. Did the Senator from Rhode Island wish to have me yield?

Mr. PASTORE. I should like to ask a question of the distinguished Senator from New York, through the distinguished Senator from Florida, if I may.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be allowed to yield to the Senator from Rhode Island without losing my right to the floor, in order that the Senator may address a question to the Senator from New York, and that the Senator from New York may answer.

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

Mr. PASTORE. Do I correctly understand that in any case where we have the process of the primary, if in one instance an individual were to be denied the right to cast a ballot in the primary because of race, color, or previous condition of servitude, immediately the candidate himself would lose the nomination?

Mr. KEATING. In the event that such was determined by a Federal court, the candidate who was nominated would be held to have been invalidly nominated.

The question has been raised in the debate whether this body or the other body would have a further opportunity to pass on that question. I believe under the terms of the Constitution they would. If that person sought his seat again, we would vote on that in one of the bodies.

However, this amendment would apply to one person being denied the right to vote. If that is considered to be too stringent, I would be perfectly willing to accept any reasonable amendment which the Senator from Rhode Island would care to suggest. The number suggested in the report of the Civil Rights Commission, for some reason, was 9. I do not know why the Commission picked the number 9. Perhaps it should be 9, or 2, or 3, or some other number.

The wording here, in all candor, would apply if one person were found by the court to have been denied the right to vote on that ground.

Mr. PASTORE. I desire to make a further point.

Mr. HOLLAND. Mr. President, I yield further.

Mr. PASTORE. This is a negative way of approaching a very important subject. The Senator from Rhode Island wants it clearly understood that under ordinary circumstances he would be in favor of voting for civil rights, as the distinguished Senator from New York well knows.

Mr. KEATING. I am well aware of that, I will say to the Senator.

Mr. PASTORE. But I could not possibly in good conscience vote for an amendment such as this. First of all, it is unduly punitive as against an individual—a candidate—who exercises no discretion one way or the other, and who can be completely without fault.

Let us assume that we have a primary system in the State of New York, which of course we do not have, but which we do have in Rhode Island.

Mr. KEATING. We have some primaries in New York.

Mr. PASTORE. I know, but they are not held for the office of Senator.

Mr. KEATING. No.

Mr. PASTORE. Let us assume that the distinguished Senator has gotten together the proper number of qualified signatures and has become eligible as a candidate, and a well-qualified candidate in the primary. If some one individual in some precinct in New York is denied the right to vote because of his race, does the Senator think the candidate ought to lose the nomination because of that fact? That is what the amendment would provide.

Mr. KEATING. That is correct.

Mr. PASTORE. It seems to me in order to cure one little injustice we would be doing a tremendously greater injustice.

Mr. KEATING. As I have said, it may be the number should be enlarged. I debated whether we should use the figure of "nine" instead of "one," or some other figure. My conclusion was that the amendment would then be attacked on the theory that we were allowing a little discrimination but did not want any widespread discrimination. I do not stand for that principle.

However, if it would be helpful to the adoption of the amendment to change "any qualified person" to "two or more" or "five or more" or "nine or more," I would say that would have my approval.

Mr. PASTORE. That is not the objection I have. The objection is made to the principle, not to the number.

I think a man who is a candidate and who deports himself honorably and does not do anything to encourage the denial of the right to vote to an individual because of race, color, or previous condition of servitude should not be punished because such denial occurs.

I would be against the incident occurring at all, as the Senator well knows, but one thing which I do not like in regard to the amendment is that it might be characterized as being a frivolous one. I am not getting into the question of motives at all. I know how the Senator from New York feels about civil rights. When the Senator is ready to fight for civil rights he will have the Senator from Rhode Island standing by him shoulder to shoulder to fight for the same cause. But I do not think we should do anything which might label our cause as a frivolous one. I am afraid that is what this amendment would do.

Mr. KEATING. Mr. President, I know that the Senator from Rhode Island is a stanch supporter of meaningful civil rights legislation. My amendment is offered, and must be read, in conjunction with the amendment offered by the Senator from Louisiana [Mr. LONG], which seeks to impose primaries on every State of the Union. If we are to have them, it is my conviction that everyone qualified should have the right to vote, and not be denied the right to vote because of race, color, or previous condition of servitude.

Mr. HOLLAND. Mr. President, is the Senator from New York through making his response?

Mr. KEATING. I am through.

Mr. HOLLAND. Mr. President, the Senator from Rhode Island has entered upon a subject which I was about to discuss briefly, but I thank him for having started so well to discuss it. I wish to go a little further into it.

There are several lawyers in this body who have had experience in election contest cases. I know a little about them myself.

I know that one of the fundamental rules in election contest cases is that one must show that a sufficient number of persons were deprived of the right to vote to have changed the result of the election. Furthermore, in my State, one must show that if they had not been deprived of the right to vote, they would have voted in a way which would have changed the result of the election. I think that is rather fundamental law, generally accepted all over the Nation, because it would be extremely idle for a court to go into an election contest in which the contest was over such a handful of votes that it could not possibly have changed the result of the election.

Let us go to the State of New York, for example, which has primaries in connection with elections to the House of Representatives. Under the terms of the pending amendment, if it should become law, a candidate in the Republican primary in a certain congressional district who had a majority of 30,000 over his opponent could be eliminated by the disqualification of 1 voter, as found by the court, regardless of whether that voter would have voted for the candidate who won or for the candidate who lost. On the very face of it, that situation shows how completely unsound, from any practical legal standpoint, this amendment would be.

I do not believe that we need to blame anyone for that fact, but I think we can all see that this amendment is based upon the understandable desire of our friend the Senator from New York, who was nominated without benefit of primary, to offer a sterling defense to the amendment of the Senator from Louisiana by offering a good offense against it—whether sound or not, a good sturdy offense against it.

I hope the amendment of the distinguished Senator from New York will not be favorably received, because on the very face of it, if adopted, it would put the Senate in a rather ridiculous position, in view of the established law in connection with election contests, and in view of the absence of any requirement in the amendment that a sufficient

number of persons must have been disqualified to have changed the result of the election, and that if they had been allowed to vote they would have voted in such a way as to have actually changed the result.

I do not expect to speak again on this question. I wish to make it clear that although I greatly sympathize with the Senator from Louisiana in offering his amendment because I feel, as he does, that it was very unwise to bring primaries into the bill, and I shall vote against the bill because that amendment has been brought in, I think he would be asking those of us who have very sturdily opposed the inclusion of primaries and the inclusion of Federal control over State and county political committees to reverse ourselves and run at high speed in the opposite direction by taking the position that we would force States which, in their own judgment, in part or in whole—in the case of New York it has been only in part—have not adopted the primary system, to adopt such a system.

I soberly and seriously request both Senators to withdraw these amendments, so that we may get on with the vote on the bill. Let me make it very clear that I shall not vote for the bill with the provision now engrafted upon it on the floor of the Senate, after a committee headed by the distinguished Senator from Missouri [Mr. HENNINGS] had decided otherwise in committee, and after the bill had been reported as applicable to general elections alone. Because of the forensic eloquence of the Senator from Missouri, and for other reasons beyond my comprehension, the committee has reversed itself and the Senate has reversed the committee. All I can say, in the most friendly way, is that the Senator from Missouri has proved to be a vastly more powerful leader on the floor of the Senate than he was able to be in his committee, because his committee did not make this particular elections bill applicable to primaries.

Mr. KEATING. Mr. President, will the Senator yield for the purpose of allowing me to defend the Senator from Missouri?

Mr. HOLLAND. I yield.

Mr. KEATING. The vote in the committee, I point out, was 5 to 4. So the vote in the committee was very close. Personally I am delighted that the Senate agreed with the 4 rather than with the 5. But the vote in the committee was by no means one-sided.

Mr. HOLLAND. I understand that the Senator barely lost in his committee, by a vote of 5 to 4, and that on the floor of the Senate he prevailed by a vote of 50 to 39.

The point I am making is still the same. The Senator from Missouri has been very much more effective on the floor of the Senate than he was in the committee. I bow to his effectiveness, eloquence, and persuasiveness, and to his ability to get done the job of inclusion of the primary amendments on the floor of the Senate, though I very seriously question the wisdom of that course, not only with reference to the philosophy of including the primary elections, but also with reference to the opportunity to obtain beneficial legislation which is needed.

I am one of those who believe that we must modernize the Corrupt Practices Act, and make it realistic, and that it is in the interest of all the public that that be done. I believe all of us can now see how hopeless it is to expect the House to take up and pass a bill with primaries included.

Mr. President, I yield the floor.

Mr. HENNINGS. Mr. President, first I wish to express my appreciation on behalf of those who are especially interested in this proposed legislation. Some of us have been at this task for 7 long years.

I would be the first to disclaim that the result of the vote in connection with the primary amendment was due to any superior ability of my own, or any forensic attributes.

As the Senator from Florida has well indicated, we lawyers have a phrase in the trial of cases which applies to arguments. As we know, argument before a jury must be predicated only upon the evidence. However, if counsel on one side or the other goes beyond the evidence, in many States and many jurisdictions the courts have held that retaliatory argument is permissible, even though it goes beyond the bounds of the evidence, and may even be improper argument.

I do not wish in any respect to condemn anyone. I think it would be flagellating a dead horse to say that I am for civil rights. I happen to have been chairman of the subcommittee which held hearings for 3 months last year. I am now chairman of a committee which is holding hearings in connection with Federal registrar legislation.

The statement may be made that a vote for or against this amendment is a vote for or against civil rights. Of course, it has no bearing upon civil rights legislation. In my judgment, with all due respect, and with kindness and appreciation to my friends from New York, it has no bearing upon the essential purposes of this legislation, and, indeed, might tend to jeopardize its effectiveness and its ultimate enactment by the House of Representatives.

I am not especially sanguine about what the House may do, nor am I discouraged. I have read many editorials and pronouncements by learned soothsayers and clairvoyants, to the effect that the primary amendment, the amendment relating to the requirement that all committees in a State must report what they receive and spend, and the amendment relating to individual contributions, were all doomed to failure and defeat. I do not hold that view. I believe that the people of the country, through this legislation, will have an increased sense of reliance upon the integrity and the wisdom of this body.

I believe that the votes taken in the Senate were not the result, as the Senator from Florida has very graciously suggested, of any ability or talent which I have, and which I often feel I indeed lack. I believe that the Senate reflected the will of the country.

There has been a great deal of labor in connection with this bill, and in connection with successive bills which I have undertaken to present, and which have been reported to the Senate, in 1955, 1957, and again in 1959.

As we stand on this floor, we are being judged by the country and by our people, as to the extent to which we want to do the right thing, and the extent to which we are willing to regulate ourselves—indeed, the extent to which we are willing to have the spotlight of merciless publicity shine with respect to what goes on behind the scenes.

Let me say, parenthetically, that it is my conviction that one of the reasons why only 60 percent of the American people entitled to vote in the country do vote is that they feel that politics is a dirty business, that it is none of their business, and that the big boys in the backroom handle the money bags and control the nominations and, indeed, the elections.

Many a voter has said to me—and I daresay has said to other Members of this body as well—"What is the use of my voting? My vote does not count for anything." I believe that passing the pending bill will send word to the people of the country that their votes will count for something and that their modest contributions will mean something.

There are those who contribute large amounts of money. Money in itself is not an evil thing, but money controlled in secret by subterranean methods and by devious means, which are resorted to by many candidates who would like to be honest, must be dealt with, so that the American people will be encouraged to a fuller and more complete participation in our great system of Government by the people, and so that we may continue to live under a republican form of government as expressed by the will of the people.

We have heard it said often in the Senate, "Why do we not stand up and be counted on these matters," and thereby not give anyone an opportunity to say, "Oh, well, I did not vote for the clean, full-disclosure elections bill because I did not like this amendment or that amendment, which had something to do with civil rights or caucuses or conventions."

There are many escape hatches in these matters. It has been asked why we keep these means of egress available to those who would for one reason or another not like to face up to these questions. I do not indicate any lack of sincerity on their part or any lack of integrity on the part of those who believe we should revert to the essence of the Corrupt Practices Act of 1925, except that we should raise the limitations on expenditures to more realistic figures.

At a time when America occupies a position of great importance in the world and in the preservation of free institutions, indeed a position of primacy in the free world, as Mr. Churchill once said in one of his great addresses, "With primacy goes responsibility."

Therefore, Mr. President, I hope that the Senate will assume its responsibility

and speak upon these issues in a clear and unmistakable voice, so the country may know that the Senate has done its duty as it sees it. I am not disturbed by discussions about whether the House will vote for the primary provision of the pending bill, any more than I am disturbed—as many have been disturbed—by the many Cassandras and prophets of disaster, who have said this cannot possibly work, or that cannot possibly happen, or cannot be done.

Mr. President, it can be done. I believe that by the grace of the people of America and the Senate and the House, acting in the fullest measure in their capacity as the elected representatives of the people, it will be done. I know of no reason that we should not face up to this problem, and I hope the Senate will reject the amendments and come forth with a bill which embodies those things upon which the Senate has come to agreement, and not be diverted day after day by motions which, in my opinion, after many years of work and study of election contests do not relate to the business at hand. I say that after having been on the subcommittee for 6 years and chairman of it for 3 years, and having had great experience with the subject matter of the bill.

Mr. President, here we are with an opportunity to do something. I hope we will not be profligate and destroy the opportunity by beclouding the issue and cluttering up the bill, and thereby possibly leading to its ultimate defeat because a number of Senators for the first time have presented certain amendments. It would be a great tragedy if that were to happen, and a great reflection upon the Senate.

The other matters will be dealt with properly at another time by the Senate, and dealt with under the proper legislative scheduling.

I have nothing further to say about the amendments, except to express the hope that we may proceed to a conclusion of the consideration of the proposed legislation and keep it intact, insofar as we can, as an elections reporting and elections limitation measure.

VISIT TO THE SENATE BY THE AMBASSADOR OF VENEZUELA AND MEMBERS OF THE CHAMBER OF DEPUTIES OF VENEZUELA

Mr. MORSE. Mr. President, a number of us who are members of the Senate Subcommittee on Latin-American Affairs had the privilege and pleasure of visiting our sister Republic of Venezuela during the period of the congressional adjournment. We had the opportunity to visit the Parliament of Venezuela and the pleasure of lunching with the President of Venezuela and his Cabinet. We came away from Venezuela convinced that we ought to increase parliamentary exchanges between the Congress of the United States and the parliaments of Latin America.

Today we are honored to have as our guests on the floor of the Senate men who have the privileges of the floor under our parliamentary procedure. First, I wish to introduce a man known to us, the distinguished Ambassador from Venezuela, who is a very able representative of his country, the Honorable Dr. Marcus Falcon-Briceno. [Applause, Senators rising.]

We also have with us three Members of the Chamber of Deputies of the Venezuelan Parliament. We have with us the whip of the Chamber of Deputies. Under their procedure he is known as the Republican Democratic whip of the Venezuelan House, Dr. Juan B. Moretti. [Applause, Senators rising.]

We also have with us another Member of the Chamber of Deputies, Dr. Hens Silva Torres, Republican Democratic Union Member of the Chamber of Deputies of Venezuela. [Applause, Senators rising.]

We also have with us a great educator and author in the field of labor relations, Dr. Aristides Calvani, Social Christian Party Member of the Chamber of Deputies of Venezuela.

[Applause, Senators rising.]

Mr. MORSE. I should like to say that I am particularly honored and privileged to be able to introduce these three members of the House of Deputies of Venezuela because they are all professors, as well as politicians. This shows that "eggheads" have their place in Venezuela as well as in the United States. I am particularly honored to be able to invite these three great educators from Venezuela to the Senate, both in their capacities as members of the Chamber of Deputies of Venezuela and in their capacities as great teachers.

Mr. DIRKSEN. Mr. President, we certainly concur in the felicitous sentiments expressed by the distinguished Senator from Oregon, and we join in extending the hand of welcome and fellowship to this distinguished delegation from our sister Republic in Latin America.

The more often these exchanges take place, the more frequently we put into effect the people-to-people relations, and the greater the understanding between our countries.

Venezuela means much to the United States, and the United States means much to Venezuela. The exchanges of products and commodities in which they are interested and in which we are interested mean, of course, that there ought to be closer ties and closer associations. So I join my distinguished friend from Oregon in extending the hand of welcome to this distinguished delegation.

Mr. AIKEN. Mr. President, I join with the Senator from Oregon and the Senator from Illinois in welcoming our guests from Venezuela to the Senate Chamber. It was my privilege in November to be a guest of our Venezuelan friends in their own country. During my visit my admiration for the people of Venezuela, the officials of the Venezuelan Government, and for the way they do business, was greatly enhanced.

It has been said that the three visitors from Venezuela today are all professors and are also Members of the Chamber of Deputies. I learned in Venezuela that not only the Members of the Chamber of Deputies, but members of the Cabinet, as well, teach classes in the university. I think it might perhaps be a good idea to apply that rule to the Members of the Senate. But I warn Senators that the classes in the university start at 7 o'clock in the morning. I am not certain how many volunteers we would get among our own Members to rise and start teaching at 7 o'clock in the morning, and then, after the classes were finished, to do the work of the Senate.

We certainly are very glad to have our friends from Venezuela visit us. As the Senator from Illinois has said, it is only through the exchanges of visits and getting acquainted with one another that we can understand and solve our problems satisfactorily. I hope the visit by our friends from Venezuela will be the first of many such visits which they and legislators from other countries will make to us in the United States.

FEDERAL ELECTIONS ACT OF 1959

The Senate resumed the consideration of the bill (S. 2436) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

Mr. KEATING. Mr. President, I am considerably impressed by the argument advanced by the distinguished Senator from Rhode Island [Mr. PASTORE] about the stringent nature of the pending amendment. As I explained in answer to his inquiry, it was debatable in my mind whether the nomination of a candidate should be invalidated by a finding of a Federal court that a qualified person had been denied the right to register or to vote in a primary because of race, color, or previous condition of servitude.

I concluded at the time that the charge might well be leveled that the amendment permitted a certain amount of discrimination, and provided that a few persons could be denied the right to vote on this ground, but not very many. I felt that that was permitting a small amount of discrimination and could be criticized as indicating a lack of conformity with the principles for which the author of the amendment has always stood.

The discussion, however, has convinced me that it would add to the merit of the amendment, and would probably result in support of it by a larger number of Senators if the words in the fourth line of the amendment were changed from the present words, "that any otherwise qualified person was denied the right," to "that otherwise qualified persons have been systematically denied the right," and I so modify my amendment.

I send the amendment to the desk as a modification of the previous amendment.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. Mr. KEATING further modifies his amendment to read as follows:

And provided further, That no candidate's nomination in a primary election shall be

valid if it shall be determined by a Federal court of competent jurisdiction that otherwise qualified persons have been systematically denied the right to register or vote in the primary on account of race, color, or previous condition of servitude.

Mr. KEATING. Mr. President, I refer the Senate to the report of the Civil Rights Commission, which indicates many areas where there has been such a systematic denial of the right to register or vote. Under my modification the nomination of any person will not be held invalid unless there is systematic discrimination within the State affected. So far as I am concerned, I am ready to vote on the amendment to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from New York to the amendment of the Senator from Louisiana [Mr. LONG].

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The question is on agreeing to the amendment of the Senator from New York [Mr. KEATING] to the amendment of the Senator from Louisiana [Mr. LONG]. [Putting the question.]

Mr. DIRKSEN. Mr. President, I think the distinguished Senator from New York [Mr. KEATING] would like to have a division on this amendment.

I ask for a division.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG].

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

Mr. JAVITS. Mr. President, reserving the right to object, I do not see the minority leader [Mr. DIRKSEN]. Does the majority whip [Mr. MANSFIELD] know whether it is agreeable to the minority leader to withdraw the call for a quorum?

Mr. MANSFIELD. I do not know, but I imagine it would be, because it was agreeable to him on the last amendment, and I imagine it would be on this, too. I have had no word that he would object.

Mr. JAVITS. May we continue for about 30 seconds?

The PRESIDING OFFICER. The Chair will state that debate is not in order during a quorum call.

Mr. JAVITS. Will the clerk be kind enough to continue?

The PRESIDING OFFICER. The clerk will proceed with the call of the roll.

The call of the roll was resumed.

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

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

The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. YARBOROUGH. Mr. President, I call up my amendment, which is printed and identified as "1-20-60—A."

First I modify my amendment, on page 1, line 4, by inserting the word "second" after the word "no"; striking out the word "reports" and inserting in lieu thereof the word "report"; and inserting the word "on" after the word "report"; and, in line 7, by striking out the word "reports" and inserting in lieu thereof the word "report"; and by striking out the word "for" and inserting in lieu thereof the word "before."

I ask that the clerk read the amendment as modified.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas, as modified, will be read.

The LEGISLATIVE CLERK. It is proposed, on page 8, line 20, after the word "date" to insert a semicolon and the following: "except that where a candidate in order to qualify for the general election must run in two successive primaries in one party no second report on the first primary will be required for those candidates participating in the second primary if reports filed for the second primary are cumulative and supplementary of the report filed before the first primary".

Mr. HENNINGS. Mr. President, will the Senator from Texas yield for a question?

Mr. YARBOROUGH. I yield to the Senator from Missouri.

Mr. HENNINGS. In order to undertake to try to clarify just what the able Senator from Texas has in mind, I should like to inquire whether he has accepted the suggestion that, in line 4, there be no requirement for a second report on the first primary. Is that the effect of the modification made by the interlineation?

Mr. YARBOROUGH. Yes. The suggestion of the senior Senator from Missouri has been accepted, and the proposed amendment, as read by the clerk, has been accepted by me as a sponsor of the amendment, and that is the form in which the amendment is now offered.

Mr. HENNINGS. That was my understanding. I thank the Senator.

Do I correctly understand that the Senator's amendment refers to a situation where the State provides for a runoff primary and where the second primary takes place on the 43d day after the first primary or within a shorter period of time?

Mr. YARBOROUGH. Yes. The purpose of this amendment is to cover those States which have two primaries and where less than 40 days elapse between the first primary and the second primary. I believe that is the situation in every State in the American Union which has a second primary.

Under the bill which is now pending before the Senate there is a provision requiring the accurate reporting of expenditures, which in the case of the first primary must be filed 40 days afterward.

Mr. HENNINGS. That is correct.

Mr. YARBOROUGH. In case there is a second primary, the provision requires that the report be complete as of the 10th day next preceding the date of the election and as of the 40th day following such election. So under the bill as drawn, without the amendment, there would be a conflict. There would be a period of time which would be covered by three different reports. The candidate filing the reports, and those who contributed for him, would be in peril as to the report which carried the contributions.

The purpose of the amendment is to remove the conflict and the hiatus, and not to require a final report covering the same period of time for both the first primary and the second primary.

Mr. HENNINGS. I should like to ask the Senator one or two other questions.

Is it the sole purpose of the amendment to drop, under the circumstances, the report due on the 40th day after the first primary, when a second primary is held?

Mr. YARBOROUGH. Yes.

Mr. HENNINGS. And the amendment does not otherwise affect any reporting dates fixed by the bill?

Mr. YARBOROUGH. That is the purpose of it. It would not otherwise affect the requirements of the main bill, but it would drop the requirement for the report after the first primary, because no State in the American Union has a second primary which is not as close as 40 days to the first primary.

Mr. HENNINGS. Precisely. With the Senator's indulgence, Mr. President, I believe the junior Senator from Texas has made a very meritorious suggestion. I think it would improve the reporting provisions of the bill, as to the States in which there are two primaries. It would indeed seem to be a hardship on a successful candidate of a first primary to file an overlapping report, in effect, on a runoff primary. Am I correct in that statement?

Mr. YARBOROUGH. That is correct.

Mr. HENNINGS. By this change, Mr. President, the disclosure provisions of the bill will be only enhanced and improved upon, because the data will thereafter appear in a consolidated form.

Therefore, Mr. President, I for one shall vote for the amendment of the Senator from Texas, and I ask other Senators to do likewise.

Mr. CASE of South Dakota. Mr. President, will the Senator permit me to ask a question?

Mr. YARBOROUGH. I yield.

Mr. CASE of South Dakota. What would be the situation where the runoff is settled in a convention?

Mr. YARBOROUGH. This amendment does not apply to conventions. This amendment applies to States which have two primaries.

Mr. CASE of South Dakota. I understand that is true of this amendment, but since the primary amendment relates to either primaries or conventions the reporting requirements apply to either one.

Mr. YARBOROUGH. It is my understanding that the reporting requirements apply to the conventions as well as to the primaries.

Mr. CASE of South Dakota. We have the same problem with respect to the time element for the convention, when the runoff is taken care of by the convention. I raise the question to make the suggestion to the able Senator from Missouri that the staff might give study to the matter, and, if some modification needs to be worked, when the bill goes to conference with the other House some language can be developed to fit the situation.

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

Mr. YARBOROUGH. I yield.

Mr. HENNINGS. I thank the able Senator from South Dakota for his observation. I am sure that will be done.

This would not apply at present to caucuses or conventions. I think that matter bears study.

Mr. CASE of South Dakota. A similar problem could arise.

Mr. HENNINGS. The problem could arise.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Missouri for his acceptance of the amendment. With such a thorough understanding of the amendment it was natural the Senator would accept it.

By removing the requirement for conflicting reporting we will clarify the bill, and make it more workable, I believe.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. YARBOROUGH], as modified.

The amendment, as modified, was agreed to.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a list of the States which have the first and second primaries, the runoff primaries, since that list will clarify the discussion of the amendment.

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

PRESIDENTIAL AND CONGRESSIONAL PRIMARIES BY STATES

Alabama: May 3; runoff, May 29.
Florida: May 3; runoff, May 24.
Idaho: June 7; runoff, June 28.
Louisiana: August 27; runoff, October 1.
Mississippi: August 23; runoff, September 13.
North Carolina: May 28; runoff, June 25.
Oklahoma: July 5; runoff, July 26.
South Carolina: June 14; runoff, June 28.
Texas: May 7; runoff, June 4.
Virginia: July 12; runoff, August 16.

Mr. KEFAUVER. Mr. President, I call up my amendments 1-13-60—F and ask unanimous consent that the amendments be printed in the RECORD, rather than read.

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

Mr. KEFAUVER's amendments are as follows:

On page 2, in the table of contents, after "SEC. 304. Publication or distribution of election materials"

insert the following:

"TITLE IV—INCOME TAX CREDIT OR DEDUCTION FOR POLITICAL CONTRIBUTIONS

"SEC. 401. Income Tax Credit.

"SEC. 402. Income Tax Deduction."

On page 2, in the table of contents, retitle "Title IV" as "Title V"; renumber "Sec. 401" to "Sec. 501" and amend it to read:

"SEC. 501. Effective dates of titles I–III";

and add a new section 502 to the table of contents, as follows:

"SEC. 502. Effective date of title IV."

On page 19, between lines 7 and 8 insert the following:

"TITLE IV—INCOME TAX CREDIT OR DEDUCTION FOR POLITICAL CONTRIBUTIONS

"Income tax credit

"SEC. 401. (a) Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by renumbering section 38 as 39, and by inserting after section 37 the following new section:

"'SEC. 38. Contribution to Candidates for Elective Federal Office.

"'(a) GENERAL RULE.—There shall be allowed to an individual, as a credit against the tax imposed by this chapter for the taxable year, an amount equal to one-half of the political contributions (as defined in subsection (c)) payment of which is made by such individual within the taxable year.

"'(b) LIMITATIONS.—

"'(1) AMOUNT.—The credit allowed by subsection (a) shall not exceed $10 for any taxable year.

"'(2) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by this chapter for the taxable year reduced by the sum of the credits allowable under section 33 (relating to foreign tax credit), section 34 (relating to credit for dividends received by individuals), section 35 (relating to partially tax exempt interest), and section 37 (relating to retirement income).

"'(3) VERIFICATION.—The credit allowed by subsection (a) shall be allowed, with respect to any political contribution, only if such political contribution is verified in such manner as the Secretary or his delegate shall prescribe by regulations.

"'(c) DEFINITION OF POLITICAL CONTRIBUTION.—For purposes of this section, the term "political contribution" means a contribution or gift to—

"'(1) an individual whose name is presented for election as President of the United States, Vice President of the United States, an elector for President or Vice President of the United States, a Member of the Senate, or a Member of the House of Representatives (including a Delegate to the House of Representatives) in a general or special election, in a primary election, or in a convention of a political party, for use by such individual to further his candidacy for any such office; or

"'(2) a committee acting in behalf of an individual or individuals described in paragraph (1), for use by such committee to further the candidacy of such individual or individuals.

"'(d) ELECTION TO TAKE DEDUCTION IN LIEU OF CREDIT.—This section shall not apply in the case of any taxpayer who, for the taxable year, elects to take the deduction provided by section 217 (relating to deduction for contributions to candidates for elective Federal office). Such election shall be made in such manner and at such time as the Secretary or his delegate shall prescribe by regulations.

"'(e) CROSS REFERENCE.—

"'For disallowance of credit to estates and trust, see section 642(a)(4).'

"(b) The table of sections to part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by striking out

"'SEC. 38. Overpayments of tax.'

and inserting in lieu thereof

"'SEC. 38. Contributions to candidates for elective Federal office.

"'SEC. 39. Overpayments of tax.'

"(c) Section 642(a) of the Internal Revenue Code of 1954 (relating to credits against tax for estates and trusts) is amended by adding at the end thereof a new paragraph as follows:

"'(4) POLITICAL CONTRIBUTIONS.—An estate or trust shall not be allowed the credit against tax for political contributions to candidates for elective Federal office provided by section 38.'

"Income tax deduction

"SEC. 402. (a) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 217 as 218, and by inserting after section 216 the following new section:

"'SEC. 217. Contributions to candidates for elective Federal office.

"'(a) ALLOWANCE OF DEDUCTION.—In the case of an individual, there shall be allowed as a deduction any political contribution (as defined in subsection (c)) payment of which is made by such individual within the taxable year.

"'(b) LIMITATIONS.—

"'(1) AMOUNT.—The deduction under subsection (a) shall not exceed $100 for any taxable year.

"'(2) VERIFICATION.—The deduction under subsection (a) shall be allowed, with respect to any political contribution, only if such political contribution is verified in such manner as the Secretary or his delegate shall prescribe by regulations.

"'(c) DEFINITION OF POLITICAL CONTRIBUTION.—For purposes of this section, the term "political contribution" means a contribution or gift to—

"'(1) an individual whose name is presented for election as President of the United States, Vice President of the United States, an elector for President or Vice President of the United States, a Member of the Senate, or a Member of the House of Representatives (including a Delegate to the House of Representatives) in a general or special election, in a primary election, or in a convention of a political party, for use by such individual to further his candidacy for any such office; or

"'(2) a committee acting in behalf of an individual or individuals described in paragraph (1), for use by such committee to further the candidacy of such individual or individuals.

"'(d) ELECTION TO TAKE CREDIT IN LIEU OF DEDUCTION.—This section shall not apply in the case of any taxpayer who, for the taxable year, elects to take the credit against tax provided by section 38 (relating to credit against tax for contributions to candidates for elective Federal office). Such election shall be made in such manner and at such time as the Secretary or his delegate shall prescribe by regulations.

"'CROSS REFERENCE.—

"For disallowance of deduction to estates and trusts, see section 642(i).'

"(b) The table of sections to part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by striking out

"'Sec. 217. Cross references.'

and inserting in lieu thereof

"'Sec. 217. Contributions to candidates for elective Federal office.

"'Sec. 218. Cross references.'

"(c) Section 642 of the Internal Revenue Code of 1954 (relating to special rules for credits and deductions for estates and trusts) is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) a new subsection as follows:

"'(i) POLITICAL CONTRIBUTIONS.—An estate or trust shall not be allowed the deduction for contributions to candidates for elective Federal office provided by section 217.'"

On page 19, line 8, renumber title IV as title V.

On page 19, line 10, renumber section 401 as section 501.

On page 19, after line 15, add the following new section 502:

"SEC. 502. The amendments made by title IV shall apply only to taxable years ending on or after the date of the enactment of this Act, but only with respect to contributions or gifts made on or after such date."

Mr. KEFAUVER. Mr. President, the distinguished Senator from Pennsylvania [Mr. CLARK] and the distinguished Senator from Oregon [Mr. NEUBERGER] have similar amendments pending, with the same purpose in mind as the amendments which I have called up. The Senators have stated to me that they will not call up their amendments, but that they join in support of and in cosponsorship of the amendments now before the Senate. I thank the Senators for their consideration, for their help, and for their support of the amendments.

Mr. President, these amendments would add a new title and would amend the Internal Revenue Code to provide for an income-tax credit of up to $10 or an income-tax deduction of up to $100 for contributions to political campaigns.

This provision is not new. It is identical with title IV of S. 2150 of the 85th Congress, which was favorably reported by the Committee on Rules and Administration, but which, unfortunately, was permitted to die on the Senate Calendar. I do not know whether the income-tax provisions were omitted from S. 2436, as reported, through oversight or design, but I believe they constitute one of the most valuable features which has been suggested in connection with improving our election laws.

Of course, the basic purpose of my amendments is to encourage small contributions to political campaigns and to discourage reliance upon large contributions. If adopted, they will greatly broaden the base of financial support for persons seeking Federal office. Naturally, this would increase the interest of the people in Federal elections.

Although the amendments look rather complicated, they are, in fact, rather simple in basic structure: Every taxpayer will be given a choice of a tax credit of not more than $10 or a tax deduction of not more than $100, but not both. To get the maximum tax credit of $10, contributions of at least $20 would have to be made, as the credit is given for only one-half the amount of contributions; this feature would appeal to the smaller contributors and especially to those in the lower tax bracket. Larger contributors, and especially those in higher brackets, would probably elect the $100 deduction, rather than the credit. However, both alternatives are designed to increase the numbers of those contributing to political campaigns and to reduce the necessary present reliance of candidates upon "big money" contributors.

The effect of this amendment would be that the Federal Government would pay part of the cost of campaigns—I stress the phrase "part of." This provision does not go as far as some would like in having the Government underwrite our Federal election costs. It does go part way. If incorporated in the bill, it will make our democracy more democratic and our federally elected officials less dependent on a relative handful of big contributors.

Mr. President, there are two matters concerning the amendment which I wish to reemphasize. First, only one credit or one deduction in any taxable year will be allowed. If Taxpayer Smith contributed to a Presidential or congressional campaign he could get only one credit of $10 or one deduction of $100. He could not make a contribution to a number of campaigns and get a separate credit for each one of them.

The second point is that this proposal is applicable only as set forth in the "definition of a political contribution," namely to—

> An individual whose name is presented for election as President of the United States, Vice President of the United States, an elector for President or Vice President of the United States, a Member of the Senate, or a Member of the House of Representatives (including a Delegate to the House of Representatives).

This does not apply, it will thus be seen, to campaigns for State or local office.

Frequently we hear reports with respect to large contributions, and the necessity for a greater interest in elections and campaigns, through a system which would make it possible for people of small means to make small contributions. This plan is being tried now—and I believe successfully—in the States of Minnesota and California, where deductions are allowed.

I have been asked several questions as to what the cost might be to the Treasury if this amendment were adopted. Frankly, I will say that it is quite impossible to estimate the cost, with any degree of accuracy. I do not know how many contributors there would be to national election campaigns for President, Vice President, the Senate, and the House of Representatives. I suppose a figure of 2 million contributors might be high. If we assume 2 million contributors, all of whom contribute at least $20, and all of whom elect to take a $10 tax credit, that would amount to $20 million. If many of the contributors were in the higher tax brackets, and if they elected to take a deduction of $100, that would mean that they would be getting a reduction of, say, $50 in their income tax—depending of course on many variables in their tax bill. In any event, I believe that the money spent would be very much worth while from the standpoint of cleaner elections and a greater interest in elections.

Many years ago Theodore Roosevelt advocated that the Federal Government take care of most of the cost of elections. Other students of politics and government have made similar recommendations. This proposal is only a small step forward, but I think it would be very helpful in broadening the base of contributions, and in relieving candidates from the necessity of being forced to rely so heavily upon very large contributions.

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

Mr. KEFAUVER. I am very happy to yield to my distinguished colleague.

Mr. HENNINGS. I am very much in sympathy with the philosophy and general principles which the able and distinguished Senator from Tennessee has embodied in his amendment.

The Senator will remember, of course, that the provision granting tax deductions for political contributions was a part of the bill which I introduced, and which was reported to the Senate in 1957.

Mr. KEFAUVER. As I stated a little while ago, my amendment is a verbatim restatement of the Senator's proposal.

Mr. HENNINGS. The reason why I left it out, or did not undertake to offer the provision as an amendment to be incorporated in the pending bill, was, among other things, that there had been some question about whether such a provision should originate in the Senate, or whether it must originate in the House, it being a matter relating to the revenue. But I believe that the Senator's amendment would be a step in the right direction.

Although the general subject matter may require further study, we all know that at present a relatively small percentage of our total population contributes to political campaigns. Certainly it would be very desirable to broaden the base of political financing, and let smaller contributions take the place of large amounts contributed by a relatively few people.

I think we must hopefully look forward to the time when financing campaigns will be a part of the important business of every citizen.

Mr. KEFAUVER. Mr. President, I appreciate the remarks of the distinguished Senator from Missouri, who has made such an outstanding record of achievement in guiding this bill through the legislative process. I hope that, in line with his thinking with respect to the tax provision, he will accept my amendment.

As to the constitutionality, or the question whether this proposal involves the raising of revenue and should originate in the House of Representatives, the distinguished Senator from Oregon [Mr. NEUBERGER] has a lengthy brief on that question, a copy of which I have seen.

Mr. HENNINGS. I would not raise that question at this time. We are now down to the final amendment. I am not acting in any spirit of haste, or of suggesting any lack of consideration. I believe that the Senator's amendment might properly go to conference, and there be disposed of. I ask that that action be taken.

Mr. BYRD of Virginia. Mr. President——

Mr. HENNINGS. Mr. President, the distinguished Senator from Virginia has some observations in this connection.

Mr. BYRD of Virginia. Mr. President, I point out that this amendment has not received consideration by any committee. I was informed on the floor the other day by the chairman of the committee, the Senator from Missouri [Mr. HENNINGS], that it had not been brought up in the committee, and had not received the consideration of the committee.

Nor has it received the consideration of the Committee on Finance. The rules of the House specifically provide that revenue amendments may be offered only to revenue bills. That is the policy which has been followed in the Senate.

There is no estimate of loss of revenue. The Treasury has not been consulted with respect to this proposal. I can see some merit in an amendment of this character, but I do not believe that we should now enact a new deduction which might apply to 2 million, 3 million, 5 million, or 10 million people. No one knows to how many people it would apply. The loss might be far greater than the Senator from Tennessee has suggested.

Two methods of making deductions are provided. One is a credit of $10; or second, in lieu of that credit, a deduction of $100. If the taxpayer should be in the 50-percent bracket, that would mean a savings of $50.

I believe that the amendment is loosely drawn as to the various committees which could receive this fund, and the deduction allowed the donor. The language on page 6, line 13, is:

> (2) a committee acting in behalf of an individual or individuals described in paragraph (1), for use by such committee to further the candidacy of such individual or individuals.

There are hundreds of political committees. There are committees in the precincts, in the counties, in the cities, and in the States. In addition, there are national committees.

I submit that the clause relating to where the contributions can be made, and the provision relating to tax deductions, are very loosely drawn and could be greatly abused.

Let me say to the Senator from Tennessee that the Senate Committee on Finance would be glad to give full consideration to this proposal, should it be taken up in an orderly way, namely, by amending a revenue bill which had already passed the House, but I shall have to protest against the adoption of this amendment now, even though the chairman of the committee is willing to take it to conference.

I hope very much that the amendment will be defeated.

Mr. ROBERTSON. Mr. President, I wish to emphasize what my senior colleague from Virginia has said about a tax amendment on any bill originating in the Senate. It was my privilege to serve for 10 years on the House Ways and Means Committee, and I believe I know pretty well the attitude of that committee about any tax provision coming from the Senate. If it is a straight tax bill, it will not even be taken from the Speaker's desk. If the proposal is a part of some other bill, it is referred to the tax committee, where either it is eliminated or the bill is not considered at all.

The Constitution gives to the House the exclusive right to originate tax legislation, and the House is very jealous in preserving that constitutional right. It even goes beyond that point, and, by virtue of precedent, the House initiates all regular appropriation bills. There is no provision in the Constitution to that effect, but the House has originated such measures for a number of years, and the Senate has concurred. That custom is pretty well fixed.

From my personal standpoint, any amendment which would assure defeat of the bill in the House would be pleasing to me. I had intended to support the bill as it came from the committee. However, I believe that the States have done a good job in regulating their own primaries. I do not see anything to be gained, and much to be lost, by injecting Federal control into our primaries. Therefore I do not intend to support the bill.

I wish to make it clear that the distinguished chairman of the Committee on Finance has put us on notice that the House will not accept a tax provision in any bill which comes from the Senate, because we do not have constitutional jurisdiction to originate tax measures.

Mr. CLARK. Mr. President, I support the amendment of the able Senator from Tennessee, and commend him for offering it. I am delighted that my good friend from Missouri is prepared to take it to conference.

The evil at which we seek to strike through this bill is the use of big money to influence elections and to influence the actions of successful candidates after they take office.

As the bill originally came from the committee, it did nothing to strike at that evil. Through the able, persistent, and patient efforts of the chairman of the committee, the distinguished Senator from Missouri [Mr. HENNINGS], the bill has been molded into such form that it will make a measurable contribution toward banishing the evil of big money in Federal elections.

Mr. President, there is no Senator who does not know that elections cost money. They cost great sums of money, and they cost more money every day. It is unfortunate, but it is true. In my judgment, the cost of elections should be, and one day will be, curtailed by requiring those who have a license to use the airways to give free television and free radio time for political purposes during election campaigns. We are not ready to require that yet. However, if we are to take the big money out of elections, we must put small money in its place. We have had campaigns of "Dollars for Democrats" and our friends on the other side, I know, have had campaigns to get contributions from Republicans in small amounts.

There does not seem to be the necessary incentive to get the amounts of little money which are needed to compensate for the cost of elections and make it unnecessary to get the big money which will buy, in many instances, the result of the election, and unduly influence the actions of a candidate after he takes office.

The amendment of the Senator from Tennessee would be an inducement for little money to come in and take the place of the big money. This, in my judgment, is the way to make a real contribution toward correcting the present evil.

It has been said that the Senate has no right to add a so-called tax amendment to an election bill. I shall be followed by the distinguished junior Senator from Oregon [Mr. NEUBERGER], who has had considerable research made on this subject, and who, I am sure, will convince those who will carefully listen to his argument, that the constitutional objection is not sound.

It has also been said that the House will not accept an amendment which deals with tax matters, if it is initiated in the Senate. I yield to no man in my respect for the other body. However, I believe we have a primary obligation to uphold the constitutional rights and powers and duties of the Senate.

If we think it wise to adopt this amendment, I do not believe we should take the position that the other body will not go along, and that, therefore, we should not act. I do not have the slightest doubt, if the pending amendment is adopted and the bill is taken to conference, that the able chairman, the Senator from Missouri [Mr. HENNINGS] will do his best to see to it that it is kept in the final bill. I have too much regard for the integrity and the desire to maintain the constitutional principles of every Member of the House than to believe that they would attempt to usurp a constitutional right or authority which is not theirs.

Again I commend the distinguished Senator from Tennessee for offering his amendment and the distinguished Senator from Missouri for approving it. I am happy to have the opportunity to join them. I again commend the distinguished Senator from Missouri, who knows more about the bill than all the rest of us put together, for his willingness to take the amendment to conference.

Mr. NEUBERGER. Mr. President, I thank my distinguished friend from Pennsylvania for what he has said about the argument I will make on the subject of the Constitution of the United States. I wish it were within my capacity to make a brilliant argument about the Constitution. Suffice to say

that I have taken up this matter with the Legislative Reference Service of the Library of Congress, and I have received from them a memorandum on the subject under date of July 21, 1959. I shall ask unanimous consent that it appear in full in the RECORD, but first I should like to read one paragraph from it:

Four cases have been cited by Dr. Corwin in support of his position that bills for purposes other than raising revenue, which incidentally create revenue, are not included in the limitation placed upon Senate action by clause 1, section 7, article I.

I ask unanimous consent that the memorandum furnished to me by the Legislative Reference Service be printed in full in the RECORD at this point in my remarks.

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

THE LIBRARY OF CONGRESS,
Washington, D.C., July 21, 1959.

To: Hon. RICHARD L. NEUBERGER.
From: American Law Division.
Subject: When a proposal affecting revenue is incidental to the legislation to which it is attached, it can be initiated in the Senate.

You ask whether the title IV which you propose to submit as an amendment to the Senate's Federal elections bill is open to a point of order on the ground it would constitute the origination of a revenue bill in violation of the Constitution, article I, section 7:

"All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills."

Your inquiry is carefully limited to the proposition that "if a proposal affecting revenue is incidental to the legislation to which it is attached, it can be initiated in the Senate."

Dr. Corwin, writing in the Constitution of the United States Annotated (1953), says that: "Only bills to levy taxes in the strict sense of the word are comprehended by the phrase 'all bills for raising revenue'; bills for other purposes, which incidentally create revenue, are not included." For this statement he cites "Story on the Constitution," volume I, section 880. Justice Story illustrates his point as follows: "No one supposes that a bill to sell any of the public lands, or to sell public stock, is a bill to raise revenue, in the sense of the Constitution. Much less would a bill be so deemed which merely regulated the value of foreign or domestic coins, or authorized a discharge of insolvent debtors upon assignments of their estates to the United States, giving a priority of payment to the United States in cases of insolvency, although all of them might incidentally bring revenue into the Treasury."

Four cases have been cited by Dr. Corwin in support of his position that bills for purposes other than raising revenue, which incidentally create revenue, are not included in the limitation placed upon Senate action by clause 1, section 7, article I.

In *Twin City* v. *Nebraska*, 167 U.S. 196 (1896), it was argued that section 41 of the National Banking Act of 1864 (R.S. sec. 5214) imposing taxes upon the average amount of notes in circulation of a banking association, was a revenue law. And because the section had originated in the Senate as an amendment to the bill passed by the House, the tax was unconstitutional and void.

Mr. Justice Harlan, speaking for the Court, said:

"It is sufficient in the present case to say that an act of Congress providing a national currency secured by a pledge of bonds of the United States, and which in the furtherance of that object, and also to meet the expenses attending the execution of the act, imposed a tax on the notes in circulation of the banking associations organized under the statute, is clearly not a revenue bill which the Constitution declares must originate in the House of Representatives.

"Mr. Justice Story has well said that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue. (1 Story on Constitution sec. 880.) The main purpose that Congress had in view was to provide a national currency based upon U.S. bonds, and to that end it was deemed wise to impose the tax in question. The tax was a means for effectually accomplishing the great object of giving to the people a currency that would rest, primarily, upon the honor of the United States, and be available in every part of the country. There was no purpose by the act or by any of its provisions to raise revenue to be applied in meeting the expenses or obligations of the Government."

In *Millard* v. *Roberts* (202 U.S. 429), the Court held, on the authority of Twin City Bank case, that the acts of Congress of February 12, 1901 (31 Stat. 767, 774), and February 28, 1903 (32 Stat. 909), for eliminating grade crossings of railways, and erection of a union station in the District of Columbia, were not unconstitutional as bills for raising revenue which originated in the Senate, by virtue of provisions for the taxation of property in the District of Columbia to pay the cost. "Whatever taxes are imposed are but means to the purposes provided by the act."

In *Flint* v. *Stone Tracy Co.* (220 U.S. 107), the "corporation tax cases," the constitutionality of section 38 of the Payne-Aldrich Tariff Act of August 5, 1909 (36 Stat. c. 6, 11, 112–117), was challenged as originating in the Senate in violation of clause 1, section 7, article I of the Constitution. But Mr. Justice Day, speaking for the Court, said:

"The tariff bill, of which the section under consideration is a part, originated in the House of Representatives and was there a general bill for the collection of revenue. As originally introduced, it contained a plan of inheritance taxation. In the Senate the proposed tax was removed from the bill, and the corporation tax, in a measure, substituted therefor. The bill having properly originated in the House, we perceive no reason in the constitutional provision relied upon why it may not be amended in the Senate in the manner which it was in this case. The amendment was germane to the subject matter of the bill and not beyond the power of the Senate to propose" (cit. supra, p. 143).

Rainey v. *United States* (232 U.S. 310), came to the Supreme Court on writs of error. It was contended that error was committed in not deciding that section 37 of the Tariff Act of 1909 was not void "as it is a bill for raising revenue, and it originated in the Senate and not in the House of Representatives, in contravention of article I, section 7, of the Constitution of the United States." To dispose of this point the Supreme Court adopted and approved the following declaration of the court below:

"I am also satisfied that the section in question is not void as a bill for raising revenue originating in the Senate and not in the House of Representatives. It appears that the section was proposed by the Senate as an amendment to a bill for raising revenue which originated in the House. That is sufficient having become an enrolled and duly authenticated act of Congress, it is not for this Court to determine whether the amendment was or was not outside the purposes of the original bill" (cit. supra, p. 317).

Mr. NEUBERGER. Mr. President, greater minds than mine by far will undoubtedly argue the point when the bill reaches the House, and also when it reaches conference. However, I have sought expressions of opinion on this issue from the leaders of our two great political parties, and on July 31 I addressed identical letters to Mr. Paul M. Butler, chairman of the Democratic National Committee, and to our colleague, the Senator from Kentucky, THRUSTON B. MORTON, chairman of the Republican National Committee. I asked their opinion on the proposal to provide a $10 tax credit for political contributions, so that contributions by average citizens of relatively small or modest means to support the parties or candidates of their choice may be encouraged.

On August 12, 1959, I received a reply from Mr. Paul Butler, chairman of the Democratic National Committee. I shall not read the letter in full, but Mr. Butler stated his support of either allowing a taxpayer to deduct $100 from his income tax, or to take a $10 tax credit from the tax which he pays to the Treasury.

Our colleague the Senator from Kentucky, the Honorable THRUSTON MORTON, chairman of the Republican National Committee, said he was opposed to a tax credit, and said so in no uncertain terms. However, in concluding the letter to me, he said as follows:

It would be my suggestion that we explore the possibilities of allowing a modest campaign contribution to a political party or candidate to be treated as a charitable deduction, as now treated under the Internal Revenue Code.

In other words, Mr. President, here we have the national political leaders of both our great major parties on record in favor of some form of the proposal submitted by the distinguished Senator from Tennessee [Mr. KEFAUVER], and accepted by the distinguished chairman of the Committee on Rules and Administration, who had managed the bill with such distinction on the floor of the Senate. The chairman of the Democratic National Committee has endorsed either a $100 tax deduction of a $10 tax credit. The chairman of the Republican National Committee has suggested that we explore the possibility of a tax deduction to be treated in much the same manner as charitable deductions are treated, in an effort to encourage wider dissemination of financial support to the great political parties of this country and to the men and women running for office.

I should like to say that this proposal is somewhat in the general vein and theme of that voiced in 1907 by President Theodore Roosevelt. In that bygone day, before radio and television costs were added to the cost of running for office, he cited the need for liberating candidates from the yoke of excessive expenditures for campaign purposes. He further proposed that the Federal Government underwrite campaigns for the Presidency and for the Senate and for the House of Representatives.

If we adopt the amendment offered by the Senator from Tennessee, as the Senator from Missouri has forthrightly suggested we do, we will be putting into law, at least as proposed by the Senate, the living reality of Theodore Roosevelt's proposal to use modest sums in the Federal Treasury to encourage men and women everywhere in America, whether they be rich or poor, to contribute financially to the support of those who seek to represent them in government.

I ask unanimous consent that my letters to the Honorable Paul M. Butler, chairman of the Democratic National Committee, and to the Honorable THRUSTON B. MORTON, chairman of the Republican National Committee, and the reply of Mr. Butler of August 12, 1959, and the reply of Mr. MORTON of August 11, 1959, be printed in the RECORD at this point as a part of my remarks.

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

JULY 31, 1959.

Hon. PAUL M. BUTLER,
Chairman, Democratic National Committee, Washington, D.C.

DEAR PAUL: During the 1956–57 hearings on political activities, lobbying and campaign contributions conducted by Senator MCCLELLAN, you indicated your support for enactment of an amendment to the Internal Revenue Code which would provide a tax credit of up to $10 for political contributions, to encourage participation by individuals in political activity and broaden the base of financial support for political candidates, thus leaving them less indebted to "fat cats."

I have long felt that such an amendment would be an excellent idea. In 1956 I offered legislation to accomplish this. I plan to resubmit my proposal again this year.

I would greatly appreciate it if you could provide me with a statement of your views on the desirability of implementing the idea of a tax credit. Endorsement by you as chairman of the Democratic National Committee would be most helpful in development of enthusiasm in this plan, which has drawn the support of many thoughtful students of government—including yourself—in the past. I have also written to THRUSTON MORTON in a similar vein. It seems to me that this is a reform which both parties should support.

With best wishes, I am,
Sincerely,

RICHARD L. NEUBERGER,
U.S. Senator.

DEMOCRATIC NATIONAL COMMITTEE,
Washington, D.C., August 12, 1959.

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

DEAR DICK: Thank you for your letter requesting my views on your proposed amendment to the Internal Revenue Code to provide a tax credit of up to $10 for political contributions.

As you know, I have strongly advocated and supported all efforts to broaden the case of contributions to our political parties. This includes the national drive by the American Heritage Foundation in cooperation with the advertising council conducted in the 1956 presidential campaign to encourage small contributions from ordinary citizens. I am hopeful this drive will be conducted again this year.

Also, I have supported bills introduced in the 85th Congress to encourage political contributions by taxpayers by allowing them to deduct contributions of up to $100 to political parties or candidates, or, in the alternative, to allow an outright tax credit for political donations of up to $10.

Your proposed amendment would encourage ordinary citizens to contribute to the political party of their choice. It has my wholehearted support, since I firmly believe that an appeal to individuals for small contributions is the healthiest way to raise money for our political parties in a democracy.

I wish you success in your efforts.

With warm personal regards, I am,
Sincerely,

PAUL M. BUTLER.

JULY 31, 1959.

Hon. THRUSTON B. MORTON,
Chairman, Republican National Committee, U.S. Senate, Washington, D.C.

DEAR THRUSTON: During the 1956–57 hearings on political activities, lobbying and campaign contributions conducted by Senator MCCLELLAN, the then chairman of the Republican National Committee, Leonard Hall, indicated that he favored in principle some form of tax incentive to encourage participation by individuals in political activity and broaden the base of financial support for political candidates. Paul Butler, chairman of the Democratic National Committee, expressed a similar view.

I have long believed that amendment of the Internal Revenue Code to provide a tax credit of up to $10 for political contributions would be a highly beneficial thing in aiding us to reach the two goals cited above. In 1956 I offered legislation to accomplish this. I plan to resubmit my proposal, as an amendment to appropriate legislation, again this year.

I would greatly appreciate it if you could inform me of your views, as national chairman, on the desirability of implementing the idea of a tax credit. Endorsement in principle of the credit—which, unlike the deduction, treats all taxpayers alike—would be most helpful in development of enthusiasm for the plan, which has drawn the support of many thoughtful students of government. I have also written Paul Butler in a similar vein. It seems to me that this is a reform which both parties should support.

With best wishes, I am,
Sincerely,

RICHARD L. NEUBERGER,
U.S. Senator.

REPUBLICAN NATIONAL COMMITTEE,
Washington, D.C., August 10, 1959.

The Honorable RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D.C.

DEAR DICK: This is in response to your letter of July 31, dealing with political campaign contributions. You specifically asked my comments concerning an amendment to the Internal Revenue Code to provide a tax credit of up to $10 for political contributions.

First, let me say that I am wholeheartedly in favor of encouraging participation by individuals in political activity and broadening the base of financial support for political parties and candidates. I have read the testimony given by my predecessor, the Honorable Leonard Hall, in 1956 before a special committee to investigate campaign expenditures in the House of Representatives. This committee was created pursuant to House Resolution 483, 84th Congress. Hearings took place on December 17, 18, and 19, 1956.

As to your specific suggestion, I do not believe that a political contribution, even limited to $10, should be treated as a direct tax credit. Were it so treated, I don't think it would generate individual interest in political activity. Almost anyone would be willing to sign a paper and transfer $10 of his tax payment to the political party of his choice. It seems to me that this would result in merely transferring the cost of political campaigns to the Federal Treasury. Both major political parties, through State and local committees, could raise all the money they would ever need from this source, especially if employers were required to put in a checkoff or payroll deduction system. Furthermore, if such a plan were adopted, the Red Cross, the Cancer Fund, the Community Chest, the Heart Fund, and others would soon be asking for the same treatment. I think that charitable gifts should embody some sacrifice on the part of the giver, and the same theory should apply to political contributions. I think if the individual has some vested interest in the party of his choice, such as a modest contribution, he will take a greater interest in political activity and more effectively discharge the responsibilities of citizenship.

It would be my suggestion that we explore the possibilities of allowing a modest campaign contribution to a political party or candidate to be treated as a charitable deduction, as now treated under the Internal Revenue Code.

Best wishes.
Sincerely,

THRUSTON B. MORTON.

Mr. NEUBERGER. In conclusion, I wish to say that here we have the leaders of both of our great political parties on record as being sympathetic to one form or another of the proposal contained in the amendment offered by the Senator from Tennessee.

Mr. JAVITS. I wish to express my agreement with the Senator. When I was a member of the Committee on Rules and Administration, I had the honor to vote with the chairman on the proposal for the reasons which have already been cited. I shall support the amendment.

Mr. NEUBERGER. We welcome the support of the distinguished Senator.

Mr. GRUENING. Mr. President, I rise in support of the amendment presented by the senior Senator from Tennessee. I commend him highly for it, and I associate myself with the very lucid explanation which the senior Senator from Pennsylvania [Mr. CLARK] has made and with the additional explanation which has been brought to our attention by my friend, the Senator from Oregon [Mr. NEUBERGER].

We are dealing with a very important amendment. It would accomplish a great deal. I shall not waste the time of the Senate to amplify what has already been said by my friend from Pennsylvania. However, I am hopeful that the Senate will vote to adopt the amendment.

Mr. DIRKSEN. Mr. President, I take it that after a tax return has been prepared under the amendment and after the taxpayer has made a certification that he has contributed $100, for example, in the form required by the Internal Revenue Service, he makes the deduction. It seems to me that under that kind of operation what is actually happening is that the Federal Government is supporting a national campaign, whether on one side of the aisle or on the other.

If we are going that far and take that first step, why not give serious consideration to the bill which has been here for some time, and have the Federal Government, through a direct appropriation, appropriate the expenses of any political campaign?

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

Mr. DIRKSEN. Not at this point.

The other point I should like to mention is this: The amendment contains a definition of political contribution as follows:

For purposes of this section, the term political contribution means a contribution or gift to an individual whose name is presented for election as President of the United States, Vice President of the United States, an elector for President or Vice President of the United States, a Member of the Senate, or a Member of the House of Representatives (including a Delegate to the House of Representatives).

Mr. President, the Communist Party has not yet been outlawed in the United States, so far as I know, and they can get on the ballot if they desire. Therefore, a man could make a deduction from his income tax and, if he likes, and if that is his disposition, he could support a Communist candidate for the Presidency.

That, in my judgment, becomes an anomaly, if I have ever seen one—the idea of snitching money owed to Uncle Sam, only because Congress says so in a bill, in support of a candidate who under normal circumstances, whether by violence or otherwise, would seek to undo and to modify or even destroy, our whole system of government. I simply cannot understand that idea.

Mr. CLARK. I may say, in response to the first question asked by the Senator from Illinois, that the reason we do not want at this time to go all the way toward having the Federal Government pay the entire cost of an election is that we are sincerely interested in balancing the budget. We would like to have a surplus available to pay on the reduction of the national debt. We would not want to impose this entire cost on Uncle Sam. We do think a modest contribution from the taxes of the small taxpayer might well be credited against a desire to make a little money available for tax purposes to help us run clean elections.

The second comment of the Senator from Illinois, about the Communist Party, is certainly not worthy of any reply.

Mr. DIRKSEN. Mr. President, it will be only a little while until the Senator from Pennsylvania, probably with others, will raise his voice in this Chamber for all sorts of causes which require money. It will be said, "Oh, it is only a little for aid to education; for juvenile delinquency"; for this, that, and the other purpose.

If we are going to be consistent, why spend a little money upon a political campaign, when money is in short supply, so far as the Treasury is concerned, and we can use conveniently every nickel which the revenue statutes will produce for causes which are infinitely more worthy.

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

Mr. DIRKSEN. I yield.

Mr. MORTON. I merely wish to emphasize the point which the Senator from Illinois has made, namely, that this proposal would, in fact, transfer, in my opinion, to the Federal Treasury the cost of our political campaigns. If this amendment were adopted, there would be no trouble even about getting a check-off system among large employers, so that they could deduct $10 from the wages of all employees and withhold it from them. The money thus deducted from the wages of each employee could be transferred to the treasury of the political party of his choice.

Under the statutory limit at present I think the three national committees in each party—the senatorial, congressional, and national committees—are shooting at an amount in the area of $7 million. That means that 700,000 good Democrats or good Republicans, who are at present having their taxes withheld by their employers, could say, "Certainly; you can take $10 from Uncle Sam and pay it to my party."

So in effect we would be transferring the cost of the election to the taxpayers.

I think there would be great merit in permitting a limited deduction, the same as we permit limited deductions for charitable contributions, with a limitation of $100, or $50; I do not know what the amount should be. That might be open to some debate. I think that if a person is giving to his party—either party; the party of his choice—there should be a little pain connected with it, just as there is when we give to our church, our hospital, or to any other civic endeavor. I think what we are trying to do in the two political parties is to get greater participation from the grassroots. We should let the people feel, "I am a part of this party." It will hurt a little to give $2 or $3, but the people who contribute will take a greater interest in their parties.

If they are merely to be checked off by the payroll clerk, I do not believe there would be great interest in the two political parties at the grassroots, the interest which we need if the parties are to survive. I think we should consider the question of transferring the cost of Federal elections from the large corporations directly to the taxpayers.

Mr. DIRKSEN. Mr. President, this is just a beginning, a step. Another step will come sometime later; and in a little while, there will be a bill such as was before the House of Representatives years ago, a bill which provided a $10 credit if a person certified that he had voted in the last general election. If we are to do that, why not throw in 3 acres and a mule and make the bribe just as effective as we can?

I prefer the system which prevails in Australia, where a person is fined if he does not do his duty as a citizen by going to the polls and voting. But that will be the next step. So in a little while, all of the money will conveniently come out of the Federal Treasury. This is but a beginning on that road.

I sincerely hope that this amendment will be roundly defeated. I cannot concur in the sentiment expressed by the distinguished Senator from Missouri [Mr. HENNINGS] that this amendment can be taken to conference. That might be all right; but I would rather have a vote on it here and now. We are entitled to have a vote on it, to see what the sentiment of the Senate is.

Mr. WILLIAMS of Delaware. Mr. President, together with the Senator from Missouri I have supported the earlier amendments to the bill because we want to get a good, working bill. However, I do not think the amendment being offered here on the floor should be adopted. I join the chairman of the Finance Committee in asking the Senator from Tennessee to let the amendment be referred to our committee, in order that it may be properly studied. I do not say there is not some merit to what is being sought to be accomplished, but I think we must be very careful when we move into this field when the net effect of our action would be to let the Federal Government underwrite political campaigns.

I do not for a moment question the sincerity of the Senator from Tennessee in trying to get a good bill, but I should like to remind him of the experience we had with our tax laws some years ago. In 1951 or 1952, we found, much to the dismay and disgust, I may say, of many Members of the Senate, that there had already been devised a scheme to finance the political campaigns out of the Federal Treasury by an indirect method. At that time there had been three or four large contributions made to the Democratic campaign fund. One contributor gave about $300,000, and another about $400,000. They went to the Treasury Department and got a special ruling whereby their contributions were classified as special business deductions, which made the contributions not only exempt from gift taxes but also classified them as deductions for tax purposes. There was not one Member of the Senate who defended that ruling. There was not one Member of the Senate who said that it had been the original intent of the law to include such contributions. Nevertheless, that ruling was given by the Treasury Department, and it had the effect of financing a large part of the 1948 Democratic campaign out of the Federal Treasury.

I do not for a moment suggest that this amendment is intended to reinstate this section of the law so as to make such action again possible.

But I am not at all certain from reading the amendment that it could not be done. The present law specifically states that under no circumstances can any contribution to a political party ever be treated as a deduction for income tax purposes.

That provision is now very specific, but this amendment would amend that section of the law. Those earlier political rulings had the effect of having the 1948 Democratic campaign financed to a large extent by the Federal Treasury. That was the first time since the enactment of the income tax law in 1913 that such an effort had been made by either political party, and we want to be sure it is the last. I want to make certain that we do not tamper with the law so as to permit again such gross abuses by giving taxpayers an opportunity to claim: "You have repealed that section."

I think the members and the staff of our committee should be given an oppor-

tunity to examine this proposal. If, after we have examined it we find that it does not open any loopholes, it can then be considered on its merits.

I repeat: I am making this request as one who, together with the Senator from Missouri, has supported the earlier amendments, and I fully intend to support the bill on its final passage. I think the Senate should pass a good bill, a bill which will help to clean up elections, but let us be sure that in doing this we do not open an even worse loophole.

Mr. President, those rulings were printed in the CONGRESSIONAL RECORD of April 29, 1952, along with my statement outlining how they had been obtained.

Mr. President, I do ask unanimous consent to have printed as a part of my remarks another statement which I made during that same period describing how our tax laws were being used to give favorable rulings to taxpayers who, in turn, were agreeing to make contributions to the Democratic Party.

If a clean election bill is passed, are we going to make it possible for persons to approach an executive in the Government with the offer of a contribution to a political party, in turn for a favorable tax ruling, and then give him a tax deduction in return for his contribution to the party? Certainly we do not want to open up Pandora's box. Speaking for myself, I want to examine this amendment more carefully before I vote on it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Delaware?

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

Mr. President, on August 4. 1953, Mr. Welburn Mayock, an attorney in Washington, D.C., was testifying before the Kean subcommittee. At that time the Kean committee was investigating the scandal-ridden Bureau of Internal Revenue.

In his testimony of that date Mr. Mayock explained how in 1948, while serving as the chief counsel of the Democratic National Committee, he had entered into an agreement with Mr. William S. Lasdon, Katonah, N.Y., whereby he was to obtain for Mr. Lasdon a favorable ruling from the Treasury Department on his then pending tax case.

In return for obtaining this favorable ruling which would save nearly $7 million for Mr. Lasdon, Mr. Mayock was to receive a $65,000 cash fee with the understanding that $30,000 of this amount was to go to the Democratic National Committee.

Mr. Mayock without any power of attorney to represent this taxpayer but solely in his capacity as chief counsel of the Democratic National Committee then contacted Mr. John W. Snyder, the Secretary of Treasury, and promptly obtained the favorable ruling on Mr. Lasdon's tax question.

Mr. Lasdon previously had been denied a favorable decision upon this same question by the Treasury Department.

After this tax-fix scheme had been arranged and after Mr. Mayock had collected his $65,000 fee, he was confronted with the problem of how to get the $30,000 into the Democratic campaign fund without obviously violating the Hatch Act. (The Hatch Act prohibits contributions to a political campaign in excess of $5,000 by any one individual.)

However, once having agreed to fix a tax case for $65,000 the question of violating the Hatch Act apparently was not bothersome to Mr. Mayock and his associates.

Accordingly, as Mr. Mayock explained it, he merely arranged to have some of his friends write their personal checks payable to the Democratic National Committee in exchange for an equivalent amount of cash. In this manner he siphoned this $30,000 of "hot money" into the treasury of the Democratic National Committee.

While freely admitting all of the above transactions during his testimony before the Kean subcommittee under date of August 4, 1953, Mr. Mayock flatly refused to tell that committee the names of the individuals who cooperated in this underhanded method of financing a political campaign. Each time the committee pressed him for the names of these individuals Mr. Mayock replied, "That I am going to refuse to answer."

Since Mr. Mayock was reluctant to publish the names of the individuals who exchanged their personal checks payable to the national committee for an equivalent amount of this "tax-fix fee," I shall read that list to the Senate along with a breakdown of the amount handled by each individual plus the dates of the transactions.

Date	Name and address	Amount
Oct. 13, 1948	Democratic County Central Committee, William H. Malone, chairman, 955 Mills Tower, San Francisco.	$10,000
Oct. 14, 1948	Harold A. Berliner, 10 Crown Ter., San Francisco	5,000
Do	William J. Mahaney, 2412 Russ Bldg., San Francisco.	5,000
Oct. 18, 1948	Roy G. Owens, 1204 South Hill St., Los Angeles	2,500
Do	Willis Allen, 634 North Cherokee Ave., Los Angeles	2,500
Do	William B. Peeler, 7133 Sunset Blvd., Hollywood	2,500
Do	Lawrence W. Allen, 2104 North Highland Ave., Hollywood	2,500
Total		30,000

This was not the only time that the Treasury Department, under the New Deal administration resorted to the issuance of questionable rulings for the purpose of financing the 1948 political campaign.

On April 29, 1952, I incorporated in the CONGRESSIONAL RECORD copies of a series of political rulings which had been issued by the Treasury Department while Mr. John W. Snyder was Secretary of the Treasury, wherein Mr. Richard J. Reynolds, Winston-Salem, N.C., Mr. Marshall Field, and Mr. David A. Schulte, both of New York City, were permitted to charge off as bad business debts their approximately $400,000 contributions to the 1948 Democratic campaign.

Since incorporating those rulings in the CONGRESSIONAL RECORD I have discovered that this same Mr. Welburn Mayock was one of the prime factors behind those rulings.

On December 27, 1948, Mr. Mayock, without any power of attorney to represent Mr. Reynolds or the others involved but solely in his official capacity as chief counsel of the Democratic National Committee, held a conference with Mr. Edward H. Foley, Under Secretary of the Treasury, and Mr. Thomas J. Lynch, General Counsel of the Treasury Department. At that meeting they discussed the Richard W. Reynolds case which involved a $300,000 contribution to the Democratic Party, as a party case and arranged for the issuance of a favorable ruling allowing him to write off this contribution as a bad business loan.

As further evidence of the callousness of the political regime then in power we find that the Treasury Department even permitted Mr. Mayock to get away with reporting on his 1948 Federal income tax returns only $17,500 of this $65,000 fee collected from Mr. Lasdon. Before computing his taxes he was permitted to deduct from the fee the $30,000 which he set aside for the Democratic National Committee. He deducted from the gross fee another $17,500 solely upon his claim that he paid $8,750 each to Mr. William Solomon, 275 Central Park West, New York City, and Mr. Louis Markus, 9445 86th Road, Woodhaven, Long Island, as their share of the tax-fix payoff.

This latter deduction was allowed notwithstanding the fact that when both Mr. Markus and Mr. Solomon testified under oath (August 5, 1953) before the Kean subcommittee, they emphatically denied that they had received any of this fee, and accordingly they had paid no taxes on their alleged share.

But the mere fact that no one was paying any tax on this $17,500 in controversy did not in the least bother the Treasury Department. They merely placed it in the same category as the $30,000 contribution to the Democratic National Committee and allowed everybody to write it off their tax returns.

This procedure of issuing favorable Treasury rulings in exchange for contributions to a political party was extremely costly to the American taxpayers from two angles:

First, the granting of these favorable rulings which apparently would not otherwise have been extended resulted in a substantial loss in revenue.

Second, the issuance of these rulings had the indirect effect of financing a part of the 1948 Democratic campaign out of the Federal Treasury.

The disclosure of these transactions was a shock to the American people and the overwhelming majority of the members of the Democratic Party were just as indignant as were the members of the Republican Party to find that certain high officials in that administration had stooped to such low tactics for the purpose of financing a political campaign.

Even after publishing the additional list of names of those involved in this deal there are still many questions left unanswered in this case, and I suggest that both the Department of Justice and the Treasury Department reexamine the conflicting testimony given before the Kean subcommittee in August 1953.

For instance, the conflict of testimony wherein Mr. Mayock under oath told the committee that he paid $8,750 each to Mr. William Solomon and Mr. Louis Marcus and their testimony on the following day emphatically denying this statement obviously is the basis of a perjury charge.

The statute of limitations may have expired on violations of the corrupt practices act in 1948, but it has not expired on any possible perjury charges resulting from testimony given before the Kean subcommittee in 1953, nor has it expired upon the ability of the Treasury Department to collect back taxes due on the erroneous deduction of the $30,000 fee to the Democratic National Committee as well as the controversial $17,500 referred to above.

Grand juries are now in session at both Omaha and St. Louis, and their work should shed additional light upon the scandal-ridden tax bureau of that era.

[From the Washington Post and Times Herald, May 19, 1955]

MAYOCK GETS CLEARANCE IN TAX CASE

LOS ANGELES, May 18.—A Federal grand jury today cleared Welburn Mayock, former general counsel of the Democratic National Committee, in an income tax case.

The jury returned a no bill, or declination to indict. U.S. Attorney Laughlin E. Waters said a complaint issued last April 4 would be dismissed immediately.

The complaint, issued at the time because the statute of limitations was running out, alleged that Mayock evaded $25,716 in taxes due on income of himself and his wife for 1948.

Mayock, a Washington and Los Angeles attorney, returned from the Capital and appeared voluntarily before the grand jury.

He told newsmen the Government was "persecuting" him, the case having been the subject of previous congressional committee and FBI investigation since 1952.

Mayock said the case stemmed from a payment of $65,000 before the 1952 campaign by a New York financier, William S. Lasdon. Mayock said $30,000 of this sum went to the Democratic national campaign fund, and Mayock and two other men divided the remainder as fees for some income tax work they did for Lasdon. Mayock said he listed the $17,000 he received in this deal in his tax return.

Mr. CLARK. Mr. President, my remarks are intended as a response to the statement made by the Senator from Kentucky [Mr. MORTON], the chairman of the Republican National Committee. He undertook to favor a tax deduction. He was opposed to a tax credit. One of the great merits of the amendment of the Senator from Tennessee is that it favors the rich and the poor alike. It makes no distinction between a very wealthy contributor and a very small contributor, in overall, broad terms.

On March 6, 1956, the distinguished junior Senator from Oregon [Mr. NEUBERGER], who has long been a student of elections, made a speech on the floor of the Senate in which he pointed out how much of a $100 tax deduction, a deduction to be treated the same as a charitable deduction, would be paid by the United States Government, and how much would be paid by the taxpayer.

Mr. President, I ask unanimous consent that the table illustrating these figures may be printed in the RECORD at this point in my remarks.

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

Illustration of proposed income tax deduction for $100 political contributions

[Applied to 1952 elections, estimated 1951 figures]

Highest applicable income tax rate (percent)	Net taxable income bracket	Taxpayer's share of deductible $100 campaign contribution	Government's share of deductible $100 campaign contribution	Number of taxpayers filing return by income brackets	Percentage of taxpayers filing return by income brackets	Collections from income-tax payers, by income brackets	Percentage of total collections from income-tax payers
	Total			*Thousands* [1] 84,000.0	100.00	*Millions* $22,372.7	100.0
0	None, but income exceeds $600	$100.00	0	[1] 17,639.3	21.00	0	0
20.4	0 to $2,000	69.60	$20.40	56,919.6	67.76	8,938.6	40.0
22.4	$2,000 to $4,000	77.60	22.40	6,389.4	7.61	3,585.4	16.0
27.0	$4,000 to $6,000	73.00	27.00	1,458.3	1.74	1,558.4	7.0
30.0	$6,000 to $8,000	70.00	30.00	504.8	.60	852.0	3.8
35.0	$8,000 to $10,000	65.00	35.00	329.8	.39	750.2	3.4
39.0	$10,000 to $12,000	61.00	39.00	223.2	.27	680.6	3.0
43.0	$12,000 to $14,000	57.00	43.00	112.3	.14	441.9	2.0
48.0	$14,000 to $16,000	52.00	48.00	83.6	.10	399.2	1.8
51.0	$16,000 to $18,000	49.00	51.00	50.4	.06	282.7	1.3
54.0	$18,000 to $20,000	46.00	54.00	61.3	.07	404.6	1.8
57.0	$20,000 to $22,000	43.00	57.00	44.5	.05	346.1	1.5
61.0	$22,000 to $26,000	39.00	61.00	55.9	.07	541.5	2.4
63.0	$26,000 to $32,000	37.00	63.00	47.7	.06	618.9	2.8
66.0	$32,000 to $38,000	34.00	66.00	22.7	.03	387.9	1.7
69.0	$38,000 to $44,000	31.00	69.00	13.0	.02	268.7	1.2
73.0	$44,000 to $50,000	27.00	73.00	13.5	.02	350.7	1.6
75.0	$50,000 to $60,000	25.00	75.00	5.8	.01	171.2	.8
78.0	$60,000 to $70,000	22.00	78.00	9.2	.01	338.2	1.5
82.0	$70,000 to $80,000	18.00	82.00	4.0	[2]	179.7	.8
84.0	$80,000 to $90,000	18600	84.00	3.1	[2]	165.0	.7
87.0	$90,000 to $100,000	13.00	87.00	2.2	[2]	144.0	.6
89.0	$100,000 to $150,000	11.00	89.00	3.5	[2]	286.5	1.3
90.0	$150,000 to $200,000	10.00	90.00	1.7	[2]	223.4	1.0
91.0	$200,000 plus	9.00	91.00	1.2	[2]	457.3	2.0

[1] Approximate. [2] Less than 0.01 percent.

Mr. CLARK. Mr. President, the critical thing, to my way of thinking, is this: If one has a net taxable income of between $2,000 and $4,000, and he makes a $100 contribution, and he claims a deduction as though it were a charitable contribution, he will pay $76.60, and the Government will pay $20.40. If, however, one is so fortunate as to have an income of $200,000 a year or more and makes the same $100 contribution, he will pay $9 and Uncle Sam will pay $91. I think it quite clear why my friend from Kentucky favors the deduction and opposes the tax credit.

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

Mr. CLARK. I yield.

Mr. MORTON. I do not favor that at all. I am willing to let it stay as it is. The way the Senator is talking, nobody gets the credit.

Mr. CLARK. That is correct.

Mr. MORTON. I do not want the implication left that nobody is getting anything at the present time. Would the Senator agree that if this proposal is enacted, sooner or later, whether it is the poor or the rich taxpayer, the Treasury of the United States will be paying the costs of campaigns?

Mr. CLARK. No. It will be paying a substantial part; not all of it.

Mr. MORTON. I think I could raise our part for our side, and I think my opposite number on the other side also could.

Mr. CLARK. The Senator is indeed very skillful, and I honor him for his ability.

Mr. KEFAUVER. Mr. President, while the Senator from Kentucky is here, I wonder if he can give us any estimate as to the number of contributors. The Democratic Party would not be within his province, I take it, but does he have any expert knowledge of or estimate as to the number of Republican contributors to the Presidential, Vice Presidential, Senate, and House races?

Mr. MORTON. I do not think I could give even an educated guess, I will say to the distinguished Senator from Tennessee. I think the figures as to the number of contributions which come in to the Democratic or Republican National Committees are available. What someone may give in a certain county in the Senator's State or mine, in the interest of the Senator's candidacy or mine, $10 here, $5 there, on the county level, I do not think there is any way of estimating.

Mr. KEFAUVER. I do not think there is, either, unless it would be by experience; but some persons I talked to said they did not think there were more than 500,000 contributors. Under the terms defined under this proposal, if there were 500,000, and that number should be doubled by virtue of tax credit, on the tax credit side it would cost only $10 million. I think the tax deduction might cost $5 million more. But that is not a great amount, considering the advantages that would be derived.

Mr. MORTON. If the Senator will yield, I can indicate to him that in the past 90 days, as a result of the direct mail campaign which we have used in our headquarters, we have had about, I think it is, 14,000 contributions, the average being somewhere in the neighborhood of $10 each. That is merely to the one national committee.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. BYRD of Virginia. I should like to call to the attention of the Senator from Tennessee that the amendment provides, "a committee acting in behalf of an individual or individuals."

There are any number of such committees. For a long time, years ago, I was chairman of the Democratic State Committee. There are county committees, precinct committees, and all kinds of committees. It would simply be impossible to get reports from these committees as to what they do with the money. The amendment does not say "political committees." It says a committee acting on behalf of an individual. An individual could appoint his own committee, under the Senator's amendment.

Mr. KEFAUVER. I thought it was made clear that the provision, which refers to an amount equal to one-half of the political contribution, as defined in subsection (c), applies only to Presidential, Vice Presidential, Senatorial, House Member, or Delegate campaigns. A committee in a State might be a committee for support of a candidate for the Senate or the House or both. It might be a committee for support of a candi-

date for President or for Senator or both, or there might be a single treasury.

I think it is clear: There can be only one deduction or one credit, regardless of how the contribution may have been divided between committees.

Mr. BYRD of Virginia. If the Senator will refer to page 6, line 13, he will find it there stated that these donations can be made to a committee acting in behalf of an individual or individuals. In a national election, every State will have committees formed to aid candidates for President, Senator, perhaps, and Representatives. Each of these, under the amendment, will be a committee that receives these donations.

Mr. KEFAUVER. That is the way campaigns are handled. There will be a committee for support of a candidate for President, for Senator, and so forth; but it is made clear, on page 2, that the credit allowed by subsection (a) shall not exceed $10 for any taxable year.

As to a deduction for any taxable year, that is also made clear on page 5, line 18, wherein it is stated:

> The deduction under subsection (a) shall not exceed $100 for any taxable year.

So only one contribution could be made for which a deduction could be taken. It could not be made to all the committees to which the Senator has referred. A person could make the contributions, but he could not get the tax credit.

Mr. BYRD of Virginia. Does the Senator think all these committees are going to report, if an individual can appoint a committee, and there are committees in the precincts, counties, or throughout the State? There could be two or three hundred committees supporting one candidate.

Mr. KEFAUVER. I think that under the bill as now proposed there will be better reporting. If somebody is contributing to the Communist Party, we will find out who he is, because he will have to make a report of it. Furthermore, it is the same as giving $10 to the Red Cross. If there is any question about it, when the Internal Revenue representative calls on the person making the claim, he must present a receipt or canceled check.

Mr. BYRD of Virginia. That requirement is not in this amendment.

Mr. KEFAUVER. That requirement applies to all deductions and all credits.

Mr. President, I yield the floor, and ask for a division on my amendments.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments of the Senator from Tennessee [Mr. KEFAUVER].

Mr. KEATING. Mr. President, I am very sympathetic to the objective of the amendment offered by the Senator from Tennessee. It could do much to stimulate contributions to political parties, broaden the base of their support, and increase nationwide interest in politics. These are worthy goals.

However, the pending bill is not a tax measure, and that is the fatal flaw of this amendment. The pending bill deals with reports and limitations on elections. It is not a revenue measure.

Mr. President, I have for years advocated giving a tax deduction for traveling expenses of working people going to and from work. I am the sponsor of a bill to grant deductions to disabled veterans who commute to work. We allow considerable deductions now for the traveling expenses of businessmen, and I think a strong case can be made for them. We should do the same for a person who is required to commute to and from work every day.

In addition, I have been very much interested in a tax deduction for premiums paid on voluntary health insurance. I have introduced a bill to achieve that goal. Rather than foist a Government system of forced health insurance on us, I favor trying to stimulate a greater interest among people in taking voluntary health insurance. My tax deduction would serve as just such a stimulant, and I hope someday to get some action on it.

In other words, there are many laudable purposes for which a tax deduction and tax credit could properly be made. I do not think a contribution to a political party perhaps stands as high as some of the others, although, if our fiscal situation were such that we could afford to do it, I would be much more in sympathy with the objectives sought by the Senator from Tennessee.

Mr. President, I served in the House of Representatives. I know with what jealousy the House Ways and Means Committee looks upon the initiation of tax legislation. There are still in my mind serious constitutional questions about amendments of this kind. But even if those be swept aside, if this amendment falls within the confines of our Constitution, this bill if adopted, will still be completely unpalatable on the House side. It would run into much more opposition because of this amendment, Mr. President, than any other amendment that has been offered here.

Furthermore, Mr. President, this proposal has not been considered by the Senate Finance Committee. We should not hastily infringe on their jurisdiction either.

The appropriate committees in both bodies should have an opportunity to hear expert testimony on this proposal and to weigh it in the light of our overall tax structure. Until that is done, I do not think we should take up this idea.

I cannot understand how some Senators who opposed an amendment which simply gave everyone an equal right to vote would favor an amendment such as this tax legislation, initiated in the Senate of the United States, contrary to a well established principle.

It seems to me it would be hasty, unwise, and not in the interest of the Constitution and of orderly legislation for us to enact this amendment, much as we may favor the objectives which it seeks to accomplish. Therefore, I am opposed to it and shall vote against it.

Mr. WILLIAMS of Delaware. Mr. President, I should like to ask the chairman of the Committee on Rules and Administration a question in connection with these amendments.

Mr. KEFAUVER. Mr. President, does the Senator from Delaware mean the Senator from Missouri [Mr. HENNINGS].

Mr. WILLIAMS of Delaware. Since the Senator from Missouri is not here at the moment, I might ask the question of the Senator who has offered the amendments.

I see that the Senator from Missouri is now present, and I address my question to him. Under existing law, the taxpayer can deduct 10 percent of his income, up to $1,000, without making any itemization of his contributions. He is allowed that amount automatically. If he takes this $10 credit as proposed in this amendment, will he then have to itemize the deductions? What effect will these amendment have? The law now specifically provides that he may claim 10 percent of his income or up to $1,000 as a deduction, or more if the contributions are itemized.

Mr. KEFAUVER. Credit does not have any effect on deductions.

Mr. WILLIAMS of Delaware. The average taxpayer is already allowed a deduction of 10 percent of his income, or he can claim in excess of 10 percent provided he itemizes his deductions. I ask the question because I know the overwhelming majority of the smaller income individuals do not itemize their deductions.

On the form 1040 there is an automatic credit for that deduction. What effect will the amendments have?

Perhaps the Senator has an answer. Personally I think we are making a mistake trying to legislate on such matters here on the floor.

I wonder if the chairman of the committee can answer that question.

Mr. HENNINGS. I will say to the Senator from Delaware, with the indulgence of the Senator from Tennessee, it was because of these various matters, such as those raised by the senior Senator from Virginia and by the Senator from Delaware, that I forebore undertaking to offer this proposal as an amendment, or to incorporate it as any portion of the bill.

I think perhaps the philosophy of the amendments is admirable. Undoubtedly it is.

I think the other questions which relate to the matter are quite serious. I think this is a matter which should go to the Committee on Ways and Means of the House of Representatives and should be there considered because of its revenue implications. They are more than implications; they are revenue provisions.

The whole matter troubled me. I hoped to keep some of these matters out of the bill. I did not want to discourage the Senator from Tennessee from offering the amendments. I told him perhaps the matter might be taken to conference. I have had no success in persuading other Senators not to offer the amendments or not to support them.

I have indicated that I am in support of the amendment, but I think it presents a serious hazard with regard to the bill itself.

Mr. WILLIAMS of Delaware. I raise this question: The Senator from Tennessee has presented the amendments,

but I am sure he would not want to change the present tax law in this connection.

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

Mr. KEFAUVER. In the first place, Mr. President, the Senator has talked about somebody making big campaign contributions in 1948 and getting a tax ruling in that regard. I do not know what the Senator is talking about, but it has no application to this amendment.

Mr. WILLIAMS of Delaware. This has no application to my previous remarks. That is correct. This is a separate question.

Mr. KEFAUVER. Secondly, as to the credit, I understand at the present time a person can take a deduction without itemization up to 10 percent. I suppose if the amount were within that allocation the person would not have to itemize it. If it ran over the amount he would have to.

Mr. WILLIAMS of Delaware. The Senator from Tennessee, for whom I have great respect, has said he "supposes." He is the author of the amendments. Do they so provide? I do not think we can pass laws based upon supposition. We do not want to take away a tax exemption which the people already have. I simply ask the question: Did the Senator consider this point in offering the amendments?

Mr. KEFAUVER. It is my understanding that the amendments were drafted by officials of the Treasury Department for the Committee on Rules and Administration in the 85th Congress.

I did discuss that matter, although frankly I will say I am not an expert on tax law. My best judgment is what I have just stated. If the amount runs above the allowable deduction a person would have to itemize, and if it were within the allowable deduction he would not have to.

In regard to the matter of tax law originating in the House of Representatives——

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield on that point?

Mr. KEFAUVER. I yield.

Mr. WILLIAMS of Delaware. The point I am making is a very simple one. Let us say that a man has a $3,000 income and has been taking a 10-percent deduction, or $300. Perhaps he has made contributions of only $100 or $150. Under the existing law such a man can get credit for $300. Then this $10 credit would not bring him in excess of the $300 but if it means he must itemize it he will lose money. Therefore, unless he had contributed the maximum of 10 percent and could so show, he would get no credit under the amendment, because the law very clearly states, as I understand it, that one may take credit up to 10 percent without itemization, or not to exceed $1,000.

Many people no doubt do not contribute the full 10 percent; they may contribute only 5 percent.

In such a case what happens?

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

Mr. KEFAUVER. I yield to the Senator from Rhode Island.

Mr. PASTORE. That 10 percent is for charitable contributions and other authorized deductions. This has nothing to do with charity. This is an added public responsibility, for which a person is given a $10 credit.

The 10 percent about which the Senator has been talking is in lieu of stating deductions or charitable contributions. A person may take a 10-percent deduction. That may go as high as $1,000. However, if there is a hospital bill which runs up into another $1,000, even with the 10-percent rule one can take the medical deduction.

Mr. WILLIAMS of Delaware. That is substantially correct.

Mr. PASTORE. That is a deduction for sickness. This deduction would be in addition to the 10 percent, and it would be allowed for the purpose of public participation in the cleaning up of elections and the avoiding of all the bad publicity resulting from "big money" in election campaigns.

Why should we complicate this matter? We are either for it or against it. The fact of the matter is that this is a credit of up to $10, or a deduction of $100 over all, for 1 taxable year, and has nothing to do with charitable contributions. The 10 percent the Senator has been talking about is a deduction authorization in lieu of itemizing charitable contributions and other deductible items.

That is how simple this matter is.

Mr. WILLIAMS of Delaware. That is an excellent explanation. The question I ask is, Is the Senator sure this is what the amendment will do?

Mr. PASTORE. That is the answer.

Mr. WILLIAMS of Delaware. Where is it so provided in the amendment? I know that is what the Senator intends to do. I am simply asking, Where in the pending amendments is that separated?

Mr. KEFAUVER. I accept the legislative history as stated by the Senator from Rhode Island.

Mr. WILLIAMS of Delaware. Does the Senator not know enough about his own amendments to tell me where to find it?

Mr. KEFAUVER. The amendments would not amend the general law. They would only add another deduction a person could take, like the medical deduction. I do not think we have to rewrite the entire law on deductions in order to provide a new deduction. At least, the good people from the Treasury Department who drafted this provision for the committee did not think so.

Mr. WILLIAMS of Delaware. The Senator ought to be very sure of what he is doing, and I am not so sure he is.

SEVERAL SENATORS. Vote! Vote!

Mr. KEFAUVER. Mr. President, I have a word to say on the question of whether this matter should come from the House of Representatives.

Article I, section 7, of the Constitution provides:

> All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

The Senator from Oregon [Mr. NEUBERGER] has read what Dr. Corwin in his fine work, "The Constitution of the United States," says, and he cites quite a number of cases on that point. The cases are to the effect that if the tax matter is incidental to another larger purpose, an amendment can be added in the Senate, notwithstanding the fact that it is a tax matter.

Furthermore, this is not an amendment for the purpose of raising revenues. The Supreme Court has always said that the term should be strictly applied, and that if it were simply a method of getting revenue or decreasing revenue for some laudatory purpose it would be allowed. The Supreme Court has not passed on this particular matter, but it has stated that for an incidental purpose it is not necessary that the provision originate in the House of Representatives.

Mr. President, I ask for a division.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER] on which a division has been requested.

Mr. CASE of South Dakota. Mr. President, of course, the Senator from South Dakota does not pose at all as a constitutional expert, but he does know that the attitude of the Members of the House of Representatives who serve on the Committee on Ways and Means is a very jealous one with respect to the constitutional provision with regard to the origination of bills which deal with revenue.

I recall rather distinctly that when we were working on the highway financing bill, we were told we must not seek to originate any revenue provisions in regard to that proposed legislation if we wanted the House to receive it or to consider it.

Furthermore, it was pointed out to us that there was an act—I think it related to the Cotton Futures Act—which the Supreme Court had held to be unconstitutional because the Senate bill carried a provision relating to revenue. It was said that such a bill would have to originate in the House of Representatives.

I recall on another occasion when I sought to take care of a very minor matter dealing with the District of Columbia, as to the payment of a long-standing bill to some employees under the OPS, or the OPA, the House had a field day, for we had provided that as much as $15,000, or something less than $15,000, should be available to pay the salaries, which had been unpaid for a long time.

Regardless of the merits of this provision—and I think the provision does have some merit, and I think on its merit one might find some reason for supporting such a provision—I think it would be unwise, if we want this proposed legislation to become effective, to try to put such a provision in the pending bill.

It is true that the House Committee on Administration or the House Committee on Rules might report a bill with a House number, striking out all after the enacting clause and substituting the text of whatever we do here, but I have no hope at all that the House would receive and pass the bill with a Senate

number if the bill originated something dealing with revenue as clearly as this provision does. Therefore, I think it would be unwise and damaging to the purposes of this bill if we were to adopt the amendment which is proposed at this time.

Mr. PASTORE. Mr. President, I hesitated at the beginning to speak in regard to this amendment, but I am more or less impelled to say a word or two.

I really think this is an exercise in futility. I do not believe anything is going to happen to this amendment even if it is taken to conference, but I am glad it was brought up, Mr. President, because it emphasizes the very heart of the problem which confronts us with regard to the clean elections bill.

Everyone knows that the thing which leads to corruption of the election laws is so-called big money. The important question is, How shall we encourage the little people to make the contributions they would like to make and we would like to have them make? Many people would like to give $10 or $20, and that is the most they could afford.

All we are trying to say is that if we want to clean up the election laws and eliminate corruption and abuse, especially the vast expenditures of money at campaign time for very expensive campaigns, we must do something to encourage the little fellow to make a reasonable contribution. This amendment may not be the way. I do not know how much money is involved, but I am glad the question arose. I do not care what happens in the House. We cannot prognosticate that far. I have heard it said, "Let us include the primary amendment." Someone else says, "It will not survive in the House." Later the same man will make the opposite argument, as we have heard here this afternoon.

The time has come to give serious thought to the best way of cleaning up the mess caused by tremendously large contributions which are leading to an evil in our election process.

I do not know what will happen. Perhaps the best thing would be to withdraw the amendment. However, it will serve to put the country on notice. I have no doubt that it will not survive in the House, for one reason or another. I am very happy that the question arose, because in my opinion, if we want fair elections, we must make them more democratic. We must make it possible for more people to participate. Unless we do something of this kind to interest people in elections, I am afraid the entire effort will be a dismal failure.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. President, I ask for a division.

On a division, the amendments were rejected.

Mr. HENNINGS. Mr. President, may we have the third reading of the bill?

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 was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. KUCHEL. Mr. President, on behalf of the able junior Senator from Arizona [Mr. GOLDWATER], I ask unanimous consent to have printed in the RECORD at this point a statement which he has prepared in opposition to the bill, and which he previously had given me to place in the RECORD for him in his absence. I ask that it be printed in the RECORD prior to the vote on final passage.

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

STATEMENT BY SENATOR GOLDWATER

I cannot in good conscience bring myself to vote for a bill that, I think, is, first, a violation of States rights and, second, a measure that clearly overlooks the greatest single source of political spending today in its reporting requirements. I voted against the inclusion of the requirement for primary reporting because I do not feel that a man is a candidate for Federal office until he is nominated, and I further feel that the fact that most States require primary reporting, as does my State of Arizona, is sufficient to satisfy those who want to know where the money comes from and in what amount.

I tried on the floor of the Senate to explain to the chairman of the committee the reasons why I feel political action committees, such as COPE, would come under this law, but I was unable to convince him or a sufficient number of my colleagues to insure this would come about.

There is no question that section 610 of the Taft-Hartley Act makes it illegal for a labor union or a corporation to make political contributions, but there is not a man on this floor who in all honesty can say that COPE and similar organizations in business do not make political contributions, and in the case of COPE these contributions are astronomical. The bill makes it possible for these committees to continue to operate against what, to me, is the clear intent of the existing law, and I was hopeful that something could be done in this bill to take care of this, but it has not, so I must agree with other Members of this body that a study into the whole field would be proper. As ranking minority member of the Labor and Public Welfare Committee, I will give this suggestion our study and report to the body at a later date. In fact, I think it is high time that the Congress looks into the whole subject of the power vested in the labor movement, and I have before the Senate at the present time a resolution calling for the establishment of a select committee to make such a study, and if those colleagues of mine who have indicated a desire for such a study will support the resolution, it is possible the leadership will create such a committee.

Since some union leaders are now assuming a role of political leadership and exercise a power greater in many instances than elected officials or top functionaries of the political parties, it seems time to examine with care the origins of such power. They have proven at National Democrat Conventions that they can veto nominations to the national ticket, and can also name alternate candidates. They have also taken advantage of the grassroots void created by civil service reform of the patronage system, and have moved into the Democrat Party with a new grassroots machine, a new-style political patronage machine owned and operated by a few union officials and paid for by the diversion of union dues from their proper uses.

In a word, the power is illegitimate right down through the operation. These union leaders are assuming the responsibilities and power of political leaders, responsibilities and power never granted to them by their union constituents or by the public; and they are exercising this power by the illegitimate use of union dues for political purposes, union dues granted by the members for the furtherance of their economic welfare, and not for politics.

The power of these men cannot be reached by the voters. They cannot be voted out of office because they do not derive their power from any public election. They cannot be reached by the voters. Their constituents are the union members.

Nor is their political leadership the basis on which they are tested for reelection to union office. Even the union members cannot reach this political power.

Such a threatened usurpation of political power was thought to exist on the part of corporation heads at the turn of the century. Some irresponsible financiers and corporation heads certainly did make ruthless use of assets which belonged to their stockholders, putting funds behind candidates and parties not necessarily supported by these stockholders.

On the recommendation of a Republican President, a law was passed in 1907 by a Republican Congress outlawing such use of corporate funds for political purposes. Since then, it has remained illegal to use corporate funds in Federal elections. The States quickly followed with laws banning corporate funds in State elections.

Fifty years ago, it was the question of the illegitimate exercise of political power by corporation barons; now, 50 years later, it is the labor barons who are abusing the public in this same way but on a scale unimaginable 50 years ago. It is my firm opinion that we must have new legislation to restrict the political activities of the unions, and immediate action by the Department of Justice to apply existing law with a determination and allocation of legal personnel comparable to that expended on the monopoly problem. Only Congress and the judiciary are now powerful enough to resist and turn back an illegitimate power drive of such magnitude. Already this power has reached so far that corrective action by Congress in the near future seems unlikely.

It was a task the liberals willingly undertook in 1907 to curb such a threat then coming from some corporation heads; it remains very instructive to observe how the evangelical liberals confront the same threat coming now from the union leaders.

I have always found very puzzling the view that curbing of irresponsible political power in giant corporations is "liberal" but the curbing of irresponsible political power in giant labor unions is "reactionary." It is my plan to inquire into the meaning of this matter from some of my learned colleagues in the U.S. Senate.

Mr. HENNINGS. Mr. President, I ask unanimous consent that in the engrossment of the bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, the Secretary of the Senate be authorized to make such changes in section, subsection, and paragraph numbers and letters, and cross references thereto, as may be necessary to the proper numbering and lettering of the bill; also that the Secretary of the Senate be authorized to make the proper amendments to the table of contents, to make the table conform to the bill.

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

Mr. HENNINGS. Mr. President, I believe a brief statement should be made with respect to the change in the effective date of the bill.

The bill was reported as the Elections Act of 1959. There has been some slight misunderstanding expressed in several quarters over the change in the effective date of the bill. It appears that this change in date has been interpreted by some—I hope not many—to be for the specific purpose of excluding the forthcoming elections of 1960 from being covered by the bill. While it is true that this will be the result, that is not the reason for the change.

The bill was reported by the Committee on Rules and Administration on July 23, 1959, and, as reported, it would become effective on January 1, 1960. However, the bill was not scheduled for consideration by the Senate until after that date. Should the bill now pass the Senate, it will be sent to the House for consideration, where several weeks of consideration by the House may be required, even if the House Committee on Administration is able to begin consideration of the bill immediately.

Mr. President, I should like to have the attention of the minority leader. I am undertaking to explain the amendment which he and I offered the other day relating to the effective date of the bill. He may have something to add.

Many States hold their primary elections early this year. Illinois and New Jersey have primaries in April. Many States have primaries in May. Because of this many candidates and committees have already received contributions and made expenditures.

It would be grossly unfair to require reports of these past transactions as the bill would require if the effective date of January 1, 1960, was left in the bill. It would also be impossible to make the law effective as of the date of passage because the reports of political committees are based on the calendar year, that is, the reports must cover the period from January 1 to the date of the report.

The bill, therefore, cannot be made effective until January 1, 1961. Any other effective day would make it apply to periods prior to its enactment.

Committees that operate only within the boundaries of a State have never reported to the Federal Government before; however, under the terms of the bill, as amended, they will have to report contributions received and expenditures made throughout the year. It would be unjust to require them to make reports of such transactions which occurred prior to enactment.

The limitation on expenditures imposed on political committees which operate in two or more States, and the $10,000 overall limitation on contributions are applicable to the calendar year, January 1 to December 31. These provisions provide for criminal penalties, and as we all know, the Constitution prohibits legislation which will make an activity which has already occurred a crime. Therefore, if the provisions of this bill are to be effective, they cannot be put in force until January 1, 1961.

Many of us are sorry that Congress did not reach the consideration of this bill in 1959 so it would apply to the forthcoming elections, but since it has come before us only now, it cannot be effective until 1961.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "Victory for Reform," published in the Washington Post of January 23, 1960; also an editorial entitled "An Echo From History," published in the St. Louis Post-Dispatch of January 22, 1960. The St. Louis Post-Dispatch editorial was written by my very good friend, Irving Dilliard.

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

[From the Washington Post, Jan. 23, 1960]

VICTORY FOR REFORM

Senator HENNINGS has surprised nearly everyone—probably including himself—by winning broad and significant improvements in the diluted clean elections bill reported by the Senate Rules Committee. The Senate's agreement to extend Federal regulation of campaign spending to primary elections was perhaps the most heartening from a political viewpoint, in the light of stout opposition by Southern Democrats and their conservative Republican allies. This step alone could make the limitations on spending meaningful in "one-party States." A gain of less sweeping importance but nonetheless an important reform was the approval of the overall $10,000 limitation on individual campaign contributions, on which there is now no effective limit.

Of broadest significance was the Senate's acceptance of the major Hennings proposal that political committees anywhere, regardless of the scope of their operations, must report all spending in excess of $2,500 in behalf of any candidates for Federal office. Under present law, and under the committee's bill, there are no reporting requirements for the State and local committees which, it is estimated, account for perhaps 75 percent of all campaign spending.

Speaker RAYBURN, asked about the Senate action, not surprisingly threw cold water on Federal regulation of primaries, which he has always opposed. Apparently this provision would be the focal point of opposition to election law reform in the House, where action remains unlikely this year—a prospect that lessens the import of the Senate decision to postpone the effective date of the new requirements beyond this year's elections. The somewhat cynical suggestion that the Senate toughened the clean elections bill in the expectation that it would get nowhere in the House falls short of a realistic appraisal of what Mr. HENNINGS has accomplished, however. Whatever the motives of individual Senators who have supported the Hennings amendments, they have built a fire that Members of the House cannot easily extinguish. The country might have remained unstirred by a total failure of Congress to address itself to this important subject. It will not lightly accept House refusal to carry forward the excellent work now accomplished in the Senate.

[From the St. Louis Post-Dispatch, Jan. 22, 1960]

AN ECHO FROM HISTORY

The first Senate rollcall in the 86th Congress 2d session, is one that has history stamped all over it. By the surprising generous vote of 50 to 39, the progressive Democrats, joined by the progressive Republicans and aided by a substantial number of recruits, have adopted the Hennings-Keating amendment to include nominating primaries under Federal election spending controls.

This was a step of far-reaching political consequence. To appreciate its importance it is necessary to turn the calendar back more than 40 years to 1918.

That is the year of the bitterly fought race between Henry Ford, automobile manufacturer, and Truman H. Newberry, financier and businessman, for the Republican nomination for Senator from Michigan. The results were so close that a recount was ordered. It showed Newberry winning by a scant 4,300 votes.

But the primary had been marked by lavish spending, particularly on the part of the Newberry forces. The estimates went up close to $1 million, which was many times over the allowance in the Federal Corrupt Practices Acts of 1910 and 1911. Newberry and 16 fellow Republicans were convicted in 1920 of conspiracy to violate the law. He was fined $10,000 and sentenced to serve 2 years in the Federal penitentiary.

The convictions were taken to the Supreme Court, which decided by a narrow split in 1920—although none too clearly—that a primary was not an essential part of an election as that term was understood by framers of the Constitution. Thus freed of the prosecution, Newberry took his seat in 1922, but only after a 46 to 41 vote of his colleagues. The Supreme Court decision and the vote to admit Newberry to the Senate were so hotly criticized over the country that the embattled Senator served less than a year in office. He resigned November 19, 1922, and the Governor of Michigan appointed to succeed him James Couzens, who became an outstanding Senator.

Such is the historical background of the Senate's vote to approve the Hennings-Keating amendment. Democrats, including those paired and announced, supported the amendment 40 to 24, while Republicans opposed it 18 to 16. Since primaries regularly decide many election contests, especially in southern States, a renewed effort to exempt them from spending controls can be expected. We hope that the lines will hold firm in the Senate, and that the House can be persuaded to go along. It is high time that the country corrected the Newberry decision.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. HENNINGS. Mr. President, on the question of final passage of the bill I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HICKENLOOPER. Mr. President, at the close of the debate on the bill, and after the amendments have been acted upon, I should like to take a moment or two to make as clear as possible, in broad generalities, the reasons why I shall vote against the bill.

In the first place, I believe it starts with the creation of a false impression in the minds of the people. It was denominated—for what reason I do not know—a "clean elections" bill. In my view it would do nothing to clean up the evils which have heretofore existed in connection with elections. I do not believe the bill would add anything to the sanctity or security of elections.

On the contrary, because of certain amendments which have been adopted on the floor during the debate, it opens the gate further to the misuse by cer-

tain people of the power which they possess to influence and control elections with money which they do not own or possess, but which they divert from other purposes in order to control elections in the way they would like to see them go. I refer to the labor bosses. The bill would do nothing to curb the procedure by which labor bosses can take the money of union members and use it contrary to the opinions and wishes of many union members, in influencing and controlling elections.

So far as I am personally concerned, or so far as candidates for office in my State are concerned, it makes little difference whether the bill is passed or whether the law remains the same as it has been heretofore. In my State, as a rule, we spend comparatively little money on election campaigns. It is almost unheard of in my State that election workers are hired or paid for. The idea of spending hundreds of thousands of dollars upon a political election, statewide or otherwise, in my State, is simply unknown.

Mr. President, we have an accounting procedure in my State which I believe to be completely adequate. I have no objection, and I am sure other candidates in my State have no objection, to the filing of reports of contributions, so as to make a clear exposition of the amounts received and spent.

Therefore, so far as elections in my State are concerned, the pending bill will not change the situation one iota. However, we have seen from time to time representatives of certain groups come into my State, subsidized and paid for by moneys which were not originally contributed for political purposes, and attempt, through coercion and otherwise, to influence elections. We have seen in my State money come in from certain organizations and groups who have claimed to be exempt from control, and would still be exempt under the bill, and we have seen that money come in by the thousands of dollars, in green cash bills, and diverted to political channels in my State for the purpose of controlling elections. This bill will do nothing at all to correct that evil. The same persons who have been performing in that manner in the past in my State will continue to perform in the same manner in the future if the bill is enacted.

I said at the outset that the pending bill has been, in my view, mistakenly denominated—for what reason I do not know—as a clean elections bill. I do not say that it is a dirty elections bill. However I say that the term "clean elections bill" is a misnomer, because it will mislead the public into thinking that we have done something to correct the major evils which we all know exist.

I for one will not vote for the bill, when I believe it not only utterly fails to reach the evils we would like to reach in connection with elections, but also, in my judgment, completely fools many of the people of the country into thinking that it is a corrective measure. It is not in any degree. It does not reach those things we would like to reach. I believe the passage of the bill will create a misconception and will fool people for at least a time into thinking that we have done something we have not done.

Mr. President, I will not lend my vote to that kind of business in the Senate. I am not going to lend my support to it, in spite of the fact, as I say, it would be very easy to vote for the bill, I presume, because it does not affect my State one way or another. We are not particularly concerned, because it does not do anything to clean up the situation which has existed interstate. In my State we have no objection to reporting, and we have no objection to thorough reporting. We have a limitation on expenditures, and we have a limitation on the use of money. As it stands today, the law can be circumvented in my State, as is the case in every other State in the Union; and the way the law will stand if the bill is passed, the same circumvention can occur.

Therefore I cannot go before the public in my State and say we now have passed a clean elections bill, when I do not believe any such thing. I believe an examination of it will show that to be the fact. I think the bill will, in effect, if passed, prevent a great many honorable, zealous people who would like to see good public officials elected to office, from contributing, in many instances, of their substance to see that that is done. It will do nothing to prevent the corruptionists and those who would seek to direct elections for ulterior purposes from carrying on in the same way as in the past. I, therefore, wish to make it clear that I cannot support a bill which I believe to be a subterfuge in connection with all the civic, political, and human rights we are entitled to exercise in free elections.

Mr. ERVIN. Mr. President, I expected to vote for the pending bill in the form in which it came from the committee. However, it has been amended so as to confer upon the Federal Government the power to regulate primaries. In my opinion one of the most tragic things that is happening to this country today is the continuing centralization of power in Washington.

I have not yet contracted Potomac fever. I still believe that the people of the States have enough intelligence and enough character to regulate the conduct of primaries and conventions and caucuses, as they have done since 1789. I see no reason for changing the rule, which has been in operation since the foundation of this Republic. Since the primary amendment has been incorporated in the bill, I cannot vote for the bill. This is true because I believe that the continuing centralization of power in Washington imports tragedy for this Nation.

Mr. JORDAN. Mr. President, I should like to associate myself with the remarks made by the distinguished senior Senator from North Carolina [Mr. ERVIN]. I am a member of the Committee on Rules and Administration, which considered the bill in committee in the first session of the 86th Congress. Bringing primaries under the provisions of the bill was killed in committee. The bill as reported by the committee did not contain such a provision. The amendment has been added. I cannot support it as the bill now stands, and I shall vote against it.

North Carolina has good election laws to regulate primaries and elections. I believe it would be a reflection upon the honor and integrity of North Carolina to say that the Federal Government must come to North Carolina to regulate primaries in North Carolina. Therefore, I am opposed to the bill with the primary election section contained in it, as it now stands.

Mr. DIRKSEN. Mr. President, I shall not detain the Senate, but I believe that at this point it might be well to summarize precisely what the bill in its present form will do. I ask the indulgence of the Senator from Missouri to correct me if I am in error.

Mr. President, it would apply to both general elections and primaries, and would become effective on the first of January 1961. It does not, however, relieve any candidate from making a report and filing it under the existing Corrupt Practices Act.

Second, with respect to expenditure limits, candidates could spend one of three amounts: Either $50,000 or 20 cents for the first million voters in the last general election, plus 10 cents for each voter over that number; or 20 cents for each of the first million registered voters, and 10 cents for all voters over 1 million.

In the case of candidates for President and Vice President, in a general election, they could spend 20 cents for each voter in the last general election, but in the primary they could spend only one-half of that amount. In the case of national committees, all of them could spend an amount equal to 20 cents per voter for the number of voters in the last general election.

With respect to the contribution limitation, there is an across-the-board limitation of $10,000 per person.

Mr. HENNINGS. Mr. President, if the Senator will permit me to interrupt him on one point he has mentioned, before he gets away from it, I should like to say that it is not "all" committees, but each of the committees.

Mr. DIRKSEN. That is true. I meant each committee. I was probably using "all" in the same sense. With respect to contributions, the across-the-board limitation is $10,000. I am reminded of a senatorial campaign, when I went to an advertising agency. I had noticed a beautiful illuminated sign on top of a building. I said to the manager of the agency, "What would that cost a month?" He said, "It would cost $1,500 for 30 days."

So we would limit the contribution by an individual, who, because his country has been good to him, might wish to contribute infinitely more, to a sum equivalent to the cost of seven illuminated billboards. He can give as much as he likes to his church. He can give as much as he likes to his lodge. He can give as much as he likes to his country club. However, when it comes to his country and he wants to help to elect to public

office people who will represent his point of view, we say the limit is $10,000.

The next item is with respect to reports. From here on out, every candidate ought to be a bookkeeper, a detective, an accountant with a CPA degree, and a flair for politics, all rolled into one. There will have to be four reports in the case of every committee, large or small, national, State, or local, if in the case of such committee as much as $2,500 of the funds available is expended for a national candidate.

The report embraces, roughly, nine different categories of information.

Then there comes the problem of evaluating the services of money raisers, clerks, accountants, typists, and ghost writers, and everything else which goes along with a campaign. There will be three places in which to file these reports: with the Senate, with the House, and with the appropriate U.S. district court. Interestingly enough, these reports will have to remain on file for a period of 6 years. That is the equivalent of three terms in the House of Representatives. So if a Member of the House is elected in November 1960, then for the equivalent of three full terms that report will be on file and open for inspection.

With respect to the committees, in every case they will have to make apportionments and allocations to show how much the sheriff received of the committee funds, how much was devoted to the Governor, how much to the auditor of public accounts, how much to the State treasurer, how much to the Representative, and how much to the Senator, to determine whether or not the amounts for a Federal officer, paid out of the committee till, amounted to $2,500.

In the case of individuals, so far as reports are concerned, the limit is $100. When an individual contributes $100 or more in any calendar year in two or more States, that individual, as I read the bill, must make four reports. It will take a little bit of doing before we get through.

The effect of the bill, as I measure it, with respect to committees, is this: Obviously, it will be necessary to determine whether the Senator or the Representative received $2,500 from any committee; if so, then, of course, a report must be made.

Penalties are provided. This is a criminal statute. I can readily imagine that humble people, who have been an essential part of the working political organism of the country, on the advice of counsel, if they go to see counsel, will back off and refuse to serve as treasurer of a county committee because they do not know exactly when, where, or how to make reports, or when they might be headed for the jail. In addition to this, all the State reports will have to be made.

With respect to out-of-State contributors, a contributor from out of a State, contributing in another State, would obviously have to make a report. As I read it, a man who has his own fiscal means will be the one who derives the big advantage from a bill like this.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LONG of Louisiana. Is my understanding correct that, if a citizen is requested to serve on one of the committees, he will serve at his peril? That is, in the event some report is not filed, will he be subjected to a $5,000 fine and a penitentiary term if he is guilty of dereliction in connection with the filing of one of the reports?

Mr. DIRKSEN. Let me put it in this form: Whether it be in a county in Illinois or a parish in Louisiana, let us suppose a man has served as precinct committeeman for a long time. The county committee meets within 30 days after the primary election. They organize. They select a chairman, a vice chairman, a secretary, and a treasurer. Suppose they want to honor a fine old chap who has been lugging in the votes and doing his duty as a citizen. They make him treasurer of the committee. Either he or some clerk will have to make the report.

County committees normally do not have the personnel whom they can keep on their payroll in order to make reports. So the treasurer of the committee becomes responsibile for the report. If as much as $2,500 from the county committee till was spent for the election of a Senator or a Representative, that gives the matter a Federal character. Then a report has to be made in a number of places.

So the treasurer will begin to back off a little. He will say, as would a treasurer in Louisiana—certainly it would be the case in Illinois—"Well, now, I don't understand all this abstruse business. I guess I will have to go and get myself a lawyer." Then he begins to speculate about it, goes home, and talks to his wife.

His wife may say, "John, if I were you, I just wouldn't do it. I would go down to the next meeting of the county committee and resign."

Mr. President, Aristotle said that man is a political animal. He is. He thinks politically. All people do. I am not going to be one to take the political animal and put him in a straitjacket, because politics is not only politics in this country; it is diversion and recreation and society, as well, in so many areas. So we will be making it rather difficult and rather confusing.

The point I make is simply this: The man who has his own means is the fellow who does not have to worry about expenses. Assume 4 million votes will be cast in the State of Illinois. That is 20 cents for the first million, or $200,000; 10 cents for the next 3 million, $300,000. That is $500,000 which a candidate can spend. A man having his own financial means will have that amount to spend, and he can spend it out of his own pocket.

Mr. President, where do you think a humble citizen like me would get off, who has to go forth and tap everybody he possibly can in order to get a little money with which to buy television time at $100 a minute; to buy radio time; to buy newspaper space at $8 a running column? The deal favors the man having his own means, because he has the money to spend; and the bill says: "This is the amount you can spend." If he has the money, and if he is interested enough in coming to the Senate or the House of Representatives, let Senators tell me if we are not today putting a premium on a great big, fat bankroll as a qualification for holding Federal public office in the United States. It stands to reason that such a person is the one who will benefit.

Then I must point out, again, that this is a criminal statute. Penalties are provided for its violation. A fine and imprisonment are provided for. So Senators can see what will happen.

The candidate will have to be like Pooh Bah, in the Mikado. He will have to be the Lord Chancellor of the Exchequer, the Prime Minister, the Lord High Executioner, and everybody else. The candidate will have to be a pretty good bookkeeper; he will have to keep account of the $10,000 limit. If anyone wants to give him a little money, he will have to know how much has gone to other committees. Then he will have to go around and say to the boys, "I can't ask you for $100, because if I do, and if you send a little money over to Bill Jones, BOURKE HICKENLOOPER's friend in Iowa, you will have to make four reports. So I'll tell you what to do. Just give me $99."

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

Mr. DIRKSEN. I yield.

Mr. HENNINGS. I had not expected to take part, in the Senate, today, in a lengthy debate on the bill, which, come Wednesday, will have been under consideration for 2 weeks. I think Senators are well aware that many arguments can be made on both sides of the bill, including the amendments.

The Senator from Illinois paints a rather distressing view in his picture of a humble citizen who might serve as treasurer of a political committee. The Senator is aware, I am sure, that the Corrupt Practices Act of 1925 imposes criminal penalties.

The Senator cannot quite have it both ways. He said a man who loves his country cannot contribute more than $10,000 a year. Thereafter, he says that campaign costs are exceedingly high, but that a man, his wife, and eldest son could contribute much more than $10,000, considering all the assets and means of some families and groups in this country.

I do not want to get into a discussion of the rather extreme conclusions which I believe have been postulated by the Senator's speech.

Mr. DIRKSEN. Does that make any difference with respect to what is in the bill?

Mr. HENNINGS. No. The Senator from Illinois was not for the bill at the outset; I would scarcely expect him to be for it now.

May I ask the Senator from Illinois whether, campaign costs having now reached the astronomical figures he has suggested, from his having investigated

the cost of a neon sign—I believe that that was the sort of sign he considered—he would be in favor of our attempting to raise the archaic, obsolete limits prescribed by the Corrupt Practices Act of 1925?

Mr. DIRKSEN. I will make the Senator from Missouri a deal. I will offer an amendment to take only those items which raise the expenditure total for a candidate, and are in the existing Corrupt Practices Act, and stop right there. I will take away all the provisions about reports, if my friend will accept that proposal.

Mr. HENNINGS. I regret exceedingly that I cannot speak for the Senate. I regret that I am offered only a Hobson's choice. I think it is lamentable that the Senator did not project his deal during the consideration of the amendments.

However the deal might have been regarded, the Senator knows what the Senate has done with the amendments which have been accepted by the Senate and with others which have been voted upon, and I am sure that while the Senator can make a ludicrous case about many, many fine people being taken off to jail for some violations, the Senator is aware which penalties are provided. The Corrupt Practices Act of 1925 likewise provided penalties. The Corrupt Practices Act of 1925 provided for more reports by committees than this bill provides. This bill requires semiannual reports; the Corrupt Practices Act required quarterly reports. There are many, many other points I could make, but I shall not detain the Senate further.

Mr. DIRKSEN. Mr. President, I must close with two observations. First, the Senator from Missouri mentioned that a man can give $10,000; his wife can give $10,000; his children can give $10,000. Of course, everybody knows that would be in the nature of a subterfuge, and that family would be investigated by a Senate investigating committee.

If the Senator wants choice reading, I refer him to the book by the distinguished Senator from Tennessee [Mr. GORE], written after making an investigation. I had the pleasure of going over it last night. I am going to keep it as a memento and keepsake, because I may receive $10,000, but ultimately it will be spun out before some Senate investigating committee ere we get through.

The other point I wanted to make was this. I have been on this floor every day. I have been on the floor all the time while these amendments have been under consideration. My friend from Missouri, I am sure, will not contend that the minority leader was lacking in diligence in pursuing this bill, because certain amendments which were offered by him were adopted, and he knows how the Senate disposed of other amendments. But if my friend will make with me the same deal that he made with the Senator from Tennessee [Mr. KEFAUVER] on the tax amendment, and say, "We will take it to conference," I suggest the striking out of everything except the increase in expenditure allowances, and then I shall be able to vote for the bill.

I have made my case, and I am prepared for the vote.

Mr. CASE of South Dakota. Mr. President, the junior Senator from South Dakota was under the impression there were a few matters in the bill that changed existing law. For the RECORD, I should like to ask one or two questions of the Senator from Missouri.

In the committee report on the bill, I read, on page 4, the following:

> S. 2436 shares with the existing law its basic theories and its remedies. Still there is some difference in the emphasis on certain aspects of disclosure. While the existing law establishes the principle of public disclosure on the national level, S. 2436 lays special stress on the availability of information as to campaign financing not only on the national, but also on the local level.

I should like to ask the Senator from Missouri his opinion, and the opinion of the committee in reporting the bill, as to whether making reports available on the local level would be a salutary improvement of the election process.

Mr. HENNINGS. I am very glad the Senator from South Dakota has asked the question. We have undertaken to say, during the course of the discussion of this bill, that reports on the local level—I think it might be a better phrase to say in the neighborhod area, and that would apply to any State official authorized by law to accept reports—would tend to a greater dissemination and understanding of just who is contributing, what expenditures are being made, and in what amounts. That certainly is the purpose of the provision.

Mr. CASE of South Dakota. I read further, on page 5 of the committee report, this statement:

> Existing law, despite its professed philosophy that corrupt election practices can be cured or prevented by full disclosure of campaign financing, fails to provide for a wide dissemination of reports dealing with campaign contributions and expenditures. According to present law these reports are to be filed with the Clerk of the House, and by senatorial candidates also with the Secretary of the Senate. [See par. 9.3.2.1 below.] It is obvious that in these circumstances only through the media of the press can the public at large be sufficiently informed about the sources and the volume of campaign financing. At present, only the representatives of the press have easy access to campaign reports filed with the mentioned officers of the Congress. Even so, the existing law fails to require that these officers permit the copying of reports by modern mechanical means. At present, in fact, it happens that even committees of the Senate are not allowed, without special permission of the Speaker of the House, to have these reports photostated.

As I understand, the bill before the Senate requires the filing of these reports with the nearest district court, or, in the event State law designates some State official to receive reports of this nature, they may be filed with him. Is that correct?

Mr. HENNINGS. The Senator is exactly correct, and the purposes are self-evident.

Mr. CASE of South Dakota. Was it the opinion of the committee and the chairman of the committee reporting the bill that the making of reports available at the local level would improve the climate under which elections would be conducted?

Mr. HENNINGS. It was thought, I will say to the learned Senator, that having the reports available in the area where the candidate lives, filing them with either the district court or the State officer, would enable the press and others interested, including the opponents of one candidate or the other, to have access to the reports at home, in the State, for the purpose of the legitimate use of the reports in presenting them to the people, so that the people might know.

Mr. CASE of South Dakota. Mr. President, in my experience, when one lives in a State that is some distance from Washington, when one is busy with a campaign it is very difficult for him to determine in advance of the election whether the reports which were filed in advance of the election with the officers of Congress had any particular significance that would have any bearing upon the election. We have traditionally gotten those reports 2 or 3 days after they were filed, when the election was in its last days, and no opportunity for an analytic study of them was available. I had thought, and I have been supporting the bill under the impression, that the filing of reports within the State, at the local level, would be of material assistance to candidates in knowing what was going on with respect to the financing of the opposition.

Mr. HENNINGS. The Senator has well stated the purpose of the provision relating to which he has inquired.

Mr. CASE of South Dakota. There is one other section of the bill which I had been under the impression was of some value, and that was the requirement about transfers from one political committee or candidate to another.

I noted, at page 10 of the committee report, the statement that reports by political committees shall contain:

> (4) Name and address of each political committee or candidate from which the committee received any transfer of funds;
>
> * * * * *
>
> (8) Name and address of each political committee or candidate to which the committee made any transfer of funds.

That requirement is provided by this bill and is not a provision of the existing law.

Is it a fact that the bill does make these changes, cited as section 202(a) (4) and (8), relating to reports filed by political committees of transfer of funds?

Mr. HENNINGS. The Senator's support of this bill has been exceedingly helpful, and his able analysis of these provisions is again correct to philosophy, foundation, and ultimate effect.

Mr. CASE of South Dakota. Is the Senator of the opinion that the requirements for the reporting of transfer of funds both by a committee that has transferred them and the requirement that the name and address of the committee and candidate to whom the funds may be transferred also will have a salutary effect upon the conduct of elections?

Mr. HENNINGS. I think it is beyond cavil that it will, and that is one of the objectives we desire to accomplish.

Mr. CASE of South Dakota. Because of these changes and also because I think the provisions which update the law with respect to the cost of elections are definite improvements over the present law, I intend to vote for the bill. In South Dakota I do not think we have been running close to the maximum in past elections, but I recognize that in larger States a realistic look at the situation does involve some updating, if one may call it that, within the permissive limits of contributions and expenditures.

For that reason, as well as for the reason that the changes which I have indicated will be for the better in making for healthier and sounder elections, I shall vote for the bill.

Mr. STENNIS. Mr. President, I certainly shall not detain the Senate at length. I have tried to follow the course of this bill. I am amazed that the Senate of the United States would pass this bill at a time when very few Members actually know what is in the bill in its present form. No copy of the bill as amended is available, whereby one can make a final study or analysis of it, unless it be in the hands of the chairman of the committee, who has certainly rendered fine service in handling the bill. I have no criticism of him. But it is a fact which should be noted for the record that, so far as the Senator from Mississippi has been able to ascertain, there is available no copy of this bill in its amended form that can be had so as to make a comparison or study of the bill with the present law or with the original bill.

I have a memorandum I prepared in regard to the original bill, as reported by the committee, and virtually every point noted about the bill, as originally presented to the Senate, is now out of date and incorrect, reversed in one way or the other by the floor amendments.

I am further amazed, Mr. President, to observe that 99 men and one lady, representing States of the United States, come to the Senate Chamber and, by one vote—by one sweep of the pen, so to speak—block out and obliterate a large part of the election laws of the respective States. I refer particularly to the primary election laws.

I do not think anyone has any complaint about those laws in my State. I know they are very strict, so strict that a U.S. Senator has to travel 2,000 miles to go home to vote. We do not have an absentee ballot provision in our election law, because that opens up avenues of abuse. The laws are rigidly followed and they are protected and respected. I know it is a matter of honor in my State for one to be chosen as an election manager. I have not heard of much money being spent there in any election.

Members of the Senate are elected from States at large to represent the States as such, and it is simply inconceivable to me, Mr. President, with all defense to them, that a majority would come forward and with one sweep wipe out State election laws to such an extent as has been done.

I was looking at a map of the United States today. There are more than 3,000 counties. Those are the great training grounds for citizenship, which make our large Nation distinctive from almost any other major nation in the world. We have more than 3,000 counties. Each of those counties is represented in a so-called upper branch and a so-called lower branch in one of 50 State legislatures.

How can we assume that we have the collective wisdom of this Nation with reference to the election laws in precincts, in counties, and in States? How could our vision be so superior? How could our judgment be so superior to that of all these other men and women, in 50 legislatures representing more than 3,000 counties, as we try to work out a sound, sane, practical program for regulating, controlling, and conducting elections in those precincts.

With all deference, I submit that the bill should be defeated, or referred to the committee for further work on the subject which needs some attention, as to the amounts of expenditures.

Mr. GORE. Mr. President, lest the remarks of my distinguished friend, colleague and neighbor, the junior Senator from Mississippi [Mr. STENNIS], leads someone to think that some unusual course has been followed with respect to this bill, I respectfully suggest that it has followed the course of all proposed legislation. Every amendment which has been agreed to has been stated and is printed in the RECORD. The bill now before the Senate in its amended form is discernible to all who have followed the amendments.

I do not claim that this is a perfect bill. I regret that it is not more stringent. I am particularly regretful that its effective date has been postponed.

But it is a start, Mr. President. It is a start—and a good start. I hope the other body will improve it. I hope that at a later time, before another election in 1962, we shall have an opportunity to strengthen the law further.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when his name was called). On this vote I have a pair with the senior Senator from West Virginia [Mr. RANDOLPH]. If present and voting he would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business. I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from California [Mr. ENGLE], and the Senator from Oklahoma [Mr. KERR] are absent because of illness.

I further announce that if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from California [Mr. ENGLE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

The Senator from Florida [Mr. SMATHERS] is absent on official business for the Latin America Trade Study Mission as chairman of the Latin America Trade Subcommittee of the Senate Interstate and Foreign Commerce Committee.

The Senator from Washington [Mr. JACKSON] is absent on official business attending the christening of a U.S. naval vessel.

Mr. KUCHEL. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of death in his family.

The Senator from Maryland [Mr. BEALL], the Senator from Nebraska [Mr. CURTIS], the Senator from Idaho [Mr. DWORSHAK], the Senator from Arizona [Mr. GOLDWATER], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

If present and voting, the Senator from Maryland (Mr. BEALL) and the Senator from Idaho (Mr. DWORSHAK) would each vote "yea."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Arizona would vote "nay."

The result was announced: yeas 59, nays 22, as follows:

YEAS—59

Aiken	Gore	Mansfield
Allott	Green	Martin
Anderson	Gruening	Monroney
Bartlett	Hart	Morse
Bible	Hartke	Morton
Brunsdale	Hayden	Moss
Bush	Hennings	Mundt
Byrd, W. Va.	Hruska	Muskie
Cannon	Javits	Neuberger
Carlson	Johnson, Tex.	Pastore
Carroll	Keating	Prouty
Case, N.J.	Kefauver	Proxmire
Case, S. Dak.	Kuchel	Scott
Chavez	Lausche	Smith
Clark	Long, Hawaii	Wiley
Cooper	Long, La.	Williams, N.J.
Dodd	McCarthy	Williams, Del.
Douglas	McGee	Yarborough
Fong	McNamara	Young, Ohio
Frear	Magnuson	

NAYS—22

Bennett	Fulbright	Russell
Bridges	Hickenlooper	Sparkman
Butler	Hill	Stennis
Byrd, Va.	Holland	Talmadge
Cotton	Johnston, S.C.	Thurmond
Dirksen	Jordan	Young, N. Dak.
Eastland	McClellan	
Ervin	Robertson	

NOT VOTING—19

Beall	Goldwater	Randolph
Capehart	Humphrey	Saltonstall
Church	Jackson	Schoeppel
Curtis	Kennedy	Smathers
Dworshak	Kerr	Symington
Ellender	Murray	
Engle	O'Mahoney	

So the bill, S. 2436, was passed, 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 "Federal Elections Act of 1960."

TITLE I—TABLE OF CONTENTS AND DEFINITIONS

Table of contents

SEC. 101. This Act is divided into titles and sections according to the following table of contents:

Table of contents

Title I—Table of Contents and Definitions
Sec. 101. Table of contents.
Sec. 102. Definitions.
Title II—Campaign Practices
Sec. 201. Organization of political committees.
Sec. 202. Reports by political committees.
Sec. 203. Reports by others than political committees.
Sec. 204. Reports by candidates.
Sec. 205. Formal requirements on filing reports and statements.
Sec. 206. Duties of the Clerk of the House of Representatives and the Secretary of the Senate.
Sec. 207. Duties of clerks of United States district courts.
Sec. 208. Limitations upon amount of expenditures.
Sec. 209. General penalties for violations.
Sec. 210. Expenses of election contests.
Sec. 211. Effect on State laws.
Sec. 212. Partial invalidity.
Sec. 213. Repealing clause.
Title III—Amendments to Criminal Code
Sec. 301. Definitions.
Sec. 302. Overall limitation on financial aid to candidates or political committees and prohibition of certain purchases.
Sec. 303. Maximum contributions to and expenditures by interstate political committees.
Sec. 304. Publication or distribution of election materials.
Title IV—Effective Date
Sec. 401. Effective date.

Definitions

SEC. 102. As used in this title and title II, unless the context clearly indicates otherwise—

(1) The term "election" includes a general, special, or primary election, including a preferential primary, and a convention or a caucus of a political party held for the purpose of nominating candidates;

(2) The term "candidate" means an individual whose name is presented at an election for nomination for, or election as, President or Vice President, or Senator or Representative in, or Resident Commissioner to, the Congress of the United States, whether or not such individual is nominated or elected;

(3) The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures in an aggregate amount exceeding $2,500 in any calendar year for the purpose of influencing or attempting to influence in any manner whatsoever the election of a candidate or candidates or presidential or vice presidential electors;

(4) The term "contribution" includes a gift, subscription, loan, advance, or deposit, of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement, whether or not legally enforcible, to make a contribution;

(5) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift, of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement, whether or not legally enforcible, to make an expenditure;

(6) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons; and

(7) The term "State" includes the Commonwealth of Puerto Rico, any possession of the United States, and the District of Columbia.

TITLE II—CAMPAIGN PRACTICES

Organization of political committees

SEC. 201. (a) Every political committee shall have a chairman and a treasurer. No contribution shall be accepted, and no expenditure made, by or on behalf of a political committee for the purpose of influencing an election until such chairman and treasurer have been chosen. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer.

(b) Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the name and address of the person making such contribution, and the date on which received. It shall be the duty of the treasurer to see to it that all contributions received by or for a committee shall be kept separate from any personal funds and deposited in a special account.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the name and address of every person making any such contribution, and the date thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the name and address of every person to whom any such expenditure is made, and the date thereof.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure by or on behalf of a political committee exceeding $100 in amount. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of two years from the date of the filing of the statement containing such items.

Reports by political committees

SEC. 202. (a) The treasurer of a political committee shall file reports of receipts and expenditures with the Clerk of the House of Representatives, on forms to be prescribed by him, and shall transmit a copy of such reports (except as provided in section 207 (b)) to the clerk of the United States district court for the district in which the principal office of the committee is located. Such reports shall be filed, complete as of June 30 and December 31 of each year, and as of the tenth day next preceding the date on which an election is to be held, and as of the thirtieth day following an election, with respect to which contributions were received or expenditures made by such committee. In each instance reports shall be filed not later than the third day following the reporting date as above provided. Each report shall contain—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the name and address of each person who has made a contribution to or for such committee in one or more items of the aggregate amount or value, within the calendar year, of $100 or more, together with the amount and date of such contribution; and for the purposes of this paragraph the term "contribution", as used herein, shall not include transfers of funds to or from political committees or candidates;

(3) the total sum of individual contributions made to or for such committee during the calendar year and not stated under paragraph (2);

(4) the name and address of each political committee or candidate from which the committee received any transfer of funds, together with the amounts and dates of all such transfers;

(5) the total sum of all contributions made to or for such committee during the calendar year;

(6) the name and address of each person to whom an expenditure has been made by such committee in one or more items of the aggregate amount of value, within the calendar year, of $100 or more, and the amount, date, and purpose of such expenditure;

(7) the total sum of all expenditures made by such committee, during the calendar year and not stated under paragraph (6);

(8) the name and address of each political committee or candidate to which the committee made any transfer of funds, together with the amounts and dates of all such transfers; and

(9) the total sum of expenditures made by such committee during the calendar year.

(b) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report only the amount need be carried forward.

(c) The report required to be filed as of December 31 shall cover the entire calendar year.

(d) In the case of political committees supporting candidates for President, Vice President, or Senator, a copy of the report filed with the Clerk of the House of Representatives under subsection (a) shall be filed with the Secretary of the Senate.

(e) The reports required to be filed by subsection (a) of this section shall also contain a list of the names of candidates in whose behalf contributions were received or expenditures made. In the case of political committees supporting more than one candidate (and State and local candidates), the amount of the total expenditures allocable to each candidate—

(1) shall be in the same ratio as expenditures on behalf of each candidate for printing and advertising, radio time, and television time bears to the total of such expenditures, or

(2) where no expenditures were made for Federal candidates for any of such purposes there shall be charged to each Federal candidate an amount equal to the full expenditure divided by the total number of candidates, Federal and State;

except that expenditures specifically designated for an individual candidate shall be charged to such candidate.

(f) Whenever any report is filed by the treasurer of any political committee pursuant to subsection (a), such treasurer at the same time shall transmit a true and correct copy of such report to each candidate on whose behalf such report reflects any contribution received, or any expenditure made, by such political committee.

Reports by others than political committees

SEC. 203. Every person (other than those filing reports pursuant to section 202) who makes an expenditure in one or more items aggregating $100 or more within a calendar year, other than by contribution to a political committee, for the purpose of influencing, in two or more States, election of candidates, shall file with the Clerk of the House of Representatives, on a form to be prescribed by him, an itemized detailed report of such expenditures in the same manner as

required of the treasurer of a political committee by section 202, and shall file a copy thereof (subject to the provisions of section 207(b)) with the clerk of the United States district court for the district in which such expenditures are made, and in the case of any expenditure in support of a candidate for President, Vice President, or United States Senator, shall file a copy of the report with the Secretary of the Senate.

Reports by candidates

SEC. 204. (a) Every candidate shall file with the Clerk of the House of Representatives, on a form to be prescribed by him, reports of receipts and expenditures and shall transmit a copy thereof to the Secretary of the Senate if a candidate for Senator, and (except as provided in section 207(b)) to the clerk of the U.S. district court for the district in which the candidate resides. Such reports shall be complete as of the 10th day next preceding the date on which an election for the office for which he is a candidate is to be held, and as of the fortieth day following such election, and in each instance shall be filed not later than the third day following the reporting date; except that where a candidate in order to qualify for the general election must run in two successive primaries in one party no second report on the first primary will be required for those candidates participating in the second primary if reports filed for the second primary are cumulative and supplementary of the report filed before the first primary. Such reports shall contain a correct and itemized detailed report of contributions received and expenditures made by him in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, in the same manner as required of the treasurer of a political committee by section 202, including amounts expended from his own funds.

(b) The reports required to be filed by subsection (a) shall be cumulative, but where there has been no change in an item reported in a previous report, only the amount need be carried forward.

(c) Every candidate shall enclose with his first report a statement, based upon the records of the proper State official, giving the total number of votes cast for all candidates for the office which the candidate seeks (or the number of persons registered to vote), in the election required to be used as a basis for the computation under section 208(b)(2).

Formal requirements on filing reports and statements

SEC. 205. The reports and statements required by this title to be filed by a candidate, a treasurer of a political committee, or by any other person, with the Clerk of the House of Representatives and the copies thereof required to be filed with the Secretary of the Senate, and (subject to the provisions of section 207(b)) with the clerk of the United States district court—

(1) shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths;

(2) shall be deemed properly filed when delivered to the specified recipient, or when deposited in an established post office within the prescribed time, duly stamped, registered, and properly addressed, but in the event it is not received, a duplicate of such report or statement shall be promptly filed upon notice of its nonreceipt by the officer with whom it is required to be filed; and

(3) a copy shall be preserved by the person filing it for a period of one year from the date of filing.

Duties of the Clerk of the House of Representatives and the Secretary of the Senate

SEC. 206. It shall be the duty of the Clerk of the House of Representatives and of the Secretary of the Senate—

(1) to preserve the reports and statements filed under this title for a period of six years from the date of receipt;

(2) to make such reports and statements available for public inspection during regular office hours;

(3) to make such reports and statements available for such inspection within twenty-four hours of their receipt by them; and

(4) to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person.

Duties of clerks of United States district courts

SEC. 207. (a) It shall be the duty of the clerks of United States district courts—

(1) to receive and maintain in an orderly manner all reports and statements required by this Act to be filed with such clerks;

(2) to maintain such reports and statements for public inspection for a period of six years from the date of receipt;

(3) to make such reports and statements available for public inspection during regular office hours;

(4) to make available for public inspection each report and statement within twenty-four hours of its receipt; and

(5) to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person.

(b) In States where the secretary of state or other State official is authorized to perform the duties specified in this section, the filing of reports and statements under this title shall be with such State official in lieu of the filing with the clerk of the United States district court.

Limitations upon amount of expenditures

SEC. 208. (a) A candidate for Senator or Representative in, or Resident Commissioner to, the Congress of the United States, in his campaign for election, shall not make expenditures in excess of the amount which he may lawfully make under the provisions of this title.

(b) A candidate, in his campaign for election (treating primaries, nominating conventions, caucuses, and special and general elections as separate for the purposes of this limitation), may make expenditures up to—

(1) the sum of $50,000 if a candidate for Senator or Representative at Large, or the sum of $12,500 if a candidate for Representative or Resident Commissioner; or

(2) in the case of an election other than a caucus or nominating convention an amount equal to the higher of the following:

(A)(i) the amount obtained by multiplying 20 cents by the total number, not in excess of one million, of votes cast in the last general election for all candidates for the office which the candidate seeks, plus (ii) the amount obtained by multiplying 10 cents by the total number of such votes in excess of one million; or

(B)(i) the amount obtained by multiplying 20 cents by the total number, not in excess of one million, of persons registered to vote in the general election for the office which the candidate seeks, plus (ii) the amount obtained by multiplying 10 cents by the total number of such persons in excess of one million.

(c) Candidates for elections as President and Vice President who are nominees of a political party, in their campaign for election, shall not make expenditures in excess of an amount equal to the amount obtained by multiplying 20 cents by the largest number of voters casting votes for presidential electors in any one of the last three preceding elections. For the purpose of the limitation prescribed in this subsection, there shall be included the expenditures made by or on behalf of either or both candidates.

(d) A candidate for nomination for the office of President or Vice President, in his campaign for such nomination, shall not make expenditures in an amount in excess of 50 per centum of the amount prescribed in subsection (c), above.

(e) Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by paragraph (1) or (2) of subdivision (b) as the limit of campaign expenses of a candidate.

General penalties for violations

SEC. 209. (a) Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) Any person who willfully violates any provision of this title shall be fined not more than $10,000 and imprisoned not more than two years.

Expenses of election contests

SEC. 210. This Act shall not limit or affect the right of any person to make contributions or expenditures for proper legal expenses in contesting the results of an election.

Effect on State laws

SEC. 211. This Act shall not be construed to annul, or to exempt any candidate from complying with, the laws of any State relating to the nomination or election of candidates, unless such laws are directly inconsistent with the provisions of this Act: *Provided*, That the limitations on expenditures prescribed in section 208 shall supersede any such limitations prescribed in State laws which differ therefrom.

Partial invalidity

SEC. 212. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Repealing clause

SEC. 213. The Federal Corrupt Practices Act, 1925, and all other Acts or parts of Acts inconsistent herewith are repealed.

TITLE III—AMENDMENTS TO CRIMINAL CODE

Definitions

SEC. 301. Section 591 of title 18 of the United States Code is amended to read as follows:

"§ 591. Definitions

"When used in sections 597, 599, 602, 608, 609, 610, and 612 of this title—

"(1) The term 'election' includes a general, special or primary election, including a preferential primary, and a convention or a caucus of a political party held for the purpose of nominating candidates;

"(2) The term 'candidate' means an individual whose name is presented at an election for nomination for, or election as, President or Vice President, or Senator or Representative in, or Resident Commissioner to, the Congress of the United States, whether or not such individual is nominated or elected;

"(3) The term 'political committee' includes any committee, association, or organization which accepts contributions or makes expenditures in an aggregate amount exceeding $2,500 in any calendar year for the purpose of influencing or attempting to influence in any manner whatsoever the elec-

tion of a candidate or candidates or presidential or vice presidential electors;

"(4) The term 'contribution' includes a gift, subscription, loan, advance, or deposit, of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement, whether or not legally enforcible, to make a contribution;

"(5) The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift, of money, or anything of value, or transfer of funds between committees, and includes a contract, promise, or agreement, whether or not legally enforcible, to make an expenditure;

"(6) The term 'person' includes an individual, partnership, committee, association, corporation, and any other organization or group of persons;

"(7) The term 'State' includes the Commonwealth of Puerto Rico, any possession of the United States, and the District of Columbia."

Overall limitation on financial aid to candidates or political committees and prohibition of certain purchases

SEC. 302. Section 608 of title 18 of the United States Code is amended to read as follows:

"SEC. 608. (a) Whoever, directly or indirectly, makes contributions or expenditures in an aggregate amount in excess of $10,000 during any calendar year, or in connection with any campaign for nomination or for election, for any or all of the following purposes—

"(1) to or on behalf of any candidate or candidates for an elective Federal office or offices, including the offices of President and Vice President of the United States and Presidential and Vice Presidential electors, or

"(2) to or on behalf of any committee or committees or other organizations engaged in furthering, advancing, or advocating the nomination or election of any candidate or candidates for any such office or offices or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"This subsection shall not apply to contributions or expenditures made by a political committee.

"(b) Whoever purchases any goods, commodities, advertising, or articles of any kind or description, the proceeds of which, or any portion thereof, directly or indirectly inures to the benefit of or for any candidate or any political committee shall be fined not more than $5,000 or imprisoned not more than five years, or both: *Provided, however,* That this subsection shall not apply to the purchase and sale by candidates and committees of campaign pins, buttons, and similar materials for prices not exceeding $5 per article: *And provided further,* That nothing in this subsection shall be construed to prohibit the purchase from any political committee of any goods, commodities, advertising, or articles sold by such political committees on a nonprofit basis, nor shall it interfere with the usual and known business, trade, or profession of any candidate.

"(c) In all cases of violations of this section by any person other than an individual, any officer, director, or managing head thereof who consents to such violation, shall be punished as herein provided."

Maximum contributions to and expenditures by interstate political committees

SEC. 303. The first paragraph of section 609 of title 18 of the United States Code is amended to read as follows:

"No political committee operating in two or more States shall receive contributions or make expenditures in any calendar year in amounts greater than the amount obtained by multiplying 20 cents by the highest number of voters casting votes for all candidates for the office of presidential elector in any one of the last three elections for that office."

Publication or distribution of election materials

SEC. 304. Section 612 of title 18 of the United States Code is amended by inserting after the word "names" wherever it appears therein the words "and addresses".

TITLE IV—EFFECTIVE DATE

Effective date

SEC. 401. Titles I and II and the amendments made by title III shall take effect on January 1, 1961, except that the provisions of this Act shall not apply to contributions and expenditures made prior to such date; but nothing in this Act shall relieve any person from filing any statements or reports required under the law in force prior to the date of enactment of this Act.

Mr. HENNINGS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DOUGLAS. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

ECONOMIC REGULATION OF THE ALASKA RAILROAD

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 430, Senate bill 1508.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1508) to provide for economic regulation of the Alaska Railroad under the Interstate Commerce Act, and for other purposes.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, to strike out all after the enacting clause and insert:

That the first paragraph of the first section of the Act entitled "An Act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes", approved March 12, 1914 (38 Stat. 305), as amended (48 U.S.C. 301), is amended to read as follows:

"That the President of the United States is hereby empowered, authorized, and directed to adopt and use a name by which to designate the railroad or railroads and properties to be located, owned, acquired, or operated under the authority of this Act; to employ such officers, agents, or agencies, in his discretion, as may be necessary to enable him to carry out the purposes of this Act; to authorize and require such officers, agents, or agencies to perform any or all of the duties imposed upon him by the terms of this Act; to detail and require any officer or officers in the Engineer Corps in the Army or Navy to perform service under this Act; to fix the compensation of all officers, agents, or employees appointed or designated by him; to designate and cause to be located a route or routes for a line or lines of railroad in the State of Alaska not to exceed in the aggregate one thousand miles, to be so located as to connect one or more of the open Pacific Ocean harbors on the southern coast of Alaska with the navigable waters in the interior of Alaska, and with a coal field or fields so as best to aid in the development of the agricultural and mineral or other resources of Alaska, and the settlement of the public lands therein, and so as to provide transportation of coal for the Army and Navy, transportation of troops, arms, munitions of war, the mails, and for other governmental and public uses, and for the transportation of passengers and property; to construct and build a railroad or railroads along such route or routes as he may so designate and locate, with the necessary branch lines, feeders, sidings, switches, and spurs; to purchase or otherwise acquire all real and personal property necessary to carry out the purposes of this Act; to exercise the power of eminent domain in acquiring property for such use, which use is hereby declared to be a public use, by condemnation in the courts of Alaska in accordance with the laws now or hereafter in force there; to acquire rights of way, terminal grounds, and all other rights; to purchase or otherwise acquire all necessary equipment for the construction and operation of such railroad or railroads; to build or otherwise acquire docks, wharves, terminal facilities, and all structures needed for the equipment and operation of such railroad or railroads; to establish, change, or modify rates for the transportation of passengers and property; to receive compensation for the transportation of passengers and property, and to perform generally all the usual duties of a common carrier by railroad; to make and establish rules and regulations for the control and operation of said railroad or railroads: *Provided,* That effective one hundred and eighty days after the enactment of this proviso, and thereafter, the operation of the said railroad or railroads and the facilities and equipment thereof shall be subject to the provisions of part I of the Interstate Commerce Act, as amended, and related Acts, including the Acts of March 2, 1893; March 2, 1903, and April 14, 1910, known as the Safety Appliance Acts (45 U.S.C., secs. 1–16); the Act of May 6, 1910, known as the Accident Reports Act (45 U.S.C., secs. 38–43); the Acts of February 17, 1911, and March 4, 1915, known as the Boiler Inspection Acts (45 U.S.C., secs. 22–34); the Act of March 4, 1907, known as the Hours of Service Act (45 U.S.C., secs 61–64); the Act of April 22, 1908, known as the Employers' Liability Act (45 U.S.C., secs. 51–60); title I of the Railway Labor Act (45 U.S.C., secs. 151–163); and the Act known as the Explosives and Combustibles Act (18 U.S.C., secs. 831–835), and to the provisions of any applicable statutes regulating intrastate transportation enacted by the State of Alaska, in the same manner and to the same extent as if such railroad or railroads and facilities were privately owned and operated, except that approval of the Interstate Commerce Commission shall not be required for any extension of such railroad or railroads or for the issuance of securities, and except further that in carrying out its duties under section 20 of section 20 of the Interstate Commerce Act as amended, the Commission shall consider the needs of the Comptroller General of the United States, the Secretary of the Treasury, the Director of the Bureau of the Budget and the Secretary of the Interior pursuant to provisions of law with respect to the accounting, auditing, financial reporting, and budgetary requirements of such railroad or railroads, so long as such railroad or railroads continue to be wholly owned and operated by the United States. No free pass or free or reduced rate or fare transportation shall be given except as permitted by the provisions of part I of the Interstate Commerce Act. The President is empowered and authorized in his discretion, to lease the said railroad or railroads, or any portion thereof, including telegraph and telephone lines, after completion under such terms as he may deem proper, but no lease

of such railroad or railroads shall be for a longer period than twenty years and no other lease authorized in this Act shall be for a longer period than fifty-five years, or in the event of failure to lease, to operate the same until the further action of Congress. If the said railroad or railroads, including telegraph and telephone lines, are leased under the authority given under this Act, they shall be operated by the lessee under the jurisdiction and control of the provisions of the interstate commerce laws. The President also is empowered and authorized to purchase, condemn, or otherwise acquire upon such terms as he may deem proper, any other line or lines of railroad in Alaska which may be necessary to complete the construction of the line or lines of railroad designated or located by him, but the price to be paid in case of purchase shall in no case exceed the actual physical value of the railroad. The President also is empowered and authorized to make contracts or agreements with any railroad or steamship company or vessel owner for joint transportation of passengers or property over the road or roads herein provided for, and such railroad or steamship line or by such vessel, and to make such other contracts as may be necessary to carry out any of the purposes of this Act; to utilize, in carrying on the work herein provided for, any and all machinery, equipment, instruments, material, and other property of any sort whatsoever used or acquired in connection with the construction of the Panama Canal, so far and as rapidly as the same is no longer needed at Panama, and the successors to the Isthmian Canal Commission are authorized to deliver said property to such officers or persons as the President may designate, and to take credit therefor at such percentage of its original cost as the President may approve, but this amount shall not be charged against the fund provided for in this Act."

SEC. 2. The Act of April 10, 1926 (44 Stat. 239), relating to free transportation on the Alaska Railroad, is hereby repealed.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while Senators are present in goodly numbers, I should like to ask the majority leader about the calendar of business of tomorrow and the ensuing days.

Mr. JOHNSON of Texas. Mr. President, has the Senator from Oregon [Mr. MORSE] been recognized?

The PRESIDING OFFICER. No; the Senator from Oregon has not been recognized.

Mr. JOHNSON of Texas. If I may be recognized, I wish to make a very brief statement. I do not wish to detain the Senate.

It is planned to consider Order No. 430, Senate bill 1508, tomorrow. I am informed that there will be very little time consumed in discussing that bill.

It is expected that the Senate will take up Order No. 819, Senate bill 694, a bill introduced by the Senator from Alabama [Mr. HILL] and the Senator from Pennsylvania [Mr. CLARK], 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. An announcement has been made previously with respect to this bill.

It is expected that the Senate will consider Calendar No. 559, Senate Joint Resolution 39, a constitutional amendment proposed by the Senator from Tennessee [Mr. KEFAUVER] to amend the Constitution to authorize governors to fill temporary vacancies in the House of Representatives. Amendments are expected to be offered to the joint resolution.

I do not know that these measures will necessarily be taken up in the order mentioned, but they have all been cleared.

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

Mr. JOHNSON of Texas. I yield.

Mr. MANSFIELD. In other words, there is a possibility that Senate Joint Resolution 39, Calendar No. 559, the constitutional amendment proposed by the Senator from Tennessee [Mr. KEFAUVER], may be taken up tomorrow.

Mr. JOHNSON of Texas. It is very likely. That is the plan.

CONNECTICUT'S GIFT TO ITS NAMESAKE IN THE NATION'S CAPITAL

Mr. MORSE. Mr. President, as a member of the Senate District Committee, I was especially interested to learn about a meaningful and symbolic event that took place in Washington last month, the success of which was due in large measure to the vision and initiative of our esteemed colleague, the Senator from Connecticut [Mr. DODD].

I have reference to the Christmas tree presentation and lighting ceremonies held in Dupont Circle on December 3 by the Connecticut Avenue Association, during which a live fir Christmas tree was presented by Mrs. Dodd, in the absence of the Senator who had arranged for the tree to be given as a permanent memorial to the Connecticut Avenue Association from the State of Connecticut "in recognition of the outstanding public service projects sponsored by its namesake in the Nation's Capital."

This memorable occasion, attended by many dignitaries, featured a beautiful and inspiring rendition of Christmas carols by the St. Matthew's Cathedral Choir. It also marked the beginning of a 3-week drive by the association to help provide a brighter Christmas for the 1,700 mentally handicapped and problem youngsters at the Children's Center, a District of Columbia Public Welfare Institution located at Laurel, Md. Mrs. Dodd and her 11-year-old son, Nicky, were the first to give a gift to the association's Open House for the Children's Center. The success of the endeavors undertaken by the Connecticut Avenue Association in sponsoring this drive has been warmly attested to by Miss Winifred Thompson, superintendent of the center, and I believe that this humanitarian project should not go unnoticed.

At the ceremonies on December 3, Mrs. Dodd made the presentation of the tree, on behalf of her husband and the State of Connecticut. Her excellent remarks on that occasion deserve attention and I ask unanimous consent to have them printed in the RECORD at this point in my remarks.

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

A PERMANENT REMINDER OF CONNECTICUT

Monsignor Cartwright, Dr. Elson, Mrs. Fistere, honored guests, members and friends of the Connecticut Avenue Association, I should like to convey my husband's sincere regrets at being unable to be here with you today to participate in these ceremonies. He has asked me to present this statement in his behalf.

It is an honor for me to be here representing the people of Connecticut, and I am especially delighted to see Mrs. Connole and the members of the Connecticut State Society here today, actively participating in the support of the Connecticut Avenue Association's drive for needed Christmas gifts for the youngsters at the Children's Center.

I would like to thank Mr. Morris Rosenbloom, your executive vice president, for his many kindnesses and assistance in arranging for this presentation. I know he has played a leading role in fostering the many good works of your association.

Although I know that Connecticut has presented your association with a Christmas tree last year, we are particularly pleased to provide now this live fir tree from our State as a permanent memorial to the association.

I understand that 1960 will mark the 25th anniversary of the incorporation of the Connecticut Avenue Association as a business and civic group in our Nation's Capital. During the years that my husband and I have lived in Washington, we have been impressed by your efforts in behalf of civic improvements.

It is, therefore, a matter of pleasure to me that the Connecticut namesake in our Nation's Capital receive this permanent reminder of our State. This tree, though today small in stature, will grow through the years as your association has grown in significance over this quarter century.

And now, Mrs. Fistere, on behalf of our State, may I present you this fir tree with the warmth and affection of the people of Connecticut.

Mr. HOLLAND. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MORSE. Mr. President, the presentation of this symbolic Christmas tree proved of interest to many residents of Metropolitan Washington. The beneficiaries were not limited to the more than 100 members of this civic-business association, nor to their families and employees, nor to the members of the Connecticut State Society who gave this project their full support. The beneficiaries included a large segment of the citizenry of this area, who received a warm inner glow from viewing the handsome tree that remained lit throughout the holiday season and served as a source of inspiration at this important spiritual period of the year.

I make reference to this civic event for several reasons. First, because I think it represents a good example of the type of project that can and should be conducted along similar lines by other communities throughout the United States. Second, because I wish to call attention to the dedicated spirit that characterized the work of the association members in their 3-week campaign on behalf of the youngsters at the Children's Center. Third, because I wish to commend Senator DODD for playing such an instrumental role in making this project possible.

During the number of years that I have spent in Washington, I have been well aware of the contributions made in the public interest by the Connecticut

Avenue Association and I am glad to have the opportunity of joining with Senator and Mrs. Dodd in acknowledging this work publicly. As the annual meeting of the association takes place this evening, January 26, and marks the 25th anniversary of the incorporation of this outstanding civic-business group, I want to take this occasion to extend my hearty congratulations to President Ethel Fistere and the members of this association for the work they perform on behalf of this community. I wish to congratulate them on their past accomplishments—for their Red Cross blood donor drives; for their efforts on behalf of Hungarian relief, the United Givers Fund, the worship in the church of your choice campaign and numerous other worthy causes. I hope that their achievements in recent years serve as a spur to even greater accomplishment in the days ahead. In particular, at this time, I am pleased to have an opportunity to call the attention of my colleagues to the notable event that took place here last month during the Christmas season—one which was so symbolic of the bountiful good will that exists between Americans who, though separated by many miles, are responsive to each other when significant humanitarian endeavors become the spiritual meeting ground.

Mr. DODD. Mr. President, I wish to extend my gratitude and thanks to the distinguished Senator from Oregon for the very gracious remarks he has made about Mrs. Dodd and me and the Connecticut State Society. I did not know that he was going to make the remarks until only a few minutes ago. It is typical of the warm heart and consideration of the Senator. I am personally grateful to him, and I know Mrs. Dodd is, as is also the Connecticut Avenue Association.

RESOLUTIONS OF THE OREGON ASSOCIATION OF SOIL CONSERVATION DISTRICTS

Mr. MORSE. Mr. President, recently Mr. Elmer Peterson, president of the Oregon Association of Soil Conservation Districts, brought to my attention certain resolutions passed by the association at the 11th annual meeting in Salem, Oreg. Because the resolutions discuss important national legislation, I feel that it is most appropriate for me to bring them to the attention of the Senate. I ask unanimous consent that these resolutions be printed at this point in my remarks.

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

RESOLUTION 3

The Oregon State Association of Soil Conservation Districts at their annual meeting held in Salem, November 4–6, 1959, determined that—

Whereas the local landowners, Federal, State, and local agencies and organizations, and the Siuslaw SCD have a coordinated plan and program in operation to stabilize and develop the drifting sand dunes in the proposed national sand dunes seashore recreational area; and

Whereas failure to stabilize the dune area will destroy the recreational attraction and value of the area in the form of fresh water lakes, streams, forests, farms, existing park facilities, and Federal and State highways; and

Whereas the present plan and program being coordinated through the Siuslaw SCD is a combined effort of Federal, State, local and private organizations and individuals working together in common cause on multiple use development of the area for the good of the greatest number of people for all time; and

Whereas private money and resources are presently being utilized in this multiple use development and conservation of the area; and

Whereas the area is already well developed for recreational use including Federal, State, and county facilities; and

Whereas much of the area involved is in public lands and now available for the use of all through the existing coordinated plan; and

Whereas the beaches of Oregon have been declared by law to be a State highway and available to the public: Therefore be it

Resolved, That the Oregon State Association of Soil Conservation Districts actively oppose the bill in its present form for the establishment of a national sand dunes seashore recreational area in the vicinity of Florence and Reedsport, Oreg.

RESOLUTION 4

The Oregon State Association of Soil Conservation Districts at their annual meeting held in Salem, November 4–6, 1959, determined that—

Whereas certain groups are advocating and urging the Congress through Senate bill 1123 to convert large areas of public lands into wilderness areas, devoid of all facilities except limited fire protection; and

Whereas such wilderness areas, if created, would interfere with orderly programs of land and watershed management and development and in which public land users may share in the costs of such development; and

Whereas such wilderness areas would negate the multiple use concept of public lands management by impairing grazing use, lumbering, and mining, and would prohibit the use of such lands for transportation purposes and transmission line rights-of-way; and

Whereas these so-called wilderness areas, because of their inaccessibility and lack of facilities, would neither be available nor suitable for recreational use by the average person but would be reserved for only a small minority of the American public who profess a need for large areas of uninhabited wild lands for their pleasures: Therefore be it

Resolved, That the Oregon State Association of Soil Conservation Districts be opposed to the enactment of legislation which would create wilderness areas, and recommends legislative action be taken to attain full use of the public lands for watershed management, grazing use, recreation, and such other benefits which may accrue from multiple use of such lands; and be it further

Resolved, That copies of this resolution be sent to the Oregon congressional delegation.

RESOLUTION 5

The Oregon State Association of Soil Conservation Districts at their annual meeting held in Salem, November 4–6, 1959, determined that—

Whereas the Southern Umatilla SCD is sponsor of the application for planning assistance to bring the Tutuilla Watershed within the provisions of the Small Watersheds Act, the Oregon Association of Soil Conservation Districts is aware of a condition in regard to the Indian-owned land and regulations pertaining to this land, which might well hamper, if not prevent it, as well as adjacent non-Indian land, from receiving the benefits of such a program; and

Whereas the Tutuilla watershed covers approximately 40,000 acres of farm-and-rangeland of which approximately 58 percent is non-Indian and the balance Indian-owned; and

Whereas it would be impossible to apply any plan for works of improvement without including all lands because of the checkerboard pattern of this land; and

Whereas the indian land stands to benefit in proportion to other land as a result of this proposed watershed project, but because of its peculiar nature it could well be denied benefits which could accrue were it not Indian-owned; and

Whereas all farmers owning or operating land in the watershed have indicated an interest in the project; farmers operating 33,664 acres of land having signed a formal application requesting planning assistance: Therefore be it

Resolved, That the Oregon State Association of Soil Conservation Districts support legislation in the Congress of the United States which would permit Indian-owned land in trust to the U.S. Government to be legally included within watershed districts under the Small Watersheds Act, and thereby receive all benefits which would accrue were it not Indian land.

RESOLUTION 6

The Oregon Association of Soil Conservation Districts at their annual meeting held in Salem, November 4–6, 1959, determined that—

Whereas the needs expressed by the soil conservation districts for additional soil and water research have been given recognition; and

Whereas a group composed of spokesmen for (a) the Oregon, Washington, and Idaho Associations of Soil Conservation Districts; (b) the Oregon, Washington, and Idaho Wheat Growers Associations; and (c) the Oregon, Washington, and Idaho Agricultural Experiment Station Directors, meeting in Pendleton, Oreg., March 19, 1959, affirmed their stand by resolution to support the Facility Needs—Soil and Water Conservation Research Report as set forth on pp. 128–129; and

Whereas the United States Senate has seen fit to publish this report in full as Senate Document No. 59, 86th Congress, 1st session: Therefore be it

Resolved, That the Oregon Association of Soil Conservation Districts go on record as supporting Senate Document No. 59, 86th Congress, 1st session, which recommends the establishment of certain soil and water research field stations and laboratories for the Pacific Northwest.

THE RURAL ELECTRIFICATION ADMINISTRATION

Mr. MORSE. Mr. President, the Rural Electrification Administration is an agency which commands solid support among the citizens of Oregon.

It is true to say that this one agency alone has done more to transform our farms than almost any other single factor. An excellent summary of the current status of the REA appeared in the January 1960 issue of Northwest Ruralite, under the byline of Henry Alderman, its editor.

Mr. Alderman is particularly well qualified to discuss this subject since for many years he was closely associated

with the work of a sister agency, the Bonneville Power Administration.

Mr. President, I ask unanimous consent that the editorial to which I have alluded be printed at this point in my remarks.

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

TWENTY-ONE AND NINE-TENTHS KILOWATT-HOURS

(By Henry Alderman)

Electric systems financed by the Rural Electrification Administration connected 131,500 new consumers during fiscal 1959, now serve 4,654,000 homes, farms and other rural establishments.

REA has 987 active electric borrowers; 983 of them are consumer owned. REA has made electric loans to 24 profit power companies, totaling $20,067,200. Four of the power companies are active borrowers at this time.

Rural electric systems serve consumers in every State except Connecticut, Massachusetts, Rhode Island and Hawaii.

More than 96 percent of America's farms are now electrified, compared with 10 percent when REA was established in 1935. More than half are served by REA borrowers.

NATURE OF THE PROGRAM

Rural electric systems are locally owned, controlled, and operated by the people they serve. Members elect directors, who establish system policy.

REA, a Federal agency within the U.S. Department of Agriculture, serves only as a banker for the systems. It does not generate or distribute electric power.

Funds for REA loans are annually authorized by Congress. Loans are repaid over a 35-year period with interest at 2.

Rural electric systems provide service on an "area coverage" basis, even in the most sparsely settled areas. The systems average just over three consumers per mile of line. A comparable national average for the profit power companies is not available, but reports indicate they average more than 30 consumers per mile of line.

The rural electric systems are voluntarily associated in State, regional and national service organizations. Nine hundred fifty-eight systems are members of the National Rural Electric Cooperative Association.

The sysems, usually through State associations, publish 28 monthly consumer magazines with a total circulation of more than 2½ million.

FINANCIAL RECORD

REA has approved loans totaling $3.9 billion for rural electric service.

As of October 31, 1959, REA borrowers had repaid $805 million in principal, and $388 million in interest. Of the principal payments, $149 million had been paid in advance of the due date. Only a fraction of 1 percent of repayment due was in arrears more than 30 days.

The net worth of the systems totaled $515 million in December 1958—16.6 percent of total assets. This wes an increase of 1.7 percent over 1957.

Operating revenues for the systems amounted to $563 million for 1958, an increase of 8 percent over 1957. Net margins totaled $75 million, an increase of 9 percent over 1957. Forty-five systems had deficit net margins in 1958, and 166 failed to make debt service—REA's standard for judging the financial health of its borrowers.

PURPOSE OF LOANS

The bulk of REA loans are now made for system improvements and generation and transmission facilities. In fiscal 1959, 17.3 percent of loan funds were for generation, 19.2 percent for transmission, 26.3 percent for system improvements, 35.4 percent for new distribution facilities, and 1.8 percent for consumer wiring, plumbing, and equipment financing.

RETAIL POWER SALES

The rural electric systems sold 21.9 billion kilowatt-hours in 1958. Average monthly residential consumption per consumer was 311 kilowatt-hours, an increase of 10 percent over 1957.

The average cost per kilowatt-hour for residential rural electric consumers in 1958 was 2.65 cents. The average monthly residential power bill was $8.23.

WHOLESALE POWER SUPPLY

The wholesale power requirements of rural electric systems are doubling about every 5 years.

Rural electric systems generated 3.4 billion kilowatt-hours in fiscal 1958, and purchased 19.9 billion kilowatt-hours.

Of their wholesale power purchases in fiscal 1958, the systems bought 9.1 billion kilowatt-hours (39.1 percent) from profit power companies at an average cost of 8 mills per kilowatt-hour. They bought 10.8 billion kilowatt-hours (46.5 percent) from Federal and other public suppliers.

THE PACIFIC NORTHWEST ACCOUNT BILL

Mr. MORSE. Mr. President, I have submitted a statement before the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs in continued support of my position in favor of the basin account approach and payment for reclamation projects out of profits to be derived from the great multipurpose dams. I ask unanimous consent to have printed in the RECORD as a part of my remarks the statement I made before the subcommittee.

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

STATEMENT OF SENATOR WAYNE MORSE, BEFORE THE SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS ON THE PACIFIC NORTHWEST ACCOUNT BILL, S. 1388, JANUARY 22, 1960

Mr. Chairman and members of the subcommittee, I wish to thank the subcommittee for this opportunity to present my views on behalf of maximum development of one of the richest resources we hold in trust for Americans of today and of future generations—our heritage of fertile lands of the arid and semiarid regions of the Pacific Northwest.

For years I have taken the position that the enormous hydroelectric power developed in the waters of the Columbia River Basin should, in part, be put to work in assuring irrigation development of rich lands that lie unproductive until touched by the magic of water. This idea was inherent in the magnificent Grand Coulee Dam project, which, over the years, has demonstrated that low-cost power and enormous irrigation benefits can go hand-in-hand through proper development of a great multipurpose damsite.

In recent years I have applied the same principle to projects less vast than Grand Coulee, but which nevertheless are important to the economy of the Pacific Northwest. One of these is the Crooked River reclamation project near Prineville in central Oregon. I cosponsored the Crooked River authorization bill, S. 3101, which became law in August 1956. An important feature of this law makes a portion of the cost of the Crooked River project payable from surplus revenues of the Dalles Dam project.

More recently, I introduced the bill, S. 2195 of the 86th Congress, which would authorize the construction of the Dalles Federal reclamation project. Under this bill, construction costs beyond the ability of the water users to repay, are to be obtained from a reclamation fund created through net power revenues derived from the sale of power from the Dalles Dam project.

I joined as a cosponsor of S. 1388, the so-called Pacific Northwest account bill, because I believe the time is at hand for working out an orderly and sensible plan whereby reasonable amounts taken from net power revenues of Federal multipurpose projects in the Columbia River Basin may be applied toward bringing into production in future years the farm lands that will be so urgently needed by coming generations. If we do not take appropriate action now, we will guarantee the production of sagebrush on these lands instead of essential foods and fibers. Our generation, I am sure, has more foresight than to permit these lands to lie waste when the means is at hand to put them to work for humanity.

Arid and semiarid lands of this type cannot be developed by farmers on their own resources. They need assistance. The giving of such assistance through reasonable plans to be worked out by the Federal Government can be classified, beyond a doubt, as action taken in the general public interest. I am satisfied that the large majority of people of the Pacific Northwest who have studied this problem are in agreement that these lands should not be permitted to lie waste and should be put into production in the reasonably foreseeable future to meet the growing needs of our rapidly expanding population. We agree as to the need; the only area of disagreement is that relating to the method whereby these lands may be reclaimed in the public interest.

I was happy to cosponsor S. 1388 because it offers a plan. I shall not attempt to give the subcommittee the technical details of the plan because the subcommittee will have the privilege of hearing from those who have expert knowledge of the subject. Present in the hearing room this morning are residents of Oregon who are outstanding in their work on behalf of reclamation and their knowledge of the program envisaged by S. 1388. I refer to Mr. LaSelle E. Coles, president of the National Reclamation Association; Mr. Carlos Randolph, manager, North Unit Irrigation District, Madras, Oreg.; and Mr. Paul House, manager, Owyhee Irrigation District, Myssa, Oreg. These gentlemen have devoted many years in fostering and advancing the interest of reclamation within the State of Oregon, and are eminently qualified to discuss the merits of S. 1388. In addition, you will hear from officials of the Bureau of Reclamation who have studied this legislative proposal in great detail. I urge the subcommittee's very serious consideration of the testimony to be supplied by these witnesses.

In general, the bill under consideration would make possible the use of excess power revenues to assist farmers in repaying the costs of reclamation development. Designated Federal power projects within the Columbia River Basin would be considered as a unit under a Federal accounting system and excess power revenues from these projects would be available to assist farmers in repaying the costs of irrigation projects which are beyond their ability to repay in the normal 50-year period. The program is not an innovation. For example, basin accounts were set up prior to the development of the Missouri River Basin project and the Upper Colorado River Basin project.

I am aware of the fact that S. 1388 is opposed by some in the Pacific Northwest, but I believe that the opposition is not directed against the general policy of assistance to irrigation development by the use of power revenues; rather it seems to

me that the opposition relates to the method whereby S. 1388 endeavors to achieve its objective. For example, Mr. Gus Norwood, executive secretary of the Northwest Public Power Association of Vancouver, Wash., has indicated that the interest component should be used for irrigation subsidy instead of the plan contained in S. 1388. I know that Mr. Norwood will give the subcommittee the benefit of his thoroughly considered views on this important topic.

The subject of this hearing is one of great complexity to the average person. It seems to me that the subcommittee can do an important job in the interest of resource development of the Pacific Northwest by its careful analysis of the factual information to be supplied at today's hearing. After weighing all facets of the problem, I am satisfied that the members of this subcommittee will provide us with a workable and reasonable plan whereby the Pacific Northwest's great contribution to our Nation through the production of power at multipurpose damsites may be applied systematically and reasonably toward bringing into production arid lands that would otherwise be of little service to humanity.

It might be well to note on this occasion that if Hells Canyon had been developed as a Federal project, a portion of its benefits would have been available for assisting the irrigation projects in the area. The private utility dams which have been built to thwart public development of Hells Canyon obviously will not provide any assistance to irrigation. This is a lesson which supporters of the basin account approach should bear in mind in connection with future development of resources of the Pacific Northwest.

UNFAIR EXCISE TAXES

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial published in the Benton County Herald of my State entitled "Unfair Excise Taxes."

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

UNFAIR EXCISE TAXES

How temporary can a tax be, especially after it has been levied for over 15 years? We are speaking of the excise taxes on rail, plane, and bus passenger fares, which have been 10 percent. Also unfair is the 10-percent excise tax on local telephone service.

Some time ago the Senate voted to repeal these taxes, but the House refused to go along. Under a compromise agreement, not yet adopted, the passenger travel tax is to be reduced to 5 percent and the telephone tax is to be retained at 10 percent.

The travel tax came into being in World War II when transportation facilities were overloaded through troop movements and the Government wished to discourage unnecessary civilian travel. A decade and more has passed, and the railroads, airlines, and bus companies have plenty of capacity. The tax is not needed for the purpose it was intended, and in fact hinders the carriers who are the backbone of U.S. transportation in their competition with the private automobile.

Equally unfair is the telephone tax, which also hinders telephone expansion and takes more money out of users' pockets. With the present service there is no way the unfair telephone tax can be justified.

As the Oregonian pointed out in an editorial on this attempt to repeal these wartime excise taxes, "The episode certainly proves one point. There is no such thing as a temporary tax. Once you get into them, they stick like flypaper."

The only solution is to avoid letting such taxes be levied if at all possible—and if not, to demand their removal. This can be accomplished if enough voters care enough to show Congress they mean it. Just a little more letterwriting to our Congressmen might have persuaded the House to go along with the Senate's action.

THE LABOR LAW

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article by one of the greatest labor statesmen, Mr. George M. Harrison of the Railway Clerks, in which he comments on the recently passed labor law.

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

[From Labor, Jan. 16, 1960]

SEES ALL UNITED STATES SUFFERING FROM ANTILABOR LAW

CINCINNATI, January 11.—All America, as well as the union movement, will suffer from the drastic Landrum-Griffin labor control law, Pres. George M. Harrison of the Railway Clerks declared here in an interview given to the Scripps-Howard newspapers.

The interview was with James Feldman, labor reporter for that press chain, who asked Harrison to appraise the past decade and preview the next one. The clerks' chief did so, acutely and pungently.

He stressed that the Landrum-Griffin Act may turn the coming decade into "a period of industrial unrest and rule by demagogs."

Because of the Landrum-Griffin law, he added, "the entire character of the union movement will change during the decade to the disadvantage of the people, the country, and industry."

LICENSE TO MALCONTENTS

Calling the law an indefensible invasion of the rights of union members to run their own organizations, Harrison predicted that it would weaken trade union leadership because it "gives a license to irresponsible demagogs and malcontents to subvert the operation of unions."

Recalling the hectic days of labor-management relations of 25 years ago when the sitdown strike and picket line violence was the rule of the day, he said that the Government and industry kept demanding "responsible union leadership."

"Well, we've given it to them," he declared. "We've trained people, we've sent them to school, we revamped our unions and we've given them responsibility, but now they are going right back to the days when the man who can get on a barn and yell the loudest will be the man with the following."

Harrison said labor would survive the 1960's despite all the roadblocks thrown in its way, but that industry would suffer because it seemed bent on fomenting mob rule.

"The trouble," he said, "is that some leaders of industry are so blinded by their hatred of the labor movement that they are incapable of seeing that they are injuring themselves."

Looking back over the fifties, Harrison noted that both management and labor have sharpened their capabilities of dealing with one another. Both have hired professionals to take care of special fields; both have recruited more skilled people, and both have learned something from each other.

OBLIGATION OF UNION LEADERS

He said that the modern labor leader must not battle blindly, but must take into account such things as the economic condition of his industry, the country, and even international affairs.

Speaking of industry during the fifties, Harrison said "there is an unhealthy concentration of industry into the hands of too few corporations." He said that "controlled pricing," whereby huge industries create artificial shortages and set their own price levels, and tremendous, unwarranted profits have led to inflation.

"Inflationary profits of industry are running at a rate that the economy just cannot sustain," Harrison added. In addition to price inflation, they are also causing inflation in interest rates because huge stock profits are taking money out of the market that should be available for lending.

Harrison was also asked about the possibility of a railroad strike.

"My own judgment," he replied, "is that there will not be a strike and that we will be able to settle our problems through the machinery provided for under the Railway Labor Act."

THE SITUATION IN CUBA

Mr. JOHNSTON of South Carolina. Mr. President, recently the Secretary of State was quoted as saying at a conference on American-Cuban relations that he was "worried about the situation."

As late as yesterday, the Secretary of State huddled with the American Ambassador to Cuba, who had been recalled for a special conference on problems arising in that nation.

Mr. President, it is time the State Department became worried over conditions in Cuba and elsewhere in Latin America. My only regret is that officials in the State Department have waited so long to become alarmed and so long to become worried. I was worried in 1957 over problems in Latin America, and I made a special report on Communist activity in Latin American affairs which was printed as a Senate document by the Judiciary Committee. This report brought to the attention of officials conditions existing at that time, but some of the ultraliberal publications of the Nation, supported by semiofficial reports supposedly representing our State Department's views at that time, belittled any concern over Communist activity in Latin America.

Mr. President, Fidel Castro, who still claims not to be a Communist, in my opinion is more dangerous than a Communist, for he is doing the work of Communists for Communists under the cloak of being a liberator for freedom.

He is like a wolf in sheep's clothing. The people of Cuba have not had any free elections, as they were promised. The agrarian land reform program has turned into a program of Communist confiscation of private property, and instead of bettering Cuba's foreign relations and her economy, Castro has worsened them on every front. His actions last week were below the dignity of diplomatic relations and could only be called acts of a desperate dictator who is fearful of losing control of his position as leader of people.

The U.S. Government has always been a close friend of Cuba. It was the United States that wrested Cuba away from Spanish yoke and gave that country its first taste of freedom. Through the years the American Government has seen fit to pay a premium price for Cuban sugar. While we could have bought sugar at a much lower price, we have

through the years, to help Cuba's economy, insisted upon giving that nation a differential for her sugar. At every turn we have attempted to help Cuba.

The actions of Castro against the U.S. Government and against citizens of the United States, both physical and economical, would normally border on what the diplomatic corps would call acts of aggression. Certainly if a European foreign power had treated the United States, its citizens, and its properties as Cuba has done, it would be a matter of international concern.

The State newspaper of Columbia, S.C., of Sunday, January 24, in an editorial entitled "Step to Isolation," clearly stated that Castro's present foreign policy is one that will lead Cuba into isolationism and bankruptcy.

An editorial which appeared in the News and Courier of Charleston, S.C., of Saturday, January 23, in clear-cut language described the outrages of Castro against the United States, Spain, and against individuals, newspapermen, and property holders. The News and Courier boldly paints for us the true picture that communism is at work in Cuba and may spread from that island to other places.

In my opinion, we need bolder action from the United States toward Cuba to put that nation in line and to safeguard freedom. As the News and Courier says, "One way or another, communism must be barred from the New World." Sometimes it is easier to deal directly with open communism than it is with deceptive communism such as we have in Cuba.

Mr. President, I ask unanimous consent that these editorials from the State of January 24 and the News and Courier of January 23 be printed in the RECORD following my remarks.

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

[From the Columbia (S.C.) State, Jan. 24, 1960]

STEP TO ISOLATION

Fidel Castro has taken one more step to isolation on the end of a limb by insulting away the Ambassadors from the United States and Cuba's mother country, Spain.

We have never been able to see much caliber to Senor Castro, so could never feel that his rise to power could mean any great and permanent improvement to the people of the island. His subsequent actions have continuously and eloquently vertified this doubt.

Being a weak nation at best it should be fundamentally observable to any but the most obtuse that friendship among the family of free nations is necessary for Cuba's progress. Since coming to power Castro's foreign policy has been one of antagonism, hate, and robbery of property owned by nations that have befriended his country.

Having taken over a not too strong house, Castro seems to be bent on weakening it further and as far as possible, though he probably lacks the perception to realize what he is doing.

[From the Charleston (S.C.) News and Courier, Jan. 23, 1960]

BOLDER U.S. ACTION ON CUBA REQUIRED TO SAFEGUARD FREEDOM FROM CASTRO

In rallying the Cuban mob, Fidel Castro is goading the United States ever more surely toward decisive action. Unwilling though our Government may be, it cannot put off indefinitely adopting firmer means of curbing the bearded dictator.

If Washington continues to do nothing, a people's republic soon will be in full bloom 100 miles off the Florida coast and a new staging area for Soviet power will take shape.

Polite treatment of Castro has not made him act respectably. American property has been seized. U.S. citizens have been put in jail. Castro has rejected friendship with the country that liberated Cuba in 1898. He has joined the Communist bloc in the United Nations. The direction in which he is leading must not be misinterpreted.

The latest outrageous act, an abusive speech against the Spanish Ambassador to Cuba, was not without design. Cuban middle and upper classes have strong emotional ties to Spain. They regard Spain with the same kind of affection that many Americans feel for England. By striking at Spain, Castro would discredit moderate elements in Cuba. If he can link Spain, which is disliked by Latin America's leftwing intellectuals, with Washington, he will have gained another point in his propaganda war against the United States.

The Associated Press reports that U.S. Ambassador Philip Bonsal now believes a new policy is needed with respect to Cuba. If he suggests a crackdown on Castro, it is unlikely the State Department will endorse his recommendations. The State Department has a long history of resisting bold measures against world communism. Such firmness as exists in U.S. policies comes from the Defense Department.

The American press has changed its tune on Castro. Influential newspapers such as the Washington Post and the Chicago Daily News, once strongly pro-Castro, now condemn him. The public is getting into a frame of mind for action against the Cuban dictatorship.

Though the State Department in 1934 signed away the specific right to intervene in Cuba, the Monroe Doctrine is still the Nation's basic guide for this hemisphere. This 137-year-old document established a permanent U.S. policy of barring European powers from taking over Latin American governments. While European Communists are not in direct control of Cuba, Castro's lieutenants are leftists who follow the international Communist line. Thus the United States has a doctrinal basis for intervention.

But what sort of action should the United States take in Cuba? The answer, in our judgment, is whatever may be necessary. If Americans will do what's necessary to hold a string of little islands 5 miles off the mainland of China, they should not lack for boldness in Cuba.

The first logical step to restore freedom in Cuba is to withhold the sugar subsidy, which Castro's government needs to prop up the economy. Next could come withdrawal of U.S. recognition, an embargo on trade, and support of a free Cuba movement in the United States.

Beyond this is the possibility of direct United States military intervention, should revolt occur. As in Lebanon, the United States would have to go in quickly and get out just as fast.

If the U.S. Government could act in Lebanon, which is across the world, it could act in Cuba at its own doorstep. All that's necessary is for the public to get adjusted to the idea. Military intervention may seem too drastic at the moment, but we believe the public is ready for initial steps. If these are successful, it may not be necessary to send Marines to Cuba.

One way or another, communism must be barred from the New World.

THE DISMANTLING OF THE ERA OF TERROR

Mr. DOUGLAS. Mr. President, Mr. Thomas E. Murray is one of the ablest engineers in the United States. He is also one of the most public spirited citizens. For a number of years he was a member of the Atomic Energy Commission. Since his departure from that body he has devoted a great deal of time and attention to the problem of the proper use of atomic energy and the best policy the U.S. Government can adopt.

On December 9, 1959, he read an extraordinary paper before the Institute of World Affairs, in Pasadena, Calif. The paper is entitled "The Dismantling of the Era of Terror."

In his paper, Mr. Murray proposes that an international agency be set up to supervise the destruction of American and Russian megaton weapons; that the destruction be done on a matching basis, weapon for equal weapon; and that the process be continued until its political purpose is achieved.

I ask unanimous consent that the full text of the remarks of Mr. Murray be printed at this point in the body of the RECORD.

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

THE DISMANTLING OF THE ERA OF TERROR

(Remarks prepared by Thomas E. Murray, consultant to the Joint Committee on Atomic Energy, for delivery before Institute of World Affairs, Huntington-Sheraton Hotel, Pasadena, Calif., December 9, 1959)

On August 29, 1949, when the Soviet Union exploded its first atomic device, a new era began in the long history of the relations between politics and force. During the ensuing decade the pace of political and technological change has been so swift that men are now begining to say that we have reached the end of the era that began in 1949.

One general judgment of the era is becoming increasingly common. We now realize that the immense drive to arm the United States with nuclear weapons and delivery systems has not been guided and controlled by a clear and practical national purpose. In particular, five criticisms are gaining currency.

First, our armament effort has been wrongly subject to the domination of technology. We have failed to submit technological possibilities to the criterion of military and political usefulness. Second, the result has been an emphasis on the strategy of unlimited war, as exhibited in the concept of massive retaliation. Third, the further result has been a complete divorce between military strategy and political aims. Our dominant military strategy and its supporting arms look to the release of unlimited power, whereas our political aims, whatever they may be, are certainly not unlimited. Fourth, and again in consequence, in the very midst of the enormous power struggle now going on in the world arena, our foreign policies lack the necessary support of force. Our military strength has degenerated into a mere capacity to wreak unlimited nuclear violence, which is politically useless; and this very capacity inhibits us from the use of limited force, which may be politically necessary. Fifth, this whole disorderly structure of policy stands under the final peril, which is a lack of moral sanction. It is against the dictates of reason that mili-

tary strategy should accept the control of technology. Politics, not technology, is the rightful master of military doctrine. It is also against the dictates of reason that the use of force, which may be the necessary instrument of justice, should suffer moral degradation and become a sheer exercise in violence, which can serve no moral or political purposes.

These five criticisms are entirely valid. If I may say so, I had made them myself before their validity began to be commonly recognized. Taken together, they demonstrate the instant need for a new design of American policy, guided by a new vision of the public purpose of America.

The danger at the moment is that American disarmament policies during the decade to come will be characterized by the same confusions that have marked our armament policies in the decade that is past. We swung into action on armament without stopping to put right order in our thought. We have already swung into action on disarmament without stopping to correct the disorders of thought that have already proved so pernicious and will prove pernicious again.

The first problem then is to define the public purpose of America in the field of disarmament. The basis of definition must be the essential distinction between violence and force. This is a political distinction, based on a moral premise. By violence I mean the use of military power in such an extensive, indiscriminating, or even unlimited, measure and manner that its use becomes inept and useless for the rational purposes of politics, which are always limited. By force I mean the use of power in such a limited measure and in such a discriminating manner that its use becomes an apt instrument for the achievement of legitimate political goals. The release of violence is irrational and therefore immoral but the use of force, as thus defined can be rightful, depending on the political rationality and moral rightness of the particular purposes for which it is used.

The past decade has been an era of terror because over it has hung the threat of violence—uncontrolled, unlimited, both politically and morally absurd. Our immediate and urgent purpose, therefore, must be to effect an orderly dismantling of the era of terror, by dissipating this threat of violence. This negative purpose must be allied with the more positive purpose of effecting the orderly construction of a new era. One cannot give it a name or fully describe it. But its essential characteristic must be the reinstatement of force as an instrument for the basic political purpose that is indicated in the American Constitution, namely to establish justice.

Given the nature of man, the art of international politics cannot dispense with the use, or at least the threat, of force, any more than human society can dispense with law, which requires force to back it up. On the other hand, international politics perishes as an art if power is allowed to suffer moral degradation and become mere violence, which is destructive of the very idea of force and of law too.

This statement of the twofold national purpose of America immediately serves to make it clear that nuclear tests are not the primary or most important issue. The past decade has not been the era of terror because it has been an era of tests. The current moratorium on all tests has done nothing to banish the threat of violence. This threat derives from the escape of nuclear technology from the control of military doctrine and political purpose. Here the primary issue appears. Technology does not know the difference between violence and force. Left to itself, without the control of higher policy, it has tended to enlarge our capacity to wreak violence, not to use force. Government, however, is supposed to know this essential political and moral distinction. And it is the duty of Government, by political decision, to make the implications of the distinction binding both on the deliberations of the military strategist and on the experiments of the technological expert.

The primary issue therefore is a reform of thought, to be expressed in political decisions. Moreover, it is not difficult to discern the direction that political decision must take, if it is to rectify its own past errors and retrieve its own past failures. The disorders of policy in the past decade have left as their fateful legacy a great and ever growing stockpile of weapons of violence—megaton weapons whose destructive capacity is unlimited, if used in the numbers required by the current strategy of massive retaliation. We must assume that the Soviet stockpile matches our own. The sheer existence of these stockpiles is the proximate reason why the past decade has been an era of terror. These stockpiles have created their own strategy, which is that of war of annihilation. And the threat of annihilation has in turn created the terror.

It follows in all logic that the era of terror will not be dismantled until these megaton stockpiles are themselves dismantled. This is the immediate issue presented for political decision. The decision does not fall to the strategist or to the technologist. It falls squarely within the province of politics; for it is an issue that concerns the public purpose of the United States. The making of this decision by Government is the very condition for the restoration of politics to its rightful place of primacy in the structure of American policy. There is no other way in which the present rupture between political purpose and military strategy can be healed in its depths.

I should like, first, to present in general outline the form that this political decision should take, and then construct the argument, pro and con.

My suggestion has two parts. First, that an international agency be constituted and located on neutral territory and empowered to supervise the systematic destruction of the megaton weapons in the American and Soviet stockpiles. Second, that the destruction be done on a matching basis, weapon for equal weapon. The United States will hand over to the international agency one megaton weapon, beginning in the highest range; the Soviet Union will in turn hand over one weapon of the same size. Experts in the agency will be able to estimate, within a small percentage of error, whether the weapons are equal in their yield. The "hardware" of the weapons will then be destroyed in some public fashion. Their content of highly enriched fissionable material will be put at the disposal of the appropriate international authority for peaceful uses. This matching of weapons, one for one, will continue. The process has a political purpose—to end the era of terror, to banish the threat of violence, to redeem force from its moral degradation and its political absurdity. The process will therefore continue until this political purpose, under a decent respect to the opinions of mankind, has been achieved.

Considerable detail ought to be added to this proposal; but the presentation of its substance is sufficient for the purposes of immediate public debate. I shall undertake to make the case for it.

In the first place, this proposal takes far more realistic account of the needs of national security than does current American disarmament policy. Our present policy was announced at the London Conference of 1956, and it has not been changed. It calls for nuclear disarmament: first, by the cessation of all nuclear tests; second, by the stoppage of the flow of fissionable material into weapons; third, by the total destruction of all existing nuclear stockpiles. This proposal clearly illustrates our fatal habit of divorcing political and military policies. For political reasons we declared a moratorium on all tests, despite the fact that military reasons demanded certain kinds of tests. These tests would develop what I have called the third generation of weapons. They would be carried out underground and give us new types of much needed limited weapons, defensive and offensive, which could be used in discriminating fashion. Moreover, the other parts of the proposal, if carried out, would be fatal to any rational concept of American military strength. The program would strip us, not only of the capacity for unlimited and useless nuclear violence, but also of the most useful and necessary capacity to use limited nuclear force.

It is true that the carrying out of the present program was made contingent on the establishment of international inspection and controls. However, in the matter of tests it is clear to informed people that an adequate and effective inspection system, which would detect tests even down to 5 or 10 kilotons, is for the present not a definite scientific possibility, and it is also, for the foreseeable future, a political impossibility. An adequate and effective system would have to consist of thousands of stations, equipped with devices not yet invented; this is the scientific problem. Many hundreds of these stations would have to be on Soviet and Red Chinese territory; this is the political impossibility.

Moreover, the stoppage of all nuclear production and the total destruction of existing stockpiles—stand even farther beyond the possibility of control for scientific and political reasons. Therefore, the first argument for my new proposal lies in the need to find a safe alternative to the extremely risky and altogether unrealistic policy to which we are presently committed.

In the second place, the new proposal goes to the heart of the issue. It is the sinister stockpiles of megaton weapons, and the strategies of annihilation built on them, which give off the fumes of terror that today are poisoning the international atmosphere. The terror has to be attacked at its source, which is the bilateral and balancing power of the United States and the Soviet Union to wreck the fabric of civilization in a matter of hours. These pools of potentially unlimited violence must be drained and dried. All other issues are secondary to this.

In the third place, this proposal is practical. It should be possible to negotiate an agreement on it between ourselves and the Soviet Union, the only two necessary partners to such an agreement. The single indispensable condition of agreement exists, namely, self-interest, hard and cold self-interest, the common and coincident self-interest of both parties. It is as much in the interests of the Soviet Union as it is in ours to avoid the ultimate catastrophe in which the era of terror may culminate, if it is not deliberately brought to an end. No national interest, American or Russian, is served by maintaining and increasing a stockpile of weapons of violence that are utterly useless for any political purpose, Russian or American. The political absurdity of unlimited nuclear violence—reciprocally acknowledged—this is the basic fact on which, as on solid ground, an agreement can be based. In the course of their rivalry for megaton armament the United States and the U.S.S.R. have both been driven into an absurd situation. There is a common interest in putting an end to it.

Moreover, the proposal is practical for another reason. It avoids the political stone

wall into which other American proposals have always run. This stone wall is set up by the Soviet concept of absolute national sovereignty which forbids honest and effective international inspection of Soviet territory. A new formula has to be found to establish the principle of international control. The proposal I am discussing contains this new formula. It does not call for inspection of Soviet territory.

In the fourth place, this new proposal will inevitably find favor in the court of world opinion. This is what the nations really want—that the United States should take the lead in bringing them out from under the shadow of possible annihilation. The Soviet Union could not refuse to follow this lead without incurring the political punishment of the disfavor of the nations. Moreover, by making this proposal the United States would finally assume the initiative in the problem of disarmament. In all negotiations the party that defines the issue has already gained the initiative. We lost it by giving way under pressure and allowing the Soviet Union to define, as the primary issue in disarmament, the cessation of all tests. This was a grave mistake on many counts. We shall rectify it, and gather the initiative into our own hands, only if we ourselves define the real issue that rightfully claims primacy. This primary issue is the stockpiled capacity for unlimited violence.

In the fifth place, if megaton means of wreaking violence were thus gradually to be destroyed by mutual agreement, the threat of violence would cease to be of use as an instrument of international politics. It would be absurd for a nation to begin surrendering its weapons of terror, and at the same time go on brandishing the threat of their use. Nuclear blackmail would be at an end. The international atmosphere would be considerably cleared.

In the sixth place, the essential distinction between the cold war and the era of terror would begin to be realized. The cold war had begun before the era of terror set in; it will continue after the terror is ended. Basically, the cold war is a crisis in civilization. The contest is between opposed conceptions of the nature of man, his role in history, and his relation to the State. This ideological conflict has carried over into the field of politics; and its economic dimension is continually growing. During the era of terror it has also acquired a military dimension of altogether swollen proportions. Until this military dimension is cut down to proper size, the real issues in the cold war will be obscured.

In particular, it is absolutely necessary to remove from the cold war the issue of sheer physical survival. This issue has done nothing but darken counsel, paralyze purpose, and confuse policy. The issue is fundamentally false; survival should never be an issue in political struggles or even in war. But a nightmarish sort of reality attaches to the issue of survival because of the megaton stockpiles whose use would imperil the survival of everybody. Until these weapons are destroyed, the issue of survival will continue to distract the mind of America from its real job. The public purpose of America in opposing world communism will remain blurred, undefined to ourselves, to the Soviet Union, and to all the world.

In the seventh place, a most salutary effect would be produced on American strategic thought. At least since 1953 it has stood under the hypnotic influence of megaton technology. Its focus has been fixed on the strategy of annihilation. The concept of massive retaliation has held it in deadly thrall. The spell can only be broken by the political decision to enforce the primacy of politics and to begin an orderly surrender of weapons that are politically useless. This decision would compel the military strategist to take new thought. There could at last take place a movement toward increased flexibility in strategic thinking, toward a revival of the traditional principle that the aim of a general is the will of the opposing commander, not the butchery of his forces, still less the total destruction of his country and the indiscriminate slaughter of its civilian population. Thus military doctrine would find its way to rightful relation with political aims. The fatal rupture would come to an end. And with this change in strategy from emphasis on inept violence to emphasis on apt force the technology of weapons would at last be brought under proper rule and restraint. The tail of technology would cease to fly the kite of strategy.

In the eighth place, a step would be taken toward the positive goal of American disarmament policy. The distant goal, still far over the horizon of the future, is the gradual transfer of the right to use arms and to produce nuclear arms, to some new kind of international authority. A small step toward this goal would be taken by establishing an international agency empowered to supervise the destruction of weapons of violence. This assignment is very limited. But the new agency would embody the essential principle of international control of nuclear armament. The principle would have been publicly recognized in the face of the nations and extensions of it would gradually become possible.

In the ninth place, a considerable amount of highly enriched fissionable material would become available, presumably to the International Atomic Energy Agency, for peaceful purposes particularly for the development of industrial nuclear power. This fact would give a tremendous and badly needed impulse to the whole program of atoms for peace. This development would have important consequences both in the improvement of international relations as well as in the advance of economic progress.

Here then are the reasons in favor of the proposal. What are the reasons against it? There are only two.

First, it will be said that an agreement to match the Soviet Union in the destruction of weapons of violence would impair the military strength of the United States.

This objection rests on a false concept of strength. I do not consider it strength on our part to consent to the current degradation of force into violence. On the contrary, it is weakness. Surely, it is moral weakness. It is a failure of the moral intelligence to understand what is going on, or a want of moral courage to stop this process of corruption. It is also political weakness. It is a failure of the political intelligence to see the absurdity of violence, and to see also the rational necessity of force, for the purposes of politics. Moreover, unless this process of moral degradation is checked by the courage of political decision, the result will be to continue and increase our military weakness, the weakness of a nuclear establishment whose political uselessness grows more and more apparent, and the weakness of a technology whose resources of power are exploited without purpose, because they lack due military and political direction.

It is becoming apparent today that we have been pursuing an illusion of strength along a dead-end road, the same dead-end road into which technology turned military doctrine in 1953, when the hydrogen bomb assumed control of strategy. Since that day our nuclear superiority has been lost. A balance of nuclear power has been established. In this new situation the strategy of ultimate deterrence plus massive retaliation and the megaton stockpile which supports this strategy have lost whatever value, both military and political, they may once have had in the past day of our nuclear superiority.

The conclusion is that we ought now to make some political use of this stockpile since it has been a military liability. Self-interest presently dictates that we trade in our great weapons of violence, one for one, with the Soviet Union doing the same, as a political deal with a political purpose. This act of self-interest would also be an act of the moral conscience of America and a declaration of our civilized public purpose. We would give witness in action that we shall not abdicate the right uses of force, but that we do abjure the senseless uses of violence, because we understand that politics needs force, but morals condemn violence.

The second objection raises the ultimate question: Would the proposed action invite massive Soviet aggression and open the United States to defeat and destruction? Would not the Soviet Union "cheat on" the agreement in order to gain nuclear superiority in megaton weapons, and then would it not, at some given moment, launch a total attack on the United States?

This possibility cannot be absolutely excluded. Here is the irreducible risk. No policy can take account of every single future possibility. Policy directs itself to what is likely to happen, not to what may possibly happen. Risks must always be calculated. On any fair calculation the risk involved in my proposal is minimal. Certainly it is far less serious than the risk involved in the present American disarmament proposal.

It has to be remembered that the distinction between force and violence, which I am urging as the basic premise of American policy, does in fact constitute the basic premise of Soviet policy. In contrast communism is not committed to the political ineptitude of unlimited violence. The Communist purpose is always to use apt force, whenever it is useful or necessary. Here lies the real risk for the United States. Force is forever the servant of Communist policies. It will be used not only on the defensive occasion but also to further the success of the offensive move.

Therefore the United States must always expect from the Soviet Union the threat, and the use of apt force in support of declared policies. This, I repeat, is the real risk, the ever present likelihood—in fact, the certainty—to which American policy must address itself. This risk was disregarded by the sweeping three-part disarmament policy set by the United States in 1956. My proposal takes it fully into account.

For the rest, there remains the outside possibility, the unlikely contingency, the tenuous risk that no disarmament policy, however ingenious, can absolutely exclude. Might it not happen that, at some future and undetermined date, in a conjectural situation of possible Communist nuclear superiority, the Soviet Union might conceivably threaten the use of total nuclear violence, for no very clear or predictable political purpose? Who could possibly answer this question? This is not the kind of guesswork on which present American policy ought to be based. For my part, I cherish the confident hope that, if such a threat of violence were ever to be made, the United States would be secure enough in other forms of valid nuclear strength, to have the courage simply to defy it.

Let us, however, come back from speculations about the unforeseeable future to the certain and seen realities of the present. The existent fact is that the real invitation to military helplessness and political defeat before the advancing forces of communism is being issued by the present rigidity of the American posture, both political and military, that refuses to make the essential distinction between apt force and inept violence. The enforcement of this distinction points the only way to security, both for ourselves and for all the world.

I do not, of course, maintain that it will be easy to negotiate in detail the precise and concrete meaning of this distinction as applied to nuclear stockpiles. But I do main-

tain that this is the cardinal issue that needs to be negotiated. I further maintain that the necessary premise of negotiation exists. It is a matter of self-interest to both parties to agree to the distinction itself and to strike a further agreement to negotiate its practical meaning. Success in the negotiations is not assured. But at least success is a more genuine possibility and a more instant necessity in this area than anywhere else.

Nor need we fear that the guidance of Divine Providence will be lacking to us as we thus set to work to dismantle the Era of Terror, which has grown increasingly offensive to the moral conscience. The redemption of mankind from the dominion of terror is not alien to the intentions of God.

FACTS ABOUT THE AMERICAN MERCHANT MARINE

Mr. MAGNUSON. Mr. President, the Propeller Club of the United States is a nationwide, one might even say a worldwide, organization of shipping, exporting, industry, and professional people banded together for the specific purpose of promoting and supporting an American merchant marine and allied industries adequate to meet the requirements of national security and of the economic welfare of the United States.

Each year the Propeller Club conducts an American Merchant Marine Conference as part of its program of public relations, education, and good will among exporters, importers, and the public generally. Its 33d annual conference, held in Detroit this past October, very properly was devoted largely to problems of the country's "Fourth Seacoast," the St. Lawrence Seaway.

As an introduction to its recently published record of resolutions adopted at this 33d annual convention, there is presented a brief summarization of "Facts You Should Know About the American Merchant Marine." This summary is so impressive, and so deserving of widespread public attention and study, that I ask unanimous consent that the statement be printed at this point in the RECORD.

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

FACTS YOU SHOULD KNOW ABOUT THE AMERICAN MERCHANT MARINE

WHAT IT IS

It is an American industry of substantial size, operating about 1,000 ships of various types in ocean trades and 5,000 vessels in lakes and rivers, providing over one-half million jobs in vessel operations, ship construction and repair, port services and supplies, fuel oil, insurance, longshore and seafarer wages, etc.; providing about $2 billion in payrolls annually.

ROLE OF AMERICAN MERCHANT MARINE AS A CUSTOMER OF U.S. BUSINESS

It spends with American business concerns about $800 million per year in goods and services.

Its food bill, for foodstuffs purchased entirely from United States companies, for feeding passengers and crew members is $75 million annually.

It gives $75 million in business to other American companies each year for ship supplies.

American insurance companies enjoy $72 million in insurance premiums from American shipping; oil companies $168 million in fuel oil and other petroleum product sales; and shipyards $99 million in repairs.

It will spend $3 billion in the next few years for ocean vessels alone in the greatest shipbuilding program in its peacetime history. All of these expenditures will be made in American shipyards.

HOW THE AMERICAN MERCHANT MARINE SERVES THE ECONOMY OF THE UNITED STATES

Besides being a great first-rate customer of American business and employer of American industrial workers, the American merchant marine serves a vital role in keeping the wheels of American industry turning.

It provides the only reliable transportation medium for the $32 billion annual import-export business of the United States on which an additional 4½ million Americans rely for their jobs.

It is the only insurance in times of stress or emergency that our American exports can move to their foreign markets.

This means safe, reliable transport for a quarter of our cotton; a third of our wheat; one-half of our entire rice crop; a quarter of all tobacco raised in the United States; the equivalent of 100 percent of all of the agricultural products of 1 acre out of 10 in the United States.

It guarantees to the industry of the United States, because by law it must serve U.S. trade, that the flow of essential imported raw materials will not stop, and paralyzes our mills and factories. It guarantees transport to our consumption centers of the world's raw materials, such as manganese, bauxite, lead, tin, nickel, natural rubber, and other essential metals and ores whose primary source is often overseas and without which we could not even produce steel; could not operate the factories of the Nation and could not adequately prepare for defense.

Its domestic oceangoing fleet of modern vessels, serving the intercoastal and coastwise trade, serves American industry in two important ways.

It offers the largest single transport container, in which goods can be handled on certain routes at a lesser cost than by any other medium.

It provides an effective stabilizing force on land transport rates in the basic commodities without which our industry would be burdened with excessive costs.

Its great fleet of river and lake vessels, both self-propelled and towing types, provides a transport system for finished goods and raw bulk commodities in quantities and at rates impossible through any other medium. In the case of many bulk cargoes, these vessels and the transport system they constitute make possible the very industries they serve.

American flag tanker vessels provide the crude and refined petroleum products which are essential to every industrial operation on the American scene.

WHAT THE AMERICAN MERCHANT MARINE COSTS

Contrary to generally accepted views, the American merchant marine does not cost the American taxpayer "one red cent," according to Mr. Clarence G. Morse, Federal Maritime Administrator and Chairman, Federal Maritime Board.

It received many millions in harbor and navigation project appropriations, but returned on an average of $1.50 for each $1 spent for such projects in economic benefits to the industries and communities along our rivers, lakes, and coastlines.

It received $449 million in operating subsidies (one-fourth of our ocean fleet only) from 1946 to 1955, and paid back into the U.S. Treasury $422 million in taxes.

Millions in additional taxes were realized out of its purchases of supplies, foodstuffs, fuel oil, new ships, port services, and the myriads of other items bought from American business to run a modern American merchant fleet.

DEATH OF SENATOR LANGER, OF NORTH DAKOTA—RESOLUTION

Mr. KEFAUVER. Mr. President, at a meeting of the Antitrust and Monopoly Subcommittee held on January 11, 1960, it was unanimously agreed to draw up a resolution expressing the sorrow of each of the members at the passing of Senator William Langer, of North Dakota, who inaugurated the subcommittee and served as its first chairman. The resolution was to make note of Senator Langer's monumental achievements in the Senate generally and in the subcommittee in particular.

I was directed, as chairman, to place the resolution in the permanent records of the subcommittee and in the CONGRESSIONAL RECORD.

I was also directed to send a copy of the resolution to each of Senator Langer's four daughters: Mrs. Cornelia Noland, 3326 Quesada Street NW., Washington, D.C.; Mrs. J. Peter Schaeffer, 7 Hunter Lane, Rye, N.Y.; Mrs. D. King Irwin, Lees Hill Road, New Vernon, N.J.; and Mrs. Franklin Gokey, Box 1959, Fargo, N. Dak.

I ask unanimous consent that the resolution be printed in the RECORD.

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

RESOLUTION

Whereas Senator William Langer had a long and distinguished record in the service of his country and its people, respectively, at attorney general and twice Governor of North Dakota and as U.S. Senator from that State since his election in 1940; and

Whereas Senator William Langer, as chairman of the U.S. Senate Judiciary Committee in 1953–54, inaugurated the Senate Antitrust and Monopoly Subcommittee and served as its first chairman; and

Whereas Senator William Langer's record of achievement as chairman of said Senate Antitrust and Monopoly Subcommittee was instrumental in fostering the subcommittee as one of the permanent subcommittees of the Senate Judiciary Committee; and

Whereas Senator William Langer has continued through the years since 1953 to participate actively in the investigations and hearings of the Senate Antitrust and Monopoly Subcommittee and has brought great credit to the efforts and accomplishments of said subcommittee; and

Whereas Senator William Langer has long been recognized as a great champion of the small business people and the efforts of Congress to curb monopoly and monopolistic power and control over the destinies of man and business; and

Whereas Senator Langer's concern over the problems of the poor and the oppressed were reflected in all walks of life and his door was open to one and all who needed a sympathetic ear; and

Whereas the members of the subcommittee have for these many years relied on Senator William Langer's great wisdom and enthusiasm in combating any spreading of monopoly in the United States of America; and

Whereas the members of the Senate Antitrust and Monopoly Subcommittee were deeply grieved by the sudden passing of their beloved colleague and friend on November 8, 1959, while Congress was adjourned; and

Whereas the members of this subcommittee will miss Senator William Langer's wise counsel and rare humor in hearings and meetings of the subcommittee: Now, therefore, be it

Resolved by the Members of the U.S. Senate Antitrust and Monopoly Subcommittee on this the 11th day of January 1960, That they are deeply grieved by the sudden loss of their friend and colleague, Senator William Langer, of North Dakota, and that said loss will be genuinely felt for many years to come by those who knew, loved and worked with him and by the many people who profited by his dedication to our free enterprise system and the antitrust laws; and further

Resolved, That this resolution be signed by each subcommittee member and placed in the permanent records of the subcommittee and in the CONGRESSIONAL RECORD; and further

Resolved, That copies of this resolution be forwarded to his four daughters.

ESTES KEFAUVER,
U.S. Senator, Chairman.
THOMAS C. HENNINGS, Jr.,
U.S. Senator.
JOSEPH C. O'MAHONEY,
U.S. Senator.
JOHN A. CARROLL,
U.S. Senator.
PHILIP A. HART,
U.S. Senator.
EVERETT MCKINLEY DIRKSEN,
U.S. Senator.
ALEXANDER WILEY,
U.S. Senator.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954—BILL INTRODUCED

Mr. KEFAUVER. Mr. President, the amendment to the clean elections bill, which was passed this afternoon, allowing a small deduction or credit for campaign contributions to Federal elections, was not agreed to.

I introduce, for appropriate reference, a bill, the text of which is the same as that of the amendment which was rejected this afternoon. I assume it will be referred to the Committee on Finance for consideration. I have been told by members of that committee that they would consider it in due course.

I understand that the Senator from Pennsylvania [Mr. CLARK] and the Senator from Oregon [Mr. NEUBERGER] wish to be added as cosponors of the measure. Therefore, I ask unanimous consent that the bill lie on the desk for 1 day in order to allow them and other Senators to join as cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Tennessee.

The bill (S. 2905) to provide for a credit or deduction against Federal income taxes for certain political contributions, introduced by Mr. KEFAUVER (for himself, Mr. CLARK, and Mr. NEUBERGER), was received, read twice by its title, and referred to the Committee on Finance.

ADJOURNMENT

Mr. KUCHEL. Mr. President, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 51 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, January 26, 1960, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 25, 1960

The House met at 12 o'clock noon.

Rev. Paul J. Harrell, pastor, Memorial Baptist Church, Arlington, Va., offered the following prayer:

The Scriptures command us to "Live as free men; yet without using our freedom as a pretext for evil; but live as servants of God" (I Peter 2: 16).

Let us pray: Worthy art Thou, our Lord and our God, to receive the glory and the honor and the praise of men and of angels: for Thou didst create all things, and because of Thy will they were, and were created.

Father of truth and of justice, of Thine infinite goodness and wisdom, direct, we pray Thee, the hearts of these who hear authority in our Nation, strengthen them with the power of Thy Holy Spirit; protect them from the snares of the enemy and the pride of power; and grant that rulers and people may with one mind serve Thee our God and King through Jesus Christ. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 21, 1960, was read and approved.

RICKOVER DESERVES THE PRESIDENT'S EAR

Mr. HECHLER. 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 West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, the Eisenhower administration's ostrichlike reaction to reality was dramatized again Sunday evening in a televised interview with Vice Adm. Hyman Rickover on "Meet the Press."

James Reston, of the New York Times, asked Admiral Rickover if any important official of the Eisenhower administration had ever asked him to give his views on the American educational crisis. The admiral's reply was a soft, sad "No, sir."

On numerous occasions, the father of the atomic submarine has spoken and written with wisdom and insight on the grave problems facing our educational system. His views have been discussed and debated across the land. But the Eisenhower administration is not even interested enough to pick up the telephone and invite him over for a discussion of probably our gravest national problem.

President Eisenhower and his education advisers apparently are content to keep their heads buried deeply in the sands of material prosperity—as the President did in his recent state of the Union message.

All is well, said the President in his state of the Union message. Prosperity and happiness are pursuing our people at an unprecedented pace, he said. And, above all else, our educational system does not need what he called a "Federal hypodermic."

But not only our children but the security and vitality of our country will be stuck—with a woefully inadequate educational system—if this Congress fails to enact a genuine program of Federal aid to education, such as the Murray-Metcalf bill.

On "Meet the Press," Admiral Rickover warned that a stronger educational system, buttressed with Federal assistance, was our Nation's most urgent need and our first line of defense. He also indicated that Pentagon appropriations actually might be cut 20 to 30 percent and the savings invested in education. National defense probably would be strengthened by such a move, Admiral Rickover said, by thinning the bureaucratic layers which are strangling our defense program.

I announced before this session began that I would not vote another penny for arms spending until a genuine program of Federal aid to education is enacted. If necessary, I would favor diverting a billion dollars a year from our defense budget to improve our schools because, as Admiral Rickover pointed out, education is the foundation of our national security in the future.

In this era of both international tension and unparalleled international opportunity, education has become a national problem that demands national solutions. No longer should the tired cry of States rights—which often turn out to be States wrongs, as Adlai Stevenson has pointed out—lull us into ignoring this Nation's educational crisis.

Only the Federal Government has the resources and the efficient taxing techniques to rescue our local school systems from a fate far worse than the bogeyman of Federal control—the mediocrity fostered by an inadequate local investment in education.

Our States and communities vary widely in their ability and effort to support public schools. But the industrial States, which are able and willing to spend generous sums on public education, suffer from inability of their less fortunate cousins to finance adequate schools in this age of mobility. Poorly educated citizens of the less fortunate States migrate to the more prosperous ones in search of work, bringing with them the crippling handicaps of inadequate education. And our national welfare and security cannot stop at State boundaries. Today, probably more than ever before, we are "One nation, under God, indivisible, with liberty and justice for all."

Let us look at my State of West Virginia. Only 14 States add more basic wealth to the Nation's economy than does West Virginia. But in 1958, West Virginia ranked 35th in family buying income and 42d in school expenditures per pupil. Why this great gap between West Virginia's contribution to the national economy and the social and economic dividends my State realizes from its tremendous contribution?

West Virginia, like many other States, is not getting its fair share of the tax yield from the wealth it produces. The

State's production goes out in tank, coal, and flat cars. Few finished products, which carry a high ratio of local and State taxes that can be passed on to the residents of other States, are manufactured in West Virginia. But when West Virginians buy these finished products, they are helping finance the school systems of more industrialized States.

Both in the interest of fairplay and national progress, West Virginia and the many States sharing its tax plight desperately need and deserve Federal aid to education. In this way they could receive their fair share of the national tax yield and make even greater contributions to the growth of these United States.

For these reasons and the urgent ones cited by Admiral Rickover, this Congress must yank the Eisenhower administration's head out of the sand into the hot glare of reality by enacting a genuine program of Federal aid to education. Our national survival is at stake.

THE CIVIL RIGHTS DISCHARGE PETITION—A RELIABLE POLITICAL DIVINING ROD

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

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

There was no objection.

Mr. MOORHEAD. Mr. Speaker, from ancient times people have used divining rods to discover that which is hidden beneath the surface.

For years believers in civil rights have looked for a reliable divining rod which would point unerringly to the real attitude on civil rights, hidden beneath political party platforms.

Both Republican and Democratic platforms have proclaimed support for civil rights.

Which party's claim is real—which party's claim is spurious?

On September 8, 1959, I took the floor of the House to predict that the political affiliations of the signers of the civil rights discharge petition would be our divining rod—would tell us whether or not there was an unholy alliance at work—would tell us whether support for the administration's tough labor bill—was purchased only in return for an agreement to block civil rights—would demonstrate that those who clamored loudest for a so-called bill of rights for labor would refuse to protect the genuine, Constitution-rooted civil rights of millions of Americans.

Mr. Speaker, the question has been answered.

On Friday, January 22, 1960, the New York Times, a reliable paper, provided us with a reliable divining rod.

The Times reported that, as of adjournment the previous day, 175 Members, or 40 percent of the membership of the House, had signed the civil rights discharge petition.

Significantly, the Times report showed that 145 Democrats, or more than one-half of the total Democratic membership, had signed the petition whereas only 30 Republicans, or not even one-fifth of the Republican membership, had signed it.

In my speech last September I recognized that because of years of tradition and deeply embedded patterns of social thought, plus the facts if practical politics that very few, if any Members from the South of either party would sign the petition.

On that date I made the confident prediction that a vast majority of Democratic Members from the North and West would sign the petition.

If we take the New York Times report and exclude from it members of both parties from the South the figures are even more revealing. Over 80 percent of the Democrats from the Northern, Western, and border States signed the petition. Barely 21 percent of the Republicans from these areas signed the petition.

In the delegation from my State, Pennsylvania, 93 percent of the Democratic members signed the petition, as compared with 14 percent of the Republicans.

Put another way, 15 out of 16 Pennsylvania Democrats placed themselves solidly in favor of civil rights, while only 2 out of 14 Republicans have thus far acted to bring the petition to the floor.

What has been the position of the leadership of both parties in Congress? The Speaker of the House of Representatives, the Honorable SAM RAYBURN, Democrat, of Texas, has traditionally opposed discharge petitions. This year, breaking with tradition, the Speaker has privately and publicly urged Members to sign the petition.

In the other body, the Senate majority leader, Senator LYNDON B. JOHNSON, Democrat, of Texas, has announced that if the House has not acted on civil rights by February 15, 1960, he would bring it before the Senate, even if he had to do so by attaching civil rights as a rider to other legislation.

On the other side of the aisle, the Republican leadership, which has demonstrated its ability to achieve party unity, has maintained massive indifference to this legislation, even though it is substantially the civil rights program that the administration purports to support. House Republican leaders say that they are against discharge petitions because they do not believe in circumventing House rules. In commenting on this reasoning, the New York Times in an editorial published today said:

> To put it bluntly, those explanations are lame. It can hardly be circumventing House rules to sign a discharge petition when the rules provide for such a petition.

Last September I said that if a majority of Republicans from the North and West do not sign the petition the American people will be entitled to draw one of two conclusions—either, first, the Republican Party, despite protestations to the contrary, is really opposed to civil rights legislation, or second, the Republican Party in a shabby deal, has bargained away any effective support it might otherwise have given civil rights this year as part of the price of obtaining support for the administration's tough labor bill.

Mr. Speaker, the fact that only a pitiful minority of Republican Members have signed the petition gives us reliable political divining rod on civil rights. As the New York Times editorial today said that failure of the Republicans to act "can only give credence to charges of a deal between House Republicans and southern Democrats."

I think it is a case of hypocrisy on civil rights, where the old coalition has exacted its price.

WHO WILL PAY THAT PRICE?

Primarily it will be the millions of Negroes in America, the very people we are supposed to be trying to help.

The Negro will pay it as he continues to be denied the opportunity for an adequate education. He will pay it again as he continues to be denied his right to vote and, along with millions of Americans in other minority groups, he will pay it through continued discrimination in employment based on race, creed, and national origin.

Another group who will pay the price for the coalition's handiwork will be those Americans who have seen the synagogues and temples of their faith bombed in senseless acts of violence which Federal authorities cannot now prosecute or prevent as efficiently as would be the case were a strong anti-bombing law now on the statute books.

No new purpose would be accomplished here by listing these bombings or recalling the dishonor roll of the places where mob violence has closed schools. These events are already inscribed indelibly upon the conscience of America and in the minds of other people whom we must face daily in the conduct of world affairs.

These things have created a false impression of America for, in reality, our national history, despite occasional regressions, has been one of progress toward wider enjoyment by more and more of our citizens of those civil rights without which there can be no real life of freedom.

Billions of dollars in foreign aid cannot hide that false impression.

The worldwide impression of America is, or should be, the Nation in which all men are born equal.

No petty political deals should be permitted to cloud that fundamental belief of all Americans.

As I did before I now again urge all my colleagues on both sides of the aisle to sign the civil rights discharge petition so that all the world will know that America has not fallen victim to cynical government-by-coalition but that we of all nations are taking world leadership in demonstrating the brothership of man.

THE VOTE ON THE NATIONAL FLOWER

Mr. DAVIS of Georgia. 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 Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, last year I introduced House Joint Resolution 141 which would make the rose our national flower. Mr. BECKWORTH, of Texas, and several Members of the other body have also introduced measures for the same purpose.

Certainly no argument is needed for the proposition that the flower which is chosen the national flower of the United States should be one which has the approval and wide acceptance of the people of our Nation.

We now have convincing evidence that a broad section of the American public wishes to have Congress declare that the rose is to be, in fact, our national flower.

During last October, Florists' Telegraph Delivery Association, a nationwide organization of florists who send floral orders by wire, undertook to assist the Congress by determining the true state of public opinion on this point—which has been under discussion for a number of years.

Through its national network of more than 11,000 member shops, FTD conducted in October a unique national flower election. The association went to considerable expense and trouble in preparing for this election. Special ballots and ballot boxes were prepared and placed in all member shops, and the results were later tabulated by a firm of certified public accountants.

I voted in this election in my home district, as I am sure many of you did in your own home districts.

In this election, the results of which are being officially announced to Congress today, 1,055,629 persons voted in the national flower election, including schoolchildren, garden clubs, and hundreds of thousands of flower loving home garden enthusiasts.

The result is exactly what I had expected.

The rose ran far in front of the other 19 flowers listed on the official ballot, which included 8 other flowers proposed for the national flower in bills now before Congress.

I am submitting the official results, as attested by the auditors, and ask that they be made a part of the body of the RECORD at this point in my remarks:

LYBRAND, ROSS BROS. & MONTGOMERY,
December 2, 1959.

FLORISTS' TELEGRAPH DELIVERY ASSOCIATION,
Detroit, Mich.

DEAR SIRS: The tabulation of votes cast in the national flower election, organized and directed by the Florists' Telegraph Delivery Association during the period from October 1, 1959, to October 31, 1959, was conducted under our supervision. This tabulation included all valid ballots delivered to our office through November 23, 1959.

We report the vote results by flower to be as follows:

Position, flower, and vote	
1. Rose	386,841
2. Carnation	171,591
3. Chrysanthemum	75,729
4. Lily-of-the-valley	60,033
5. Orchid	46,681
6. Tulip	31,639
7. Gladiolus	30,569
8. Camellia	27,560
9. Black-eyed-susan	22,249
10. Mountain-laurel	20,840
11. Geranium	17,177
12. Magnolia	16,871
13. Goldenrod	16,831
14. Rhododendron	16,678
15. Daffodil	16,675
16. Peony	15,887
17. Shasta daisy	14,542
18. Grass	13,614
19. Corn tassel	12,788
20. Marigold	10,741
21. All others	30,093
Total valid votes	1,055,629

Very truly yours,
LYBRAND, ROSS BROS. & MONTGOMERY,
Certified Public Accountants.

Because this accounting of national flower election returns may not be immediately available to all of the Members, I feel obliged to say that the rose polled more than one-third of a million votes, more than twice the number of its nearest competitor. For the highest three, the votes ran as follows:

No. 1, the rose, 386,841.

No. 2, the carnation, 171,591.

No. 3, the chrysanthemum, 75,729.

Next in order came the lily-of-the-valley, the orchid, the tulip, the gladiolus, the camellia, the black-eyed-susan, the mountain-laurel, the geranium, the magnolia, the goldenrod, the rhododendron, the daffodil, the peony, the shasta daisy, grass, the corn tassel, and the marigold.

A few votes for other flowers were cast in a write-in blank provided on the ballot, but no separate count of these votes is available.

I am particularly pleased to announce the sweping victory of the rose in this truly national election, conducted by the Florists' Telegraph Delivery Association, because it is the first broad expression of public sentiment in the 50 States of the United States and the District of Columbia. I am informed that flower lovers, including children, who are among the truest of flower lovers, welcomed this opportunity to tell us, the elected representatives of the people, how we should settle this historic controversy.

Naturally, only Congress can make the final decision. But FTDA has given us valuable information on which to base that decision. I believe that the decision should be made in the near future. We have, as I have said, a clear mandate from the people provided us through the mechanism of this unusual and spirited floral election campaign.

In light of the victory of the rose in the national flower election, I stand confident that its chances of becoming our national flower have been greatly enhanced.

THE LATE ALBERT ENGEL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a letter.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, under permission to extend my remarks in the RECORD, I include the following letter:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 25, 1960.

MRS. ALBERT J. ENGEL, Sr.,
Lake City, Mich.

DEAR MRS. ENGEL: I want you to know that my heart grieves with you and the State of Michigan, as well as the country, in the passing of your wonderful husband, the Honorable Albert J. Engel.

I well remember and enjoyed so much meeting you both when you first came to Washington. You were both so fine, and added so much to the Washington life. It was a pleasure and a privilege for me to work with your husband during his term of office, and it was while serving with him on the Veterans' Affairs Committee, that I first admired his amazing capacity for work and enthusiasm. He was constantly working for measures that would help the country, and was most successful in everything he undertook. His life was an American life, beginning modestly and going step by step to finer and greater success and prosperity. He has a worthy successor in Mr. ROBERT GRIFFIN, who is such a close friend and law school classmate of your splendid son, Albert J. Engel, Jr., for whom I know you both have great pride.

I extend to you my deepest, most understanding sympathy, and may God bless and comfort you and your family in your great loss.

Deeply sincerely,
EDITH NOURSE ROGERS,
Member of Congress.

INTERNATIONAL LABOR UNIONS

Mr. SMITH of Kansas. 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 Kansas?

There was no objection.

Mr. SMITH of Kansas. Mr. Speaker, the steel strike and its ultimate settlement has again brought to the attention of the general public the political and economic power of the under regulated, tax exempt, specially privileged international labor unions. The McClellan committee investigation vividly brought forth and displayed the arrogance of the Hoffas and other international labor bosses in their treatment of their own members but the steel strike settlement again points up the necessity of regulating labor's monopoly power in order to protect the general public interest. The industrywide bargaining power of international unions can shut down hundreds of businesses from coast to coast. Jimmy Hoffa can, by making six or eight phone calls, tie up truck transportation throughout the United States. The general public is not fully aware of this fact—that the power, the arrogance, and many times corruption found in the international labor bosses—stems directly from monopoly.

If we try to point out the fact that part of monopolistic power of the union boss gives them control over individuals we are immediately castigated and pointed out as one who is the enemy of the man who labors and as one who is trying to destroy unions. Any power that is derived from a monopoly either by businessmen or union bosses soon be-

comes corrupt and can easily destroy freedom of the individual.

With such autocratic power it is easy for corrupt monopolists to tie up, stop, or curtail the necessities of modern society, such as communications, transportation, light, and heat. This power is uppermost in many people's minds, hence they are demanding that this monopolistic power of international labor bosses be curtailed—the same as they demanded the monopolistic power of the industrial giants was curtailed by legislation many years ago.

There are two factors in this monopoly power of the international union bosses that need correction—the union shop and industrywide bargaining concept. The monopoly power over men is the right of a union to sign a union shop contract with management—under which every person employed must join the union within 30 days. The right-to-work laws passed in 18 of the States makes such a contract illegal.

This labor monopoly power has grown up because of an indifferent public opinion. Few people realize that the so-called labor laws have been used by selfish union bosses to gain personal, social, economic, and vast political power. These bosses in their talks with the men in their unions always are careful to point out the absolute necessity for political power in order to achieve their legislative demands.

In many cases, union bosses use a sly approach and call their political organization an educational league. They thought this would give them a high sounding title as well as exemption from certain election laws. It is apparent that both objectives were successful. No one at all familiar with the political life of the past 20 years would deny the political power of the labor unions over legislative, executive and even judicial offices.

Some unions have a provision in their constitution that a member may be expelled from a union for "unbecoming conduct." In order to show just how powerful some unions have become and how their power is used, here is an item as copied from a Washington paper:

LOS ANGELES, January 19.—A judge has decided that advocating a right-to-work law was unbecoming conduct on the part of two union members and warranted their expulsion.

The ruling yesterday by Superior Judge Jesse J. Frampton denied damages sought by Cecil C. Mitchell and John Mulgrew from the International Association of Machinists. They asked $50,000 each.

The two, Lockheed aircraft employees, were expelled from the union for advocating passage of a measure in the November 1958 State election that would have prohibited making union membership a condition of employment.

Suggest that you reread that item and then ask this question: "How could this happen in America?" The answer is easily found because of political power of labor bosses. This political monopolistic power of the union bosses is the most dangerous of all present-day attempts to lead us down the road to a welfare state and a planned economy for the benefit of the labor dictators—which, of course, would be known as a Socialist labor government. It is a very simple plan—in order to control or govern the economic life of our country all you have to do is to control political power. The union bosses like to point out and have said "that a worker is a member of an economic society when he takes a job—the union is the organization or government of this society." The above statement was made before the Supreme Court of the United States by a labor union lawyer.

The greatest fallacy in the thinking of the union bosses is this, they do not understand that the establishment of compulsory union membership by law over free men—men who have to join a union in order to provide for their families—will in the long run destroy the unions or lead to a dictatorship. There is a lot of difference between the happiness and willingness of a volunteer organization and the oppressive servitude as practiced by the Jimmy Hoffas and others who have the power-drunk boss complex. So long as labor bosses have the power to use the brutal force of monopolistic power—the general public and private enterprise will see many dark days ahead.

For the reasons set forth above I again have introduced a bill, just as I have in the last two Congresses—a bill to compel the labor unions to come under the provisions of the Sherman Antitrust Act, which forbids unlawful restraints and monopolies and for other purposes.

In my opinion the enactment of such a law would be one of the most effective ways of protecting the public interest in the labor-management relations field and would cure many of the evils now existing in collective bargaining between labor and management because after all the problem is simply curbing the political and economic power of one segment of our economic life.

THE EXECUTIVE BRANCH

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the New York Times of yesterday carried the following editorial:

THE EXECUTIVE BRANCH

While we are still far enough distant from election day to have a certain amount of perspective, it may be useful to ask ourselves what the function of an American President is, and what differences an election may make. We must not fall under the illusion that when we choose a President we are choosing the total political future for 4 years or more. We aren't doing anything of the sort. What we are doing is to influence the nature of an institution that we may call the executive branch.

The executive branch is what its name implies. It is not a person. Persons can and do put their stamp upon it, so that an Eisenhower administration is quite different from a Truman administration, but we cannot treat an election as an incantation.

No one supposed, when the Constitution was presented to the people, that the President would have the powers he now possesses. No one could foresee the time when the Federal Government would absorb something like 20 percent of the total national income. It took a long time for the Government as a whole, and for the President as a part of the Government, to grow to large proportions. McKinley, at the turn of the century, had a personal staff of 8 or 10 and a small flock of stenographers and typists. Today the institution known as the Executive Office of the President, which is quite distinct from the several executive departments, requires 19 pages in the U.S. Government Organization Manual and includes in the immediate Presidential staff about 400 persons.

The result is, of course, that many decisions that are nominally made by the President are actually made by other persons and accepted by him because he trusts those persons.

Nevertheless, the President must make some major decisions. In time of war these decisions can be shattering, as when President Truman ordered that the atomic bomb be dropped on two Japanese cities. Even in time of peace we expect the President, as the ultimate source of executive power, to intervene in major strikes and other domestic crises and to set monetary, economic, and diplomatic programs.

These ultimate and unavoidable responsibilities may be more than any man who is not a supreme political genius should be asked to bear. Men do grow to the stature of the office, but we cannot expect miracles. We are in danger if we let the President become a father symbol for us. Even while we support our favorite candidate in this year's race for the White House, we should remember that if there is no greatness in the body of the people, the Nation cannot be saved by any imaginable greatness in the White House.

GEN. DOUGLAS MACARTHUR

Mr. MARTIN. 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 Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, tomorrow a group of dedicated Americans will assemble in New York City to help their old chief, Gen. Douglas MacArthur, observe his 80th birthday. The men who will be present will be the old staff who assisted in the return of freedom to so many of the Asiatic countries.

While only a few will attend this annual reunion, countless millions of Americans will be present in spirit.

No man ever gave a greater thrill to the world than Douglas MacArthur in his liberation of so many of the Asiatic countries that had been overcome by the Japanese, and finally his triumphal entrance into Tokyo itself. Military students will never forget his strategy, his skill, and his success.

America has produced many outstanding military men, but none ever surpassed Douglas MacArthur. He stands out as one of the military geniuses of American history.

One has but to visit Japan or any other Asiatic country to observe the esteem and regard in which he is held.

When I think of the hundreds of millions of dollars we spend annually in propaganda, much of it in Asia, I cannot help but think how much more good-will

could be created by a simple visit of the old soldier to scenes of his former triumphs.

May I offer to the general, whose true friendship I appreciate, my warmest birthday greetings and express the hope which I am sure millions share that he will continue to enjoy good health and deserved blessings.

Mr. RIVERS of South Carolina. 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 South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I concur fully in what the gentleman from Massachusetts has said about General MacArthur. No military man has ever done more for his country than General MacArthur. His genius has put Japan where she is today—our strongest ally. His vision and foresight number him among the world's foremost statesmen. Truly a prophet in his own day.

On the 19th of January I introduced House Concurrent Resolution 462 extending to General MacArthur the thanks of the Congress. I hope we will get this resolution passed at this session, giving him the thanks of a grateful country. So far this country has given him exactly nothing. I congratulate him on his 80th birthday. May God bless him. May he not be a prophet in his own country without honor.

Mr. ALFORD. 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 Arkansas?

There was no objection.

Mr. ALFORD. Mr. Speaker, I was delighted to hear the remarks of the distinguished gentleman from Massachusetts [Mr. MARTIN], praising Gen. Douglas MacArthur, and I consider it a privilege and a pleasure to associate myself with everything he has said.

A native son of Little Rock, General MacArthur enjoys the esteemed admiration and affection of all of the people of Arkansas. In my own humble opinion, he not only is one of the greatest generals of all times but also one of the greatest Americans of all times.

I feel it is altogether fitting and proper that the esteem with which this noble American is regarded be voiced here on this floor today and be spread in the RECORD so that all the world may know:

Gen. Douglas MacArthur is one prophet who is honored not only in his own hometown but throughout this land of ours and throughout all those areas of the world which are better off today because he came their way.

I salute this great and distinguished "old soldier" who, in the minds and hearts of millions, will never never, fade away.

UKRAINIAN INDEPENDENCE DAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. MACHROWICZ] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, the 22d day of January is an important day in the annals of the history of the world. It marks the 42d anniversary of the proclamation of Ukrainian independence and the 41st anniversary of the proclamation of the act of union by which Western Ukraine was joined with the Ukrainian National Republic which took place in 1918 and 1919, respectively.

These two dates mark the expression by Ukrainians of the same ideals held by the Americans. The independence which was accomplished by the Ukrainians was a union in spirit of Ukrainians and Americans. Unfortunately, this achievement was obliterated by the force of the continually growing menace to the democracies throughout the world. The Ukrainian nation was but one instance of a people enchained by the godless materialistic Goliath called international communism, but the spirit of hope of Ukrainians lives on and one day justice and truth will end most triumph.

The continuous pressure for freedom by the Ukrainians is something that we cannot afford to overlook. This is the largest captive non-Russian nation in the U.S.S.R.

I join with those who today honor the Ukrainian nation and express the hope and confidence that they will eventually regain their lost freedom and independence.

GAS AND GERM WARFARE

Mr. KASTENMEIER. 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 Wisconsin?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, last September I discussed on this floor the efforts of certain segments of the Defense Department to have the United States change its basic position in regard to the use of gas and germ warfare. That position has long been that only if an enemy used these weapons against us in wartime would we employ them ourselves.

I introduced in September House Concurrent Resolution 433, which would reassert the traditional American position against first use of these weapons. This I did because I believe the moral position of the United States requires that we not use such weapons unless others use them first. The Army's position, in recent months, has been that these weapons are more humane than others. I doubted that belief, and my doubt has been amply confirmed by analysis of some of the kinds of materials with which the various chemical and biological services are working.

These agents are sufficiently dangerous that, from military research into biological and chemical weapons, three deaths have resulted. There has been a total of 715 cases of illness and injury, of varying intensities. I shall describe below the various categories of these cases.

I should make it clear at this point, Mr. Speaker, that my interest in this matter is simply to show the kinds of agents being used. I do not believe that research in this field should be stopped, so long as other nations have the capability of developing these weapons. I am glad that such research has been so surrounded with safety measures, as I understand it has. The elaborate safety measures, in fact, only bear out my contention that these agents can be best described as deadly, rather than humane.

On January 12, 1960, I directed a series of questions concerning the numbers of illnesses and deaths to Mr. John E. Jackson, Director of Atomic, Biological, and Chemical Warfare in the Defense Department. On January 20, Mr. Jackson replied. I shall list below my question concerning illnesses and deaths and his replies:

Question 1. Without regard to or mention of the agent involved, have any deaths occurred as a result of research in chemical warfare? (Here only the agents, not the fact of death, could be of interest to a foreign power.) If there have been deaths, how many?

Answer. Since 1950, only one death has occurred as a result of contact with chemical agents in our research and development program. This resulted from an accident which occurred during the development of a flame thrower. No deaths have occurred from research on toxicological chemicals.

Question 2. Without regard to the specific agents involved, have any illnesses or injuries resulted from research into chemical warfare? If so what was the total number of such injuries or illnesses?

Answer. The number of illnesses and injuries that have occurred since 1950 as a result of occupational exposures in our chemical warfare program are shown below. We have broken these down into two categories showing the number of individuals with minor (or "no lost time") and "lost time," cases.

No lost time	432
Lost time	32
Total	464

Question 3. Without regard to the agents involved, have any deaths occurred as a result of research in biological warfare, and if so, how many?

Answer. There have been two occupational deaths since 1950 resulting from our biological warfare research program. I believe this to be an excellent safety record in view of the frontier areas of research involved, and the fact that it is necessary to investigate all manner of infectious micro-organisms and viruses. This record is all the more outstanding when we consider that during the past 10 years 12 deaths have been reported among the technicians and scientists handling small monkeys needed by pharmaceutical companies for the research and production of poliomyelitis vaccine. It should be noted that many discoveries by the Chemical Corps have contributed to protecting, through the development of vaccines and other means, those working in biological and chemical research laboratories.

Question 4. Without regard to the specific agents involved, what is the total number of illnesses resulting from research into biological warfare?

Answer. A total of 251 cases of occupational illness have occurred as a result of

our biological research and development program since 1950:

Minor to moderate illness (characterized by flu or grippe symptoms)	228
Severe illnesses (symptoms of a relatively more severe nature than the above category)	23
Total	251

Question 5. In biological warfare, a number of cases of illnesses have already been published, with reference to the particular agents. These include anthrax, Venezuelan equine encephalomyelitis, brucellosis, human glanders, tularemia, psittacosis, Q-fever, shigellosis, and plague. With reference to these agents only, since these any foreign powers knows have been worked on, what, for each disease, have been the total number of cases and the total number of deaths? If any case has involved a combination of diseases, please note that fact.

Answer. The information requested in question 5 is classified, as such a compilation might reveal the character of the effort being placed on the various agents in our program. The information requested relative to combinations of diseases is classified for the same reasons. In most instances the mere fact that a particular agent is of interest is not classified, while data that might reveal the relative amount of effort being placed on it are classified.

Question 6. We are informed that about 30 percent of the diseases resulting from biological-war research have not been published, but that is only because no one has yet written these cases up, not because the national security would be damaged by publication. What are the details of these cases?

Answer. In reply to question 6, some cases have been published in the unclassified literature on the basis that the information would be of value to the scientific community. Copies of these articles have been furnished to your office. We are continually reviewing our data to determine whether or not it would be of value to the scientific community to publish other cases. The determining factor in this activity is whether the information we have accumulated will contribute to the advancement of scientific knowledge without unduly revealing our military program. The ratio of published to total number of clinical cases in this field is a classified figure, on the basis that it might reveal the character and extent of the effort in our program.

Aside from these cases, totaled without regard to kind of illness by Mr. Jackson, there are a number of cases, some before and some after 1950, which have been reported in various medical journals. These were 1 case of plague, reported in the U.S. Public Health Service's Morbidity and Mortality Weekly Report for November 28, 1959; 60 cases of acute brucellosis, reported in the March 1959 American Medical Association Archives of Internal Medicine; 62 cases of tularemia, reported in the March 1959 Annals of Internal Medicine; 12 cases of psittacosis, reported in a paper at the American Trudeau Society meetings in May 1959; 27 cases of Q fever, reported in a paper at the American Trudeau Society meetings in May 1959; 14 cases of Venezuela equine encephalomyelitis, reported in the August 21, 1954, Journal of the American Medical Association; 6 cases of human glanders, reported in the January 1947 Annals of Internal Medicine; 25 cases of anthrax, reported in the August 3, 1946, Journal of the American Medical Association; 6 cases of shigellosis—bacillary dysentry—reported in the April 24, 1954, Journal of the American Medical Association.

The two deaths resulting from biological research, one in November 1951, and the other in July 1958, were from acute onsets of anthrax. The 1951 patient was a bacteriologist for the Army. He evidently caught the disease from accidental dispersion of anthrax after a laboratory experiment, and died 3 days later. Presumably, the work with anthrax was still secret, so the bacteriologist's death certificate listed bronchial pneumonia as the cause of death.

In 1958, anthrax was caught by an electrician in the town of Frederick who changed light bulbs on the base at Fort Detrick. Six days after the onset of the disease, he died. His death certificate listed myocardial failure due to visceral anthrax as the cause.

In raising this whole matter, Mr. Speaker, I repeat that my intention is to show that agents of chemical and biological warfare are not humane. As I said I have no doubt that safety precautions at the various installations are excellent, as they need to be in the presence of such deadly materials. And I am further convinced that, so long as there is no effective international agreement that would eliminate these weapons, we must continue to do research on them.

But that does not mean we should decide to use these dread weapons first. To uphold our moral position before the world and for ourselves, we should state our formal national policy, to use these weapons only if we are forced to do so by their being used against us. To that end, I again urge the passage of House Concurrent Resolution 433.

GEN. DOUGLAS MacARTHUR

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

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I, too, would like to join with my colleague the gentleman from Massachusetts [Mr. MARTIN] in saying "Happy birthday" and expressing our appreciation to Gen. Douglas MacArthur upon his 80th birthday.

I would like to say to the distinguished gentleman from South Carolina [Mr. RIVERS] that I should be delighted to vote for his resolution expressing the thanks of the Congress of the United States to Gen. Douglas MacArthur. I wish, Mr. Speaker, that it could be treated as a privileged resolution and that it could be passed today.

Over these many eventful years I have had the great pleasure of working with Gen. Douglas MacArthur, both here in Washington and elsewhere. I knew of his wise counsel and cooperation long before I became a Member of Congress.

In national affairs as well as world affairs, never have I known a man better informed. His wide knowledge of civil as well as military matters always command respect. It is one of the great joys of my life that I have had the privilege of knowing and benefiting from the wisdom of General MacArthur. Everyone in America and in many lands even to this day and far into the future benefit and are helped by his advice.

No honor is too great for him. I believe his beloved country, through the Congress, should award him a special medal of appreciation. May the good Lord shower his choicest blessings upon him and his family for what he has given to America and to the world.

THE CHALLENGE OF ENLARGING ECONOMIC FREEDOM FOR OUR CHILDREN: PART II—THE FIVE POTENTIALS TO ROLL BACK THE ECONOMIC PERILS

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 1 hour:

Mr. CURTIS of Missouri. Mr. Speaker, this is the sixth speech of our series on how the Republican Party is suited to meet the challenge of modern times. I wish to continue the discussion begun by the gentleman from Arizona [Mr. RHODES] on the challenge of preserving and enlarging economic freedom for our children.

The gentleman from Arizona outlined the real perils which have arisen to threaten not only the growth of that freedom but its very existence. As his talk progressed, it became apparent how the lack of the four basic qualifications for an effective political organization—the qualifications which make up the theme of this series of speeches—in the party then in control of the country gave rise to these perils

These four qualifications are first, a basic degree of unity; second, a belief in principle over expediency; third, democracy within its own organization; fourth, a sense of responsibilty toward the future.

I believe a discussion of the attitudes of the two parties upon the subject of the Federal Government's responsibilities in setting forth the economic goals of our society and of its necessary role in seeking to attain these goals, will reveal that the Republican Party possesses the four qualifications needed to meet the challenge of the future and that the other party lacks them.

Just recently the Republican members of the Joint Economic Committee had occasion to set forth their views, which I believe coincide with the views of the Republican Party, on the Nation's economic objectives. These views show considerable contrast to those expressed by the Democratic members of the committee in their report. The Democratic members report shows disunity in thought, which I believe stems from the disunity of the divergent and conflicting interests they seek to represent. This report shows a constant appeal to expediency over principle—indeed, a failure to give more than lipservice to certain principles basic to our people and way of life. It shows a lack of democracy in its own organization, in the very preparation of the views they

sought to express. Finally, by an undue emphasis on the present and the past and on purely material goals their report shows a lack of sense of responsibility toward the future.

I am quoting the Republican expression of views on the Nation's economic objectives:

The majority reduces our economic goals to three: Economic growth, high and stable employment, and stability in the general level of prices. Certainly, these are important goals which we all seek. But, is this an exhaustive list? Surely it is not. There are other important economic goals, and if these are not also made explicit, we think it is impossible to establish priorities and resolve conflicts.

Virtually all countries and economic systems share these three major goals. The really significant differences among economic systems arise out of the interactions of these goals with other goals. Fundamentally, it is our great regard for and realization of the goal of economic freedom that distinguishes the structure and performance of the American economy from that of the Soviet.

At the minimum a list of major economic goals should include: Economic freedom, economic efficiency, economic stability (both price level and employment), economic growth, and economic security. Some of these additional goals are implicitly adopted by the majority in discussion, but we cannot have the very clear concept of objectives which they call for if the list is incomplete and the relationships among the goals—the circumstances under which they conflict with or complement each other—are never carefully explored.

Economic freedom is an end in itself, one which Americans very highly prize.

Economic freedom means economic opportunity for the individual as a seller of his services and output, and also as a buyer in markets responsive to his wants. It allows individuals with initiative, imagination, and faith in their own ideas to break out of the rut of tradition into new and more productive endeavors. Economic freedom, with its challenging opportunities and its built-in disciplines, is a powerful instrument for promoting economic growth, efficiency, and welfare. But because of risks, frictions, and imperfections in the economic structure, economic freedom may at times conflict temporarily with economic stability and economic security.

Economic efficiency means that our productive resources are allocated among competing uses, both private and public, so as to produce the greatest output of the right things at lowest cost. Maintenance of economic efficiency requires that the economy be very flexible, capable of adapting promptly and smoothly to changing consumer, business, and public demands. It means that public and private consumption and investment reflect the true preferences of the people in light of the relative scarcities involved. This important objective is not explicit in any of the three goals which the majority set forth as all-embracing.

We want our economy to be efficient, whether we grow at a slow rate or a fast one. Economic efficiency complements growth because as it improves we get more output from a given set of resources and because meaningful, sustainable growth requires the same kind of flexibility and resource mobility that promote efficiency. Efficiency in some ways complements stability; no one would argue that mass unemployment makes for an efficient economy. In some ways, economic efficiency does conflict with stability and with security. The way to reconcile these objectives is to work toward improving the responsiveness of the economic system and the enlargement of economic opportunity for all.

Economic growth, economic freedom, and economic efficiency tend to reinforce each other. But economic growth typically involves changes with effects unevenly distributed. It rarely is to be had for free—it upsets the status quo, it disrupts and bankrupts, it makes obsolete existing skills and capital assets. Growth may then conflict to some degree with stability and security, though in the long run it enables us to strengthen economic security.

Stability and security go together in many respects. Increased stability of employment provides those willing and able to work with an increased security in steady incomes. Society can attempt to provide security by preventing economic change or adjustment to it, but this can be and often has been a terribly costly and temporary route to security, clearly one which is detrimental to the objectives both of growth and of efficiency. Excessive concern with either stability or security can jeopardize economic freedom, efficiency, and growth. To pretend otherwise is to delude ourselves.

Given our present knowledge about economic processes, and assuming no dramatic improvement in the adequacy and timeliness of the flow of data on which policy must be based, it seems fair to say that the rate at which we can improve the overall performance of our economy will depend heavily upon our ability to increase the competitiveness of our markets, raise the mobility of labor, and reduce price rigidities.

In view of the heavy current concern about growth, we wish that the majority had made one point unmistakably clear: Growth which is promoted by means which erode freedom and efficiency is likely to produce only "ersatz" growth. Whatever the numbers and rates may seem to show, force-fed growth will tend to distort the economic structure and lessen its capacity to satisfy our private and public wants and needs. Economic growth is meaningful only as it provides us with more of what we most want, both as individuals and as citizens vitally concerned with the security of our Nation and of the free world. It is interesting to speculate about what the Russian economic growth rate would be if we were able to measure Russian output in terms of the values put on it by the Russian people. Clearly, the figures would fare poorly in a comparison with those derived from official sources, based of course on administrative valuations.

Our basic point is that the goals of economic policy are far more complex than the majority report suggests. Our dissatisfaction is not with what the majority says about the importance of our national economic objectives—by and large we agree. Our dissatisfaction is with what they do not say. The section might more properly be entitled "All This and Heaven Too," for it leaves the ridiculous impression that perfection is easily and costlessly attainable. This is not a balanced and nourishing diet for anyone to set before the American people—and we regret that it was served by the majority of the Joint Economic Committee.

In essence the Democratic Party views the road ahead through a rearview mirror reflecting the depression decade when it had full political power. To this day that party will not face up to the fact that it was World War II, not the policies of the New Deal, that put an end to the depression. Indeed, in its analysis of post World War II problems, the Democratic Party constantly shows a strange inability to distinguish between an economy based upon peace and an economy based upon war. Throughout all of its criticisms of Republican economic policy from 1953 to the present it quite ignores the most important economic fact of the period—that we shifted from war to peace in June 1953. A party that cannot, or at least refuses to, distinguish between the economic behavior and policies appropriate to a war economy from those of a peacetime economy cannot be said to have much regard for principle or any real sense of responsibility toward the future.

The Democratic Party approach toward the peril of inflation also demonstrates its disunity. One segment of the party, I am happy to state, fully realizes, and acts upon this realization, that constant Federal deficits create a powerful inflationary force. Yet another segment of the party is looking right now at the administration's 1961 budget surplus of $4.2 billion as an invitation to promote further Federal expenditures. Indeed, some of the basic disunity in the Democratic Party stems from its belief in expediency over principle in the area of Federal expenditures. The party seems willing to reflect the views of any special interest or minority group that desires to spend Federal funds providing it will organize for political action. It is this patchwork quilt of diverse interests that the Democrat Party puts forward as the image of the common man. Actually the common man is robbed as a child, as an adult, and as an elder citizen. He and his children after him are robbed through policies originating in this crazy patchwork substitute for a real liberalism.

The very group that looks upon budget surpluses in times of prosperity as an invitation for more spending rather than for retiring some of the Federal debt is the same group that cries out against tight money and decries the cost to the citizen of the financing of the Federal debt. There is only one basic answer to tight money and high interest rates, that is to cut down on the demand for money. The Federal debt constitutes the greatest demand in the money market today. The Federal Government is competing against every business firm and every consumer who wants to finance a home, a car, or a washing machine, or an education. It is the size of the Federal debt that is the greatest cause of tight money and high interest rates. Those who really are opposed to tight money and high interest rates, and the Republican Party is, can show it by cutting down on Federal expenditures and by creating budget surpluses for debt retirement whenever possible. The Democratic Party, as a party, has demonstrated its complete disunity and leadership incapacity on this important issue.

The Republican Party does possess the four qualifications of a modern political party, so it is able to offer for the decade ahead a coherent, unified forward-looking economic philosophy, which is not a mere camouflage for special interests and which can be supported in spirit and in truth with legislative votes under our White House leadership.

This positive Republican approach rests upon the conviction that inflation is not only unnecessary, but is evil, unjust, and a process which undermines existing rights and security gained by

our countrymen. Furthermore, we believe that our competition with Russia, whatever the form it may take, certainly demands that we not forfeit our freedoms in meeting it. In fact, it demands that we endeavor to expand and root ever more firmly the freedoms we now have, while by this example encouraging the rest of the world to seek social forms with freedom as a basic value. But freedom must be solidly founded on a base of collective responsibility and practical self-discipline. The battle for a sound dollar is thus a necessary part of any struggle for sound freedoms in this country and in the free world.

We believe the Federal Government has an important responsibility in promoting our national growth and in increasing our individual disposable incomes. But this responsibility is not as superficial as the Democratic advisory council visualizes it. It must be properly balanced with the responsibilities of State and local governments and, above all, with the responsibilities of the private sector of our economy.

That responsibility includes protecting and promoting the function of the free market as the primary place in which economic decisions are made. Restrictive and inflationary monopolies of business or unions, inflexible Government straitjackets, archaic and unjustified subsidies, unsound monetary policies must not be permitted to destroy the fundamental workings of our free enterprise system. To meet this responsibility Government must avoid treating all the problems of our day as emergencies requiring hasty, ill-considered and self-defeating actions and counteractions. Continued deficit financing in prosperity which has arbitrarily robbed real family income throughout this country, must be eschewed.

First. The first potential to enlarged economic freedom and prosperity for our children is wise budget management.

Ideally, the budget should be balanced each fiscal year, regardless of the national economy. The difficulty in obtaining the ideal is that revenues, at fixed tax rates, automatically decline when business activity declines. At the same time, built-in Government spending rises. To reduce spending or to increase tax rates at such a time would be unwise, and would not balance the budget of that given year, anyway, because of the delayed and perverse effects of those changes.

Practically, then, we strive for balance within cycles in American economic activity rather than within cycles in the calendar. During strong business activity, normal spending programs and tax rates should produce sizable surpluses. During recessions, maintenance of the same spending programs and tax rates automatically generate deficits which would stimulate recovery.

The deadly enemies of this balanced economic cycle are those politicians who in recession would enact spending programs that do not automatically contract during periods of prosperity. The economic sin of the New Deal was not that it resorted, in a time of deepest depression, to deficit financing. It was that it inaugurated spending programs that could only spiral upward. It was that its philosophy aimed our economy toward permanent deficit financing, or, in other words, toward a permanent depression climate.

The economic sin of the recent Democratic-controlled Congresses has not been so much in unbalancing the yearly appropriations part of the budget. It has been in the enactment of built-in spending programs, outside of the appropriations process, which would require a President, say in 1962, to request so may billions for programs set up by law by Congresses long since dead. The ultimate in demagoguery would be for the enactors of that legislation to then accuse whoever is President in 1962 of being the spender. And yet, during the last session of Congress, some of the opposition leaders tried to exercise just that exact type of demagoguery in respect to the results now showing up of actions taken by preceding Congresses under their leadership.

Indeed, it will continue to be possible in the decade of the 1960's for politicians to damage the economic health of our Nation without ever being called to task for their damage.

I think the Republicans are challenged to do their utmost to enlighten the people about these economic facts. For I fear that throughout this decade, the disunified condition of the other party, giving rise to the rule of vast special interests, will demonize that party again and again to destroy the balanced budget. Many responsible Democratic leaders will realize the tragedy of what is happening, but the devilish division that possesses that party will make it impossible for them to prevent the tragedy. Thus, the only safeguard of the public economy becomes an enlightened public.

The President's Cabinet Committee on Price Stability for Economic Growth has wisely noted that obtaining a balance within the cycles of American economic activity "does require a high level of economic understanding on the part of the public and of resolution on the part of their elected representatives and officials."

To us Republicans, this becomes an economic challenge and a major responsibility.

Second. The second potential we propose to use to preserve and enlarge economic freedom for our children is sound monetary management.

A fundamental plank in sound monetary management is the maintenance of the integrity and nonpartisan position of the independent Federal Reserve System. That system should remain outside year-to-year politics, so that momentary partisan consideration will not move its judgment about credit and money policies. An effective administration of the Federal Reserve System demands freedom and flexibility to act quickly in response to changing economic rather than political conditions.

The Republican Party will not retreat in its fight against those leaders of the opposition who would subvert the position of that system and make it their political handmaiden.

In the decade we now enter, it would be most tragic if, in the guise of promoting low interest rates, any legislation was passed which would coerce the Federal Reserve System into adopting a policy of loose money to make Treasury borrowing easier. Current attempts by Democrats to produce depression level interest rates in an era of prosperity signify that their economic intellects are on the level of the 1930's and 1940's, not the 1960's. It would be a high blunder to repeat the policy of the Democratic administration from 1946 to 1951, which inflated the money supply and consequently fanned rising prices. Abnormally low interest rates are not worth the cost of abnormally high prices in every sector of the economy. Again it must be stated that the most effective way to have lower interest rates is to lower the Federal debt. The very people who promote the Federal expenditures in excess of Federal revenues are the very ones arguing hardest for cheap money.

Moreover, proper money management aims at economic growth that is sustainable, and will not artificially balloon out only to burst. When business activity is strong and rising, an easy money policy would merely encourage the type of spending that could not be matched by an expansion in real output of goods or services, which would therefore be inflationary. When business activity is weak and lagging, on the other hand, easier money becomes appropriate to increase spending to levels required for maximum sustainable economic growth.

We see it as vitally important that the Federal Reserve and both political parties during the 1960's become capable of seeing the economic picture with long-range vision. I note again my fears that the opposition will not be able to see or to act in light of that unified picture, because of its basic lack of party unity.

Third. Another economic potential for preserving and enlarging economic freedom for our children is sound debt management.

An increasing dilemma in this decade will arise from the shorter and shorter maturity on Federal debt issues, resulting simply from the passage of time. This in itself will have inflationary implications. And with increasing frequency the Treasury will be forced to enter the market.

Plainly, the short-term maturities of a large part of the present debt already constitute a dangerous inflationary peril. By increasing liquidity, they increase the velocity of money. Those short-term issues of the Treasury can cause the Federal Reserve to delay action when it is needed to deter inflationary influences on the economy at large. Short-term issues are much more difficult to administer and they are more subject to the upturns and downturns of economic cycles, whereas long-term financing affords a stability which transcends these cycles.

The inevitable shortening of the debt will become worsened—indeed it is being worsened each month that passes—if the Treasury is forced by the statutory limit on long-term bond interest rates to continue to borrow in the short-term money market where it has no interest ceiling

to restrict it. Should the opposition party succeed in blocking the recommendation to eliminate that limit through this decade, by 1970 every family in America would reap an inflationary whirlwind. During the last session of Congress, the opposition did block reform legislation in this field, under the guise of holding down interest rates and saving the taxpayer money. As a result, the rates on Treasury short-term bonds soared over 5 percent by January 1, 1960. So, no money was saved for the taxpayer after all. And the goddess of inflation received new food in the form of short-term issues and the people who wanted to buy autos and small businesses which wanted to expand had to pay higher interest rates or in many instances were forced to do without short-term credit because the Federal Government had usurped it.

A principal goal of Republican economic policy will continue to be that of converting greater portions of our debt into long- instead of short-term inflationary issues. A second goal of Republican economic policy will continue to be to save the taxpayer outlay for financing the debt by reducing the debt.

Before leaving these three particular economic potentials, let me emphasize that all three influence the total impact of Federal financial management. This the Truman administration did not comprehend. Consequently, its rigid long-term bond interest rate policies were an undue burden on its monetary policies and helped to cut the purchasing power of the dollar in half. A proper balance of the burdens is essential.

Fourth. A fourth economic potential to preserve and enlarge economic freedom for our children is the enlargement of the incentive system in America.

Traditionally, the productive vitality of the United States was nurtured on a boundless variety of incentives. To meet a Russian competition spurred on by the abandoning of many traditional communistic doctrines and the adopting of much of the incentive systems of private enterprise, the Democratic advisory council advocates our abandoning many of the features of the incentive system of private enterprise and adopting the very type of centralized programing and spending which Russia is abandoning because it kills incentives. What upside down thinking is this? In contrast, the Republicans want to restore our entire incentive system which has been already cut into by the legislation adopted through Democratic administrations.

The inherent economic advantage we possess over communism or any totalitarian type of government is that these forms of government can never duplicate our traditional incentive program and still remain totalitarian. For the chief pillar of that incentive program has been the profit system, the opportunity for risk, enterprise, and reward, with the marketplace determining the outcome rather than arbitrary decisions by groups of political bureaucrats or industrial oligopolists.

In the United States, if all business and professional enterprises are added together, the total of so-called economic teams of individuals is over 8 million. Each team has its own unique contribution to make. By accommodating itself to the market, it is spurred on to increasingly productive efforts. The search for profits has always been the greatest generating force for research and development which produces cumulative economic growth. It is from realized profits that sound sustainable economic expansion comes.

But this expansion has been greatly inhibited by an antiquated, unbalanced and unfair tax system. Wise reform of the corporate tax structure would both create more jobs and increase Federal revenues by promoting new investments. Wise reform of personal income taxes would stimulate untold individual creativity throughout the Nation.

It is a curious tragedy that President Roosevelt, beginning with his famous "soak the rich" speeches in 1935 and 1936, created an image that the New Deal tax policies would hurt the rich and help the poor. Actually, these restrictive tax policies merely made it more difficult for the poor, regardless of their work, effort, and ingenuity, to rise to the affluence of those of inherited wealth. Such shortsighted policies tightened rather than dissolved the barriers between the two economic groups. Strange as it may seem, the wealthy classes of the 1880's or the 1910's were a much more fluid, democratic class, where literally most of its members had earned their own way, than the wealthy classes have ever been since the New-Fair-Deal personal income tax laws.

In this decade, we must totally revise our tax system, so that enterprise, hard work, and imagination will again receive its reward, so that those in the lower and middle income brackets will have just as much right to be a millionaire as the man who inherits a million dollars.

Fifth. A fifth potential to enlarge freedom and prosperity for our children is aimed at restoring the mobility of capital and labor in our society.

This is closely related to recreating the incentive system. An economy based on profit motive is often conceived of as cruel, because profit involves sharp competition, and in competition somebody loses.

That system is cruel wherein there is no mobility in capital and labor. This indeed describes the feudal society of the Dark Ages. Mobility is the saving grace which makes the weeding out of inefficient enterprise good and healthful, instead of cruel and damaging to the individuals who must lose in the process. It means that unprofitable labor and capital, by the loss system, is forced—for its own good—into more profitable activity and investment. A cloying sentimentality has been behind much of the New Deal programs to subsidize and protect the "little man." Actually these policies result in making men little and weak instead of encouraging them to grow and to live up to their own capacities. Far from helping the little man, these policies have hurt him in his personal pursuit of happiness and in curtailing the increasingly beneficial part he could play as a member of his society. Nor has this exchange of his freedom for a promised security given him any real security.

Unfortunately, this mobility can and has been partially destroyed. We have seen how our tax system has destroyed part of it.

Compulsion through the arrival of the robber baron prototype in labor unions has destroyed another part. Many employees have become the subjects of robber baron controlled union monopoly to which they must bow. The employer finds that wage policies of the unions often deprive him of flexibility and frequently cut into his funds for reinvestment with which he creates new jobs. All too often, unions respond to a decline in employment in a poorly subsisting business or in an increasingly technological business by demanding shorter hours for the same pay. Other unions bar new workers with more ability from industry, and practice featherbedding and forced employment.

The robber baron type in business was checked by Republican sponsored legislation in the late 1800's and early 1900's. However, we still must perfect our antitrust legislation to be certain that the marketplace remains free to make fair economic decisions. Eternal vigilance is the price of freedom for the robber baron type still exists to muscle in wherever he can.

It must be emphasized, particularly as certain Democratic leaders seem to be trying to promote a public mood for playing the numbers game with economic growth rates, that economic growth does not come free. Parenthetically, it should be pointed out that growth in itself as it is measured today in gross national product is to a large extent meaningless. Gross national product measures include economic extravagances, economic errors, and sheer waste and calls changes in this total growth. Yet it fails to fully measure as growth efforts and capital spent in education, vocational training, research and development, and other areas which mean much more to future sound growth than probably anything else. Furthermore, growth rates do not accurately represent a society's productive capacity. A society builds its capital plant and its citizens learn their productive skills over a period of many years. The business organizations which put capital and human skills together, the third factor in productive capacity, often require decades to establish. It is productivity capacity which is the real test of a nation's economic strength, not a specially selected short span of years of growth rates. Indeed, the smaller the productive capacity one starts with as a base the more phenomenal the growth rates in the early years appear to be. As a society matures and becomes strong in productive capacity, its growth rate more than anything reflects its reactions to its needs of the day and less and less relates to its creation of new productive capacity. Russia, on the other hand, with a relatively small productive capacity, still uses a good bit of the productive capacity she inherited from the czars, particularly housing, and its

capacity is still so small in relation to its needs and so much of it is obsolete that its growth rate reflects very little a response to the needs of the day but very heavily its addition to its productive plant. In spite of this, her growth rate is behind that of the United States for any comparable period of development and she will remain far behind the United States of America in productive capacity throughout the 20th century.

Rapid technological growth means increased frictional unemployment. In other words, as new technologies are developed old skills become obsolete. The very people who presently seem so entranced about the subject of economic growth are the very ones who are complaining the loudest about the problems we have which have resulted primarily from the technological changes behind a rapid rate of growth. What do these Democratic leaders think has caused the grave unemployment and underemployment in the rural areas? It has been the extraordinary technological growth in American agriculture which has made obsolete, uncompetitive, and unneeded the skills of the old 40-acre farmer. The Republicans seek to meet the human problems that this rapid economic growth has created, but in doing so we know we must face up to the fact that it is rapid economic growth that has largely created the problem. Do we indeed want more rapid economic growth in the agricultural sector of our society? Or wouldn't we do better to stimulate growth in some other section where it is needed and where we might find jobs for the displaced?

In the area of cost-of-living problems we must also recognize that rapid technological growth creates increased costs. These costs are real costs, not inflation or unfair profits, these costs result from making obsolete machines and tools and skills, from purchasing new machines and tools, from training for the new skills, and from money invested in extensive research and development which lies behind most technological growth.

Yet again, the very people who are entranced with this question of more rapid economic growth are the ones who are stirring up the people over the cost-of-living increases that occur as a result of it. What sort of areas am I talking about? Take the field of health. Never in the history of the world has there been such a rapid advancement in the control of sickness and disease, in the increasing of the human life expectancy, in the cutting down of absenteeism for health reasons as in the United States in the past few decades. Parenthetically I might state that this rapid growth is only partially measured by the economic measuring sticks we have available and so is largely not included in the United States of America growth figures.

The costs in the health field are real costs and they have gone up considerably. Yet, as I have said, those who keep crying for more growth are the very ones who are castigating those who are responsible for this rapid growth in health because of the costs involved. Certainly, human problems have arisen from increased costs in the health field resulting from this very rapid technological growth. But instead of cursing our blessings, let us meet the problems.

Strangely enough, those who would curse the costs resulting from the very rapid technological growth in the health field are the very ones who want to have the Federal Government stimulate the growth in this area even more. Is it not fair to ask them if they are prepared to cope with the problems that further rapid advancement will bring inasmuch as we have still not met the problems already existing in this area?

These are some of the economic potentials we must understand and meet if our children are to know real freedom of choice and opportunity.

I think the report of the Republican National Committee on program and progress succinctly expresses what the Republican economic philosophy proposes:

> Lift the ceiling over personal opportunity; strengthen the floor over the pit of personal disaster.

Perhaps historians will find new parallels to the story of a President, not a candidate for reelection, and of Republican Members of House and Senate, outnumbered nearly 2 to 1, who battled courageously and vigorously for the best interests of every family man and mother who want to see their children inherit economic freedom, to be able to save some money, and to be free from fiscal dictation. In fighting these battles we Republicans have learned to develop and cherish the qualifications that make us the party for the future.

THE PARTY QUALIFIED TO MEET THE CHALLENGES

The SPEAKER pro tempore (Mr. PATMAN). Under previous order of the House, the gentleman from Indiana [Mr. HALLECK] is recognized for 1 hour.

Mr. HALLECK. First, I want to commend my colleagues for the great diligence they have been showing in this series of talks to set forth our basic philosophies, spelling them out in detail, so that thoughtful people may know exactly where we stand. I might say that already I have had many people who have been reading the CONGRESSIONAL RECORD tell me they are heartened and much encouraged by what they have read.

It is a matter of real gratification to me that these younger Members who have preceded me in this series have shown this vigor and this initiative pointing up the issues of the day.

I have felt for a long time, and have said so publicly on many occasions, that Republicans need to do a better job of selling the people on their record of accomplishments for the country and their record of adherence to sound principles.

Getting any story across is never easy; it is a job that requires many voices, and I congratulate my colleagues for the presentations they have made during the past week and earlier today.

For my part I appreciate having been invited to take part in these discussions and am proud to associate myself with those who have made such effective arguments for the Republican cause.

At the outset of our speech series on party differences 2 weeks ago, the able chairman of the Republican policy committee, the gentlemen from Wisconsin [Mr. BYRNES], asked:

> Are the two major political parties in this country qualified to meet successfully the challenges of the sixties?

In seeking an answer, we have examined the challenge of preserving peace through justice, the challenge of maturing labor-management relations, and the challenge of enlarging economic freedom for our children. Within the next 10 years we also will face many other tests. But these three furnish us the means of analyzing the different ways that each of our political parties respond to demanding situations. From this the voting public can predict what to expect in the future from each party.

The very survival of our Nation—and the free world—will depend upon that well-informed public.

In the opening speech the gentleman from Wisconsin [Mr. BYRNES] discussed the obligations of political parties. If they are to be more than a conspiracy to gain power, more than a machine to serve special interests, they must strive for party unity, party principle, party democracy, and party concern for future generations. Lacking these, any political party, regardless of how fine may be some of its leaders and members, cannot fulfill the public demand for real leadership in the new age ahead.

If either of those parties fails to be constituted so that it can meet and discuss issues candidly, then the two-party process is frustrated. The voter has no choice. The future of the country is endangered by the threat of power politics, of bossism, of special interest groups.

Since the chairman of the Republican policy committee analyzed the four qualifications of our party, I now have the duty of analyzing the other party.

What does the first qualification—unity—demand of the other party? That there be no dissension? Certainly not. But it demands that the dissension not be over fundamentally opposing issues which can never be reconciled. It demands that that party not dissipate its leadership on party strife and bickering. For a party really divided against itself may stand, but it stands at the expense of the general public.

Some say that the Democrat feuds merely hurt the Democrats and help the Republicans. In the first place, it is not the Democrats who are hurt. It is the entire Nation that is hurt. And, in the second place, it is not the Republicans who are helped. For out of each fight springs an attempt to restore party peace by blurring, compromising, and watering down the issues over which they fought. That evasion hardens the task of the Republicans to convey the real issues to the people who will be going to the polls.

In this decade we now enter, political parties must have unity of purpose within themselves if they are to transmit purpose to a nation challenged by communism. Especially does this unity become essential in foreign policy.

The second speech of this series outlined how the Democratic advisory council has promoted a line of disunity in our foreign policy and hindered our sense of purpose.

The fourth speech of our series outlined the ill effects of party disunity in the field of labor-management relations. The labor-management policies of the other party during the last session of Congress were riddled with disunity. The discerning Democrats joined in with Republicans to support the only bipartisan bill offered. But, as a party, the opposition was incapable of meeting the challenge.

The same story repeats itself in the economic field, as the fifth and sixth speeches of the series demonstrated. The other party is incapable of uniting on economic policy.

Now, what about the second qualification for a party—a forward-looking political philosophy based on principle?

Each speech of this series, whether in the field of foreign policy, labor management, or economics, has strained to find a real Democrat philosophy based on consistent principle. If only we could have found that, we could have compared our principles with their principles. But what we found was much expediency, many generalities, but no consistency of principle.

So let us take a close look at some of these glib Democratic generalities, which we might better call "gliberalities."

Since the 1930's, we have heard the "gliberality" that the philosophy of the other party is one of helping the common man. This "gliberality" rings high-sounding notes. The fifth speech reviewed in great detail how the deficit spending approach of the other party has turned into a Frankenstein monster stealing from the so-called common man's pocketbook. The economic policies of the other party have led to increasing hardship for the pensioned senior citizens, the widows, the school teachers, and in fact, for the entire household of the average American family.

Let us examine another "gliberality." At the December meeting of the Democratic advisory council, there was much talk about its so-called liberal philosophy.

What do they mean by liberal? Why do they not define it? Freedom-loving liberals like Patrick Henry and Samuel Adams raised the cry of despotism against George III and his policies of high taxation and increased centralization. But the advisory council and the liberal wing of that party in the House supports programs which would advance high taxation and increased centralization.

The first great liberal President, Thomas Jefferson, warned against deficit financing in these words:

> The earth belongs always to the living generation. * * * Neither the representatives of a nation, nor the whole nation itself assembled, can validly engage debts beyond what they must pay in their own time.

The Democrat Party should be blushing at Jefferson's words. The fifth speech in our series carefully documented the fact that how, during this century, Democrat administrations had added deficits equaling over 90 percent of our national debt. That speech also documented how Democrat-controlled Congresses have added deficits equaling our entire national debt today. Yet there is no letup in the clamor in the ranks of Democrats for more and bigger spending programs.

We cannot discover a concrete Democratic philosophy on economic, or governmental, or foreign policy because there is no basic principle for that philosophy.

One last point about Democratic Party "gliberalities." The publications of that party propagandized that they can look ahead, adapt to new ideas, meet changing situations.

Yet, there is perhaps one predominant fact that has emerged from the discussions of this speech series. Those Democrats are not looking forward. They are looking backward. By their policies and their conduct, they have dubbed themselves the reactionaries. Both in foreign and domestic policy, they have become a large size, super-deluxe Mr. Reactive. They react. They cannot act. They respond with the hackneyed solutions of the 1930's and the 1940's. They cannot initiate a philosophy for the 1960's and the 1970's.

Now I turn to the third essential qualification for a political party—democracy within party ranks.

How is policy made in the opposition party? Who knows?

The opening speech of this series explained how Republican policy was formulated by our policy committee which furnishes geographical representation from the entire country. The opposition party in the House has no policy committee. It has ignored a major recommendation in the 1946 reorganization of Congress.

Of course, in 1956 the Democratic advisory council was created to advise Democrats in Congress on policy. We have seen how that organization is not really representative. In fact, the Democratic National Committee has carefully seen to it that no Democrat Representative in this House is on the main body of that advisory council. The advisory council proposes to tell Democrats in this body how to vote, without ever hearing their viewpoints. Is that democratic? Do most Democrats really want to have policy dictated by an organization in downtown, instead of formulated on Capitol Hill by a congressional policy committee geographically composed?

Disunity inevitably denies the other party the opportunity to become a truly Democratic Party. Constantly jockeying for power are its special interest groups, or its special geographical groups.

But this process of power politics denies the weaker groups any representation at all. The voice of the party minorities is silenced.

That lopsided representation becomes apparent even in the organization of committees in this Congress. The nationwide farm program is controlled by legislation in the House and Senate. Today, the Midwest is being subjected to the bitter fruits of unsound farm policies that began decades ago. But where are the home districts of the ranking eight Members of the opposition on the House Agriculture Committee? North Carolina, Texas, Alabama, Arkansas, South Carolina, Mississippi, Oklahoma, Virginia. In other words, the cotton and tobacco interests are represented, but not the farmers of Minnesota, Wisconsin, Kansas, and Iowa.

Compare this geographical concentration of power with the distribution of the other side of the committee. The first eight Republican Members represent States in this order: Iowa, Pennsylvania, Oklahoma, Maine, Utah, Kansas, California, Minnesota. That is balanced representation. As in the operation of the Republican policy committee, representation is for the best interests of all, and not the special interests of any.

I have taken a bit of ribbing for using the term "Democrat Party." I have a good reason for doing this. The "democrat" with the small "d" is being driven out of the Democratic Party. That party is not truly representative of the hopes, aspirations, and wishes of the people who vote its ticket. The voter who wants to be represented must vote the Republican ticket.

Now to the fourth qualification of a political party—long-range vision toward future generations.

Again and again our speech series has brought out Democratic characteristics of responding with splintered vision, with one-sided viewpoints, with crisis and crash solutions, with accumulated expediency. The last administration had its view so fixed on Europe in the late 1940's that it allowed the Communists to outflank us in the Far East.

Today most congressional Democrats have their view so fixed on the spending part of the budget that they forget the revenue part.

Indeed, these short-range viewpoints are confusing.

They stand up to a Russian threat one time, then retreat before the threat the next time. Be tough over Berlin, but give up the outer defenses of Formosa. Proclaim the faith of a balanced budget one day, advocate spending programs which would make that balance impossible the next. Criticize the present administration for routine appropriations requests necessitated by Democratic spending legislation a few years back, and yet legislate more built-in spending for 1962.

Plainly, this type of party inconsistency can lead us into a deadly collision with the perils of this new decade.

In all four of the qualifications for a political party, the other party has disqualified itself. Without unity, without consistent principle, without internal democracy, without long-range vision, no wonder it seeks a shelter in a preference for security over freedom. Since it parades under false colors of its abandoned heritages, no wonder it is mired in negativism and turns back from the new worlds of human relations ahead.

The other party is confused and bewildered. The precious qualities which we possess, the other party is denied. No simple act of their party leadership

can cure the malady, so deep has become their split personality. This means that heavy demands for meeting the challenges ahead are slowly but surely being transferred to our shoulders. And if in our Republican political health, in our political capabilities for real statesmanship in foreign and domestic policy, we fail through apathy or through inability to get our Republican message across, then we are deeply to blame.

During these next 10 years we must never rest from the duty of bringing maximum public discussion upon these real issues of our survival, and of presenting the Republican message.

And what is that message?

It says that while men and parties may cry for peace, the only real and lasting peace comes with justice and freedom. And this type of peace can be achieved only through a leadership which sees the Sino-Soviet peril as a whole and not in parts.

That leadership must marshal all the forces of our free society to dissolve that peril. Our foreign policy must be consistent, and disallow the type of miscalculations which produced the Korean war, and which, in the future, could produce nuclear holocaust.

We must maintain an effective, flexible military deterrent system which employs a secure, retaliatory capacity to respond in just the right measure to make aggression unprofitable.

And we must maintain the strength of this system through sacrifice and not through robbing our economic defenses. For a strong, free, rapidly growing American economy is the very foundation stone upon which our survival in protracted competition with communism depends.

We must maintain and improve our collective security and solidarity throughout the free world.

We must encourage the dynamic forces of science and technology, and we must never allow central dictation and control to kill basic educational or basic research processes.

We must disavow cheap materialism or socialism which could destroy the fiber of our psychological, moral, and spiritual resources. We must support the leadership inaugurated by the President and Vice President to approach the peoples of the captive societies, so that they will exert pressures upward to obtain more freedom.

Not one, but all of these potentials of our free society must be used in this summons to preserve peace with justice and freedom.

Then there is our message about labor-management relations. Both labor and management leaders represent startling economic power. Any political party that seeks to protect either special interest at the expense of all the people is betraying the country.

Republicans led in antimonopoly legislation against business at the turn of the century. Republicans led in reform legislation to protect rank and file of unions last year. Republicans oppose measures of the opposition which would curtail the dynamic forces of industry through Government price fixing. Republicans opposed Truman's efforts to draft railroad union members into the Army in 1946. Ours is the only party truly bipartisan in these crucial matters.

Our Republican message also speaks about preserving economic freedom for our children. Policies of the opposition begun during the depression decade and carried on by Congress have burdened the average American family with a national indebtedness. Its product has been a steadily increased cost of living and high taxes. They have increasingly robbed the real take-home pay, the spending and investing money, of the typical family.

The first big weapon for preserving freedom lies in the sound management of our budget, our money, and our debt. When political leadership in prosperous times promotes legislation which turns surpluses into deficits, our children are being punished with debt. When such leadership tries to subvert the independent judgment of the Federal Reserve into false monetary management, our children are being cheated with a cheapened dollar. Those who successfully oppose measures for long-term financing of our national debt are punishing our children with economic instability in their old age. For prosperity with stable prices can only spring from proper budget, monetary, and debt management.

We need to restore the incentive system to America. The New and Fair Deal taxation concepts which have kept the poor poor, and not allowed them to move into the class of those who have inherited wealth, must be abolished. Creativity must be allowed to find its rewards. The mobility of capital and labor must be restored, and not frozen by systems of Federal regulations, monopolistic practices in labor and industry, and subsidy programs that enforce the abnormal. For only so will our children and their children really know the land of the free.

In a few days we will be observing the birthday anniversary of Abraham Lincoln. It was almost a century ago when he said:

> Fellow citizens, we cannot escape history. The fiery trials through which we pass will light us down in honor or dishonor to the last generation. * * *
>
> The occasion is piled high with difficulty, and we must rise with the occasion.
>
> We must think anew, we must act anew, we must disenthrall ourselves.

May we Republicans disenthrall ourselves with attitudes that old ways of expressing ourselves are good enough. We must become missionaries of our messages of enlarging freedom at home and abroad. We must vigilantly avoid being misrepresented. We must carry our story to every American home. We must take our message to the marketplace of ideas throughout our land. We must force public debate about the real alternatives of our national policy. And may even those who disagree with us be compelled to say that our political party used its unique qualifications to meet and not to escape the trials of our time.

For the age of promise which lies ahead belongs to those who earnestly seek the promise in the creativity of freedom, and in the strength of justice.

A REASON FOR CONFUSION ABOUT THE GOP

Mr. EDMONDSON. Mr. Speaker, when the distinguished gentleman from Indiana described the Democrats today as "confused and bewildered," he certainly described the inevitable reaction of many Democrats who have been following this series of Republican policy committee speeches.

When anybody describes the Republican Party as a "party of unity," he is certain to create some confusion among House Members who recall vividly the bitter and divisive battle for GOP leadership in this body—a battle which still reverberates around the corridors, now and then.

When anybody describes the Republican Party as a "party of principle," he is sure to lead to some confusion among American voters who are still puzzled by such Madison Avenue terms as "dynamic conservatism" and "unleashing Chiang Kai-shek"—to mention only a couple of the "consistent principles" for which the GOP has contended loudly in recent years.

When there is talk by Republican leaders about "internal democracy," the confusion mounts. That is one that is sure to confuse even some Republicans—including one named Governor Rockefeller, in New York. Any resemblance to "internal democracy" in the forthcoming GOP presidential convention is likely to be, as they say in the movies, "purely coincidental."

But the claim that is certain to compound universal confusion is that high-flying assertion about "long-range vision" in the GOP. Long-range vision in the present Republican Party? Where in the world can it be found?—a confused America is sure to ask. Do you find it in our space program, where we are far behind? Do you find it in our missile program, on any nonpolitical authority? Do you find it in conservation of our resources, in education, in housing?

In search of some explanation for this curious collection of claims on behalf of the Republican Party, Mr. Speaker, I finally located this gem of political advice in a well-known address on the subject of "Fundamentals of Campaign Organization."

The author, unless a very reliable authority is in error, was a California political expert named Chotiner, who reportedly has been a great help to some of our colleagues in past campaigns.

"May I suggest that where you have weaknesses in your candidate, you should take advantage of it," advised Mr. Chotiner.

The candidate in this instance, of course, would be the Republican Party—and the weaknesses of that party under its present leadership are matters of common knowledge and matters of recent record. They include a bitter disunity on the congressional leadership issue, an attitude on political principle under Madison Avenue guidance that can charitably be described as casual, a brand of internal democracy that is often a mockery of the term, and a blind and absolute absence of long-range vision on many important national issues.

On these points, it will no doubt be said, I may be a little prejudiced as a Democrat.

So, I submit, is the distinguished minority leader, whose hard-hitting attack on an obvious collection of strawmen might even be mistaken by some as an opening barrage in a campaign for Vice President.

As a candidate for that office, on his own party's ticket, our distinguished Indiana colleague undoubtedly has many qualifications—and many in this body are sure to wish him well.

One thing is sure, he has learned his Chotiner.

POSTAL INSPECTION

The SPEAKER pro tempore (Mr. PATMAN). Under previous order of the House, the gentleman from Michigan [Mr. JOHANSEN] is recognized for 60 minutes.

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. JOHANSEN. Mr. Speaker, on Monday last the gentleman from West Virginia [Mr. HECHLER] addressed this House on the subject of the so-called peepholes in the post offices. His remarks may be found on pages 662 and 663 of the RECORD. I notified the gentleman of my intention to refer to his remarks, and I am pleased to see that he is on the floor.

In discussing this subject I want to be meticulously accurate both as to the facts and as to the implications of my statements.

I want to be completely fair to the Postmaster General of the United States and to the officials and members of the U.S. Postal Inspection Service—who, by the way, deserve better treatment in this House than shoddy and totally unsubstantiated accusations of "vicious," "gestapo-like," "big brother," "un-American spy activities," all of which were terms used by the gentleman from West Virginia.

I want to point out that both the American people and that vastly overwhelming majority of honest Federal employees who constitute the personnel of the U.S. Postal Service have a stake in the inspection system and the issue here under discussion.

Finally, I hope in these remarks to contribute to the fuller understanding on the part of Members of this House as to the necessary uses and the rigidly prohibited abuses of this so-called peephole or lookout system.

Furthermore, Mr. Speaker, I wish to refer to the gentleman from West Virginia with complete kindness and respect—certainly with much more kindness and respect than he referred to the Postmaster General and to other postal officials when he said:

> I suggest that Postmaster General Summerfield may want to place signs so all post office employees can see them, and the signs might read: "Big Brother Arthur is watching you."

Earlier in his remarks the gentleman from West Virginia had indicated the import of this "big brother" reference, because he said:

> Mr. Speaker, you remember that terrifying book by George Orwell, entitled "Nineteen Eighty-Four."
>
> Last week I was shocked to discover that in the post offices of this country, 1984 is already here.

I think this last-quoted statement clearly indicates what happened and explains why the gentleman from West Virginia came to the floor of this House full of what he believed was righteous wrath over what he had just discovered and over what he impulsively believed to be a new, wicked, and abominable practice.

Now I want to go even a step further in being fair and kind to the gentleman from West Virginia—and at the same time be completely frank and honest about the matter.

If the gentleman from West Virginia is in the least bit embarrassed about the lateness of his discovery of this practice in the postal service, perhaps a frank acknowledgment on my part will moderate his embarrassment. I was not only a Member of Congress but, of all things, a member of the House Committee on Post Office and Civil Service, before I discovered the existence of the lookout or observation gallery system in the post offices.

Moreover, and I am baring my own innermost thoughts to the gentleman and this House on this matter, I must acknowledge that I at first reacted somewhat critically to the practice. I claim no superior virtue when I add that I did not instantly voice my feelings but instead asked a great many questions about the whys and wherefores, the reasons and the restrictions, with regard to this feature of the postal inspection system. The simple truth is, I will say to my colleague, this is the first time I have ever acknowledged to anyone that my first and impulsive reactions had, to say the least, been one of skepticism.

I would not want to believe that the gentleman from West Virginia spoke as he did last Monday for any other season than the same instinctive reaction which prompted my own initial skepticism. And so I can say, for my own part, as the bishop said when he saw the felon being led away to be hanged, "There, but for the Grace of God, go I."

Now, let us get into the subject itself.

I want to quote a statement made by a high postal official regarding this observation gallery system:

> I do not like to think that any of the clerks in our service should be kept righteous through fear, but clerks should understand the possibility of their apprehension when they make missteps from the strict path of honesty. The purposes of the observation galleries should be explained to them.
>
> While I am on this subject I might say that observation galleries, lookout galleries, or catwalks, or whatever you may call them, are used for but one purpose and one purpose only, that is the apprehension of thieves. They are not used by postmaster or supervisors or anyone else to determine whether or not clerks are loitering or doing anything else they should not be doing. That would be a suspecting supervision which I for one will not tolerate either from lookout galleries or by any other means. They are not used for the apprehension of thieves until it is first ascertained that the number of losses in the mails chargeable to a certain office make it apparent that someone is stealing. And then only when it is ascertained that the losses have narrowed themselves down to a comparatively small section of the office. No honest man needs to fear a lookout gallery. Their purpose is to protect honest men.

Now this statement was made in an address before the national convention of the National Federation of Post Office Clerks. It was made by Chief Postal Inspector K. P. Aldrich. It was made in September 1939. It reflected official policy and regulations of the Post Office Department then in force. And when that statement was made the Postmaster General of the United States was the greatly respected Hon. James A. Farley.

Is it therefore to be suggested that Jim Farley, as he was and still is affectionately known, was sponsoring and promoting, or permitting to be sponsored or tolerated in the Post Office Department, a vicious, un-American spy activity patterned after the Gestapo—the Gestapo which was that very year at the peak of its wicked and wholly nefarious activities?

Or is it to be suggested that Jim Farley was tolerating or approving practices in the Post Office Department which, unwittingly, anticipated and predated the Big Brother of 1984 philosophy and tactics then not yet even envisioned by George Orwell?

I don't think so—and neither, I am sure, does the gentleman from West Virginia.

The truth of the matter is, of course, that the use of observation galleries and of lookouts for the detection of suspected criminals who are violating the sanctity and the secrecy of the mails, is a practice of very long standing. Indeed, I have not been able to determine the date of its origins. I am told that the U.S. Postal Inspection Service is the oldest investigative agency in the Government, and that the charge to provide for the safety and security of the mails by all necessary means was imposed upon the first Postmaster General, Benjamin Franklin, by the Continental Congress.

As to the history of the observation galleries, I am further advised, and the gentleman from Virginia [Mr. GARY] who serves so ably as chairman of the Post Office Appropriations Subcommittee could doubtless verify this bit of history, that the Old Post Office Building at Richmond, Va.—used during the period of the Confederacy as the Treasury Building—is so equipped.

As to the general use of this system in more recent times, I ask permission to insert at this point in the RECORD instructions regarding control of lookout galleries issued by Hon. Walter Myers, Fourth Assistant Postmaster General, November 3, 1943. The Honorable

Frank C. Walker was Postmaster General at that time:

TO POSTMASTERS AT FEDERAL BUILDINGS UNDER THE ADMINISTRATION OF THE POST OFFICE DEPARTMENT:

Section 57 of "Instructions and Suggestions for Postmasters in the Operation of Public Buildings" is amended to read as follows:

"SEC. 57. Lookout galleries: (1) Lookout galleries are to be kept free from dust and ready for immediate use at all times.

"(2) It is especially important that the louver slats and sills under same be kept clean. Exit doors must not be blocked with furniture or other equipment.

"(3) This work should be assigned to certain employees, who are to be held responsible for the proper care of the same. The lookouts should be cleaned on the first Monday of each month, and the employees should be admitted on that day only. When this day falls on a holiday the lookout should be cleaned on the following business day.

"(4) Post office inspectors, postmasters, and superintendents at stations or branches located in Federal buildings are the only officials who should have keys to the entrance doors to the lookouts. The key in the custody of the postmaster (or superintendent) should be kept in his safe, vault, or in the key cabinet under lock, where it will not be accessible to unauthorized persons.

"(5) Requests for lookout keys should be directed to the inspector in charge of the division in which the building is located."

This amendment should be inserted in your copy of the Book of Instructions.

Respectfully yours,

WALTER MYERS,
Fourth Assistant Postmaster General.

In that connection I should call attention to a paragraph from the 1937 edition of "Instructions to Postmasters on the Maintenance and Care of Federal Buildings." This paragraph, found in section 57, states:

Only postal inspectors in the discharge of criminal work are authorized to use lookout galleries.

Also, I insert in the RECORD at this point an excerpt from 1947 House Appropriation Subcommittee hearings on the Post Office appropriation bill, page 509:

Mr. LUDLOW. Is there a lookout in every large post office?

Mr. DORAN. Yes; there is a lookout post in every Federal building; in the ones that have been built in the last 25 years, I am sure they each have a lookout. Some of the older ones where they have been remodeled, are not so good, but all of the new ones have lookouts.

Mr. LUDLOW. That has been the means of discovering a good many violations?

Mr. DORAN. We have no other way in many of these places except to place an inspector on the job, and it is a job the inspectors do not like very much and you can imagine what going into a place like that and staying for hours means, but there is no other way to protect the public.

Mr. LUDLOW. Do they have regular hours or tours of duty?

Mr. DORAN. The inspectors?

Mr. LUDLOW. Yes.

Mr. DORAN. No.

Mr. LUDLOW. Just whenever they have occasion for such work?

Mr. DORAN. There are men in the post office who are assigned to work with the inspector, and they sometimes are called depredation assistants, in the large cities only. They spend a considerable amount of their time. But it is unfair to ask a man to spend more than 2 hours in one of those places, because, in the first place, the dust that has accumulated is enough to impair their health, and in the second place they have to stand in a cramped position, and at other times some of them have to kneel down to observe what is going on.

We do not use that method until we are satisfied that there is a thief operating at a particular place, then we go to work on him.

DEPREDATIONS BY EMPLOYEES

Mr. LUDLOW. What you refer to as depredation is the stealing of valuables from the mail, checks and money?

Mr. DORAN. As a rule, they are small amounts, that are stolen from organizations that are in the habit of getting contributions for various things. I do not like to admit it, but the fact is they steal from the Red Cross and from drives for infantile paralysis, and from the cancer contributions, and things of that kind. That is the safest kind of mail, because very often people will just put a few dollars in an envelope; they do not have a check on it; and many of these organizations do not make any acknowledgment; that is true especially of the relief organizations, and there are times when they get a lot of money.

In these hearings Chief Inspector Doran, of the Post Office Department, stated that—

There is a lookout post in every Federal building * * * that have been built in the last 25 years.

He stressed that—

We do not use that method until we are satisfied that there is a thief operating at a particular place, then we go to work on him.

And he cited types of thievery from the mails which were most frequently encountered. That, I repeat, was in 1947 when the Postmaster General was either Hon. Robert E. Hannegan or Hon. Jesse M. Donaldson, who himself came to that Cabinet post as a career man in the postal service.

Now as to the present practice and regulations: Section 622.524 of the current Post Manual governs use of observation galleries, the rigid control of keys, and the responsibility of postmasters and all others to report any unauthorized use of the facilities. Observance of the requirements of this cited section is periodically examined by postal inspectors.

Furthermore, a part of the indoctrination of newly appointed post office employees, adopted under the present Postmaster General in 1953, is that of emphasizing the absolute sanctity of the seal on mail matter and the serious penalties they apply for violation of that sanctity. Incident to this indoctrination, employees regularly are informed of the lookout facilities and of the use made of them by inspectors when necessary to aid in the detection of theft or violation of the secrecy of the mails.

At this point, Mr. Speaker, I should like to digress for a moment from the matter of the bare rules and regulations governing this system and offer a few observations about some of the deeper implications—both of this technique for safeguarding the secrecy and security of the mails and implications of the unfortunate and highly intemperate attack on this technique. In that connection, let me point out that the gentleman from West Virginia did not limit his criticism to alleged abuses of the observation gallery system—and about those alleged abuses I will say more a little later. He did not limit himself to criticism of alleged abuses but specifically attacked the system in relation to the safeguarding of the sanctity and security of the mails.

He said—and objected—that, and I quote his words:

Snooping postal inspectors * * * spy on postal workers * * * to see that they do not steal anything.

Even that is not an accurate statement as to the legitimate use which is made of the observation gallery. I am advised that the use of the gallery may properly be resorted to only when there is strong reason to believe—or when there is positive knowledge—that the mails are being pilfered. Generally, I am told, it is done when suspicions have narrowed down to a particular area of the postal operations or of the actual work floor.

So the real purpose is not, as was slurringly implied by the gentleman from West Virginia, "to see that they do not steal anything"—as though it were a general and shotgun surveillance of all employees arbitrarily and maliciously exercised—but it is instead for the purpose of detecting the source of known or strongly suspected thievery and to apprehend the offender on a basis and with evidence that will stand up in a criminal trial.

In this connection I wish to recall one particular statement made by the gentleman from West Virginia last Monday:

These peephole facilities * * * do not accomplish anything that tight supervision could not cure.

I challenge that statement as a matter of elemental commonsense, as a practical consideration. Does the gentleman mean to imply that normal supervisory methods—even those of tight supervision—are always adequate to detect and apprehend a sneak thief or a criminal pilferer of the mails? Certainly he does not believe that normal supervision should involve the drastic stringency sometimes necessary to apprehend such a thief? I am sure the gentleman did not actually realize the import of what he was saying.

I hope the House will indulge me as I offer a few further observations on this point—which is actually the crux of the whole matter.

Unfortunately we live in a world in which there are dishonest people, individuals who deliberately betray a trust, people who disregard the rights of others, people who by their own wrongdoing bring innocent persons under wrongful suspicion, and, perhaps worst of all, people who invoke for their own unworthy benefit and to the limit of their unscrupulous ability and to the limit of legal technicalities the very safeguards created by the Constitution and the Government to protect the innocent and to protect the rights of individuals and of society generally.

Are these enemies of the genuine rights of individuals and of society to be permitted to continue their criminal depredations unchecked and without effective challenge by the lawful forces of society?

Of course not, and I am sure the gentleman from West Virginia would be the first to subscribe to that answer.

Then, inevitably, comes the whole problem and philosophy of criminal detection and methods incident thereto.

I need not labor the point that those guilty of the criminal depredations do not knowingly advertise their activities and do not knowingly cooperate in their own apprehension.

I must apologize for pointing out the obvious—yet it appears to be necessary to do so.

Of course the confusion—and it can indeed be a very honest confusion—arises from a further consideration.

The very same regard for individual human rights which properly prompts us to look to Government for the safeguarding of those rights and the rights of society, including the secrecy and the security of the mails, also prompts a deep-rooted and very valid detestation of spying and snooping of the big brother, Gestapo variety.

That detestation, that aversion, is something that I hope we as Americans will never lose.

It is a built-in part of our concept of decency, fairplay, honorable conduct, and justice.

But—and this is the point I am making—the right of immunity and freedom from spying and snooping cannot extend to those persons who, through depredations of their own, have violated the rights of individuals or of society and have thereby deprived themselves of the normal safeguards against what is so glibly and mistakenly branded with those terms of approbrium.

Of course that opens the further complex area of still another principle of American justice and jurisprudence, to wit, the concept that a person is innocent until proven guilty and the requirement that probable cause be shown before a person may be apprehended, indicted, or bound over for criminal trial.

I am somewhat abashed at my own immodesty—as one who cannot remotely claim to be learned in the law or even a member of the bar—in discussing this matter.

But the right of investigation, of detection, and of apprehension on reasonable grounds of belief that a specific person has indeed committed a specific crime is—and must ever remain—an essential part of the processes of justice and of protection of the rights of individuals and of society.

That is an absolute, practical necessity.

So the whole matter boils down to this proposition—that the very concern for and effort to safeguard the rights of the individual and of society which we all cherish so greatly makes necessary, on occasion, the employment of the very methods of surveillance and detection here under discussion.

That becomes not only a necessity, but a very special obligation in connection with positions of special and great public trust and responsibility.

Such a position of public trust and responsibility is peculiarly exemplified in terms of employment in the U.S. postal service

To smear as spying, snooping, un-American activity, Gestapo tactics, and 1984–big brother methods the necessary, lawful actions for safeguarding of that trust and the secrecy and security of the U.S. mails against the depredations of a small minority is something which I am sure every responsible Member of this House—including the gentleman from West Virginia—would, at least on sober second thought, indignantly repudiate.

I am sure they would do so all the more when they realize that at stake in this secrecy and security of the mails are not only the personal communications of private citizens and the monetary and other items of immense property value, but also confidential and classified materials pertaining to the security of the United States.

Certainly in the postal service, even more than in many of the departments of Government outside of the Defense Establishment—and I believe the principle applies to all departments of Government—it is a tragic mistake to equate employment in the Government service with that of employment in any private enterprise. Those vested with the responsibilities of Government service bear the public trust for all citizens, for all private enterprise, and for all that we cherish in our country.

I am sure that the overwhelming majority of the employees in the postal service share this high and proud view of their own positions of responsibility and public trust—and do not want any other view held.

In that connection I include at this point a letter from a veteran postal employee published in the Los Angeles Times of October 21, 1959, answering an earlier letter from a disgruntled former employee whose line of argument was generally similar to that of the gentleman from West Virginia:

INVIOLATE MAIL

I read the Wadell letter on post office surveillance. I have been in the Los Angeles Post Office for nearly 24 years and can truthfully say that this is the first time I have heard of anyone resigning because of this so-called surveillance.

It is my opinion that if an employee is doing his job as it should be done he need not fear any observance of his work. One of the things stressed in the orientation of new employees in the post office is the inviolability of the U.S. mails. Those in charge undoubtedly feel that a certain amount of observance is necessary to see that this inviolability isn't being broken.

MERLE A. GRAY.

LOS ANGELES.

Now I come to a completely different phase of the brief but enormously damaging address given by the gentleman from West Virginia.

In his remarks last Monday he makes numerous charges that the gallery observation—or if you please, peephole—system is being used, among other things—and these are direct quotations—"to spy on postal workers to try to find them loafing"; "misused to spy on union meetings, and to embarrass postal employees in matters which should remain personal"; and "so they can look and listen in on union meetings if held in the post office."

The only thing approaching substantiation of these sweeping and very grave charges—and I do not regard it as substantiation in any way—is the following statement:

The editor of the Ravenswood News, Phil Fourney, in denouncing this practice, reported that a postal inspector in Ravenswood boasted "they often spend 18 hours or more in their peephole area observing activities of postal employees."

Now, Mr. Speaker, if the gentleman from West Virginia has any proof whatsoever of these charges or of the existence of these practices, at Ravenswood, W. Va., or anywhere else in the postal system; or if any person, in the postal service or out of it, has any proof or any reasonable grounds for believing that such practices and abuses are occurring, he has not only the right but the most solemn duty to bring that to the attention of the highest postal authorities, to the attention of the House Committee on Post Office and Civil Service, or to the attention of his own Member of Congress.

Let me add, for any value that it has to the cause of evenhanded justice, that I will, as a Member of Congress and as member of the House Committee on Post Office and Civil Service, cooperate in any appropriate way and to the limit of my ability to the end that any abuses of this character are ended and the offenders or condoners of such practices are properly dealt with, if there is proof of such malfeasance or misfeasance within the postal service. Without having formally consulted the committee, I think I can confidently state that it would take the same position.

What is passing strange to me is that the gentleman from West Virginia, who is so violently repelled by legitimate, stringently supervised methods to detect wrongdoers who commit serious depredations against the U.S. mails, does not seem to be in the least bit repelled by the practice of indulging in the most blanket sort of unsubstantiated charges against the members of the U.S. Postal Inspection Service. Indeed he has joined in that practice.

Members of the Postal Inspection Service, I would respectfully remind the gentleman from West Virginia, are also human beings; they are also Americans; they are also employees of the postal service, and they are also entitled to have produced proof of the indiscriminate, damning, and reckless accusations he has made against them.

This business of fairness, decency, and justice should work both ways. Let us see to it that it does work both ways hereafter.

Mr. Speaker, under permission to extend my remarks I enclose following my remarks a statement of the Post Office Department regarding costs of the observation galleries about which the gentleman from West Virginia also complained.

The statement follows:

Obviously a dollar value cannot be placed upon the protection of the private papers and communications of the American public which are entrusted to the mails. It is obvious that the American public would seriously criticize any attempt to do so, and would take the position that whatever is required to protect the U.S. mails is the responsibility of the Post Office Department and the Government generally.

However, the allegation that millions of dollars are being spent on observation galleries is not supported by the facts. Actually, observation galleries represent considerably less than 5 percent of the initial construction costs, and the first cost is the final cost. The relatively small amount of time to clean the galleries is insignificant.

In this connection it is important to point out that prior to 1954 only one type of observation gallery was constructed in Federal buildings. It was known as the hanging-type gallery and was suspended from the ceiling. This gallery was constructed in all post offices employing a given number of persons. In 1954 the Chief Inspector assigned an inspector to collaborate with the Department's construction engineers with a view to possibly reducing the cost of expensive galleries. The result was the development of a substantially less expensive gallery which has been found suitable in certain types of buildings. Also the specifications on doors were reviewed and additional savings were effected. Further, a less expensive and adequate floor covering was developed and placed in use. In addition, a revision was made upward of the minimum number of employees and thus less galleries are being constructed than has been true over the years under formerly used specifications. Finally, a new type observation unit to be installed in the observation galleries was designed by a postal inspector and became standard equipment in 1953.

I also include the following editorial from the Natchitoches (La.) Enterprise of December 10, 1959, calling attention to an open house to display the new annex of the post office and its new facilities:

It's really quite an outfit, the postal service. Not long ago we mentioned in a news story that the Natchitoches Post Office has "hidey holes" where postal inspectors may observe and overhear all that goes on in any corner and any cranny of the local post office. We were bemused when we heard several people who had read this mumble about "Gestapo methods."

The Gestapo was an organization that was terribly hated because it preyed upon private citizens expressing their private convictions in private. The postal inspector is a man who watches the way in which public servants execute a public trust and his principal preoccupation is the precise opposite of the function of a Gestapo agent. It is his business to protect the private citizen, not only from theft, but from prying—and from being in any way deprived of the complete freedom of the mail: the freedom to express his private convictions in absolute private.

The postal employee is frankly told when he is hired that someone is watching him always. He is told not only that he may at any time be watched while he is working in the post office, but that any man he sees on the streets may be a postal inspector * * * and that he is always in the eyes of his employers, the public. It is to the everlasting credit of the postal service that the men it employs are, with fabulously few exceptions, men who—so to speak—bear watching.

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

Mr. JOHANSEN. I yield to the gentleman from West Virginia who very courteously asked me previously if I would do so at the end of my speech.

Mr. HECHLER. Mr. Speaker, I appreciate the fine courtesy of the gentleman from Michigan in informing me that he was going to deliver his address today.

I have not had the opportunity to analyze the gentleman's speech. I want to accord him the full chance to get unrestricted coverage on what he has said. Others would counsel that it is necessary to come back with a strong statement which will make the same newspapers, but I have confidence that truth will win out.

Mr. Speaker, I am not going to give up in this fight to see that our thousands of hard-working postal employees and the American people are given a fair and even break.

I have scores of letters from postal workers, and even from supervisors and postal inspectors in various parts of the country. I will say that the facts are on my side so I have no fear.

Last Monday I wrote a letter to Postmaster General Arthur E. Summerfield. As of this time, I have received no answer nor even an acknowledgment.

During the period when I was working for the executive branch we used to have a rule that all congressional letters should be answered within 24 hours. We also had an inflexible rule that if a full answer could not be given within that time, at least the letter's receipt should be acknowledged within 24 hours.

It is about 2 miles down to the Post Office Department, so perhaps the letter which I mailed last Monday has not yet reached the Post Office Department or the Postmaster General.

Mr. Speaker, I want to be fair to the Postmaster General. I do not want to say the letter is neglected on his desk. I can only conclude the letter has not reached him. I hope that through the medium of the CONGRESSIONAL RECORD he may read the letter I wrote him.

Mr. Speaker, the letter addressed to Mr. Summerfield to which I referred is as follows:

JANUARY 18, 1960.

Hon. ARTHUR F. SUMMERFIELD,
Postmaster General of the United States, Washington, D.C.

DEAR GENERAL SUMMERFIELD: While attending the dedication of a new post office at Ravenswood, W. Va., recently, I was very disturbed to note the construction of a special corridor and peepholes, as well as one-way glass panels to allow postal inspectors to watch employees at work, where they eat lunch and even in the restrooms.

I realize that this system has been prevalent for many years in larger post offices throughout the country, but I do not believe this excuses the invasion of personal privacy nor the insult to the individual employee.

I would be interested in learning the specific amount of money required for the construction of these special corridors and peephole facilities.

I would also like to have your statement on the number of post offices in which these facilities are installed, the type of information secured, the justification for such procedures and your own personal estimate of the future validity of these procedures.

Do you honestly believe that the amount of money saved, and the possible deterrent through operation of these procedures justifies both the expenditures and the serious effect upon employee morale?

Sincerely,

KEN HECHLER.

In this letter I asked the Postmaster General to give me facts and figures on this peephole system, why it was used, how many post offices it was used in, what the cost is and what the results were.

Mr. Speaker, up to the time I came to the floor I had received neither an acknowledgment nor an answer to the letter which I wrote to the Postmaster General.

Mr. JOHANSEN. I am glad to hear the gentleman from West Virginia say he wants to be fair to the Postmaster General. I welcome that change in attitude on his part. I observe the gentleman said he did not want to speak today because it would compete with my coverage—by which I assume he means news coverage. I want to say to the House that while the postal service and the inspection service are entitled to at least the same coverage that was given to the gentleman's remarks, my interest is not in newspaper headlines but in defending the postal service and its ability to meet its responsibilities to the American people.

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

Mr. JOHANSEN. I yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the gentleman for the statement he has made in response to what I consider to be an unwarranted attack upon the Postmaster General of the United States. I wonder if the gentleman from Michigan knows whether the editor of the Ravenswood News, who quotes a Federal inspector as saying that often inspectors spend 18 hours or more in a peephole area observing the activities of postal employees; I wonder if this editor or if the gentleman from West Virginia [Mr. HECHLER], if he cares to respond, will tell the House whether he or this editor previously complained to the Post Office Department?

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

Mr. JOHANSEN. Before I yield, I will say to the gentleman from Iowa, when he asked that question, I assume he is asking whether the gentleman from West Virginia made inquiry before making the statement on the floor.

Mr. GROSS. Yes; that is right.

Mr. JOHANSEN. I yield to the gentleman.

Mr. HECHLER. Yes; I will say to my friend from Iowa. I called up the Chief of the Inspection Service in the Post Office Department, who was out of town. I talked to his assistant prior to making my remarks on the floor. I also dispatched a letter to Postmaster General Summerfield. I do not know what happened to the letter. You know, we used to have a rule when I worked downtown that all letters from Members of Congress be acknowledged within 24 hours. But, it is now 7 days and I have gotten no acknowledgment from this request for

information which I sent to the Postmaster General. I wonder if the postal service has broken down.

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

Mr. JOHANSEN. I yield to the gentleman from Iowa.

Mr. GROSS. That is evading the question for which I am trying to get an answer. Did this statement appear in the Ravenswood News as an editorial? How was it handled in this newspaper, and when?

Mr. HECHLER. I will be glad to insert in the RECORD the editorial statement from the Ravenswood News. I will supply it for the RECORD for publication. I will have the date, and I will be glad to supply it for the RECORD.

Mr. GROSS. Can the gentleman give us the approximate date when it appeared?

Mr. HECHLER. This appeared approximately 10 days ago, I will say to my friend from Iowa.

I include as a part of my remarks the following editorial from the January 14, 1960, issue of the Ravenswood News, Ravenswood, W. Va.:

RURAL ROUTE—GESTAPO METHODS PREVAIL AT OUR NEW POST OFFICE

(By Phil Fourney)

The dedication was a pleasant affair. Weather couldn't have been more perfect for a January afternoon. And, for this, the Greater Ravenswood Chamber of Commerce took—and was given—credit.

It seemed, though, that there was one sour note as local patrons inspected the new facility. They noted that parking facilities had not been completed, due to a lack of funds, and that there is no telephone in the post office. Yet they saw the elaborate peephole system in use.

This peephole system smacks of gestapo methods and bureaucratic waste. The post office has a corridor built along one side and through the middle of the mailing room. Entrance to the corridor is through a private door from the outside—the keys to which only Postmaster Blackburn and postal inspectors have. Blackburn is not permitted to use the key, nor to enter the peephole area, except in case of emergency.

Postal investigators come to town, enter the peephole area through their own private door, and observe the actions of postal employees without detection. A series of one-way glass panes enable the inspectors to view activities throughout the post office—even in the men's restroom—without detection. So that the postal inspector may enter the building and remain there unnoticed, there's even a private restroom in that area for the inspector.

The one-way glass panes he looks through enable him to observe the men's restroom, and the employees' dining area. The inspector can see all movements in the working area of the post office—with the exception of Blackburn's private office.

Since it isn't proper to observe activities in the ladies' restroom, there are no peepholes provided. But this room is kept locked, so that unauthorized personnel are refused entry.

The idea behind this elaborate peephole system is twofold: First, to catch crooked employees in the act of stealing and, second, to confuse the employees so they'll never know when their actions are being observed.

We overheard a fellow—who said he was a postal inspector—tell a local visitor that often they spend 18 hours or more in their peephole area observing activities of local employees.

We appreciate honesty, and we like the feeling of knowing our mail isn't tampered with. But we certainly have no use for the methods used, nor for the expense incurred.

A private industry would be blackballed for using such gestapo methods to detect dishonest behavior of its employees. We certainly can't condone the practice by the U.S. Government in Ravenswood.

And we'd much rather they'd used that money to install a telephone—or to complete the paving around the building.

Mr. GROSS. And the gentleman made no complaint to the Post Office Department at that time?

Mr. HECHLER. I made my complaint both by telephone and by letter to the Post Office Department, I will say to my friend from Iowa.

Mr. GROSS. I thought you said you wrote last Monday after you made your statement on the floor of the House.

Mr. HECHLER. No. I wrote before I made the statement and I also made a phone call before making the statement and made a complaint to the Post Office Department at that time, I will say to the gentleman from Iowa.

Mr. GROSS. Well, I think the timing is important. I would like to, sometime, get it settled. I doubt whether we will this afternoon. Let me ask this question: Former Postmaster General Donaldson, whom the gentleman from Michigan referred to a little while ago in his statement, came from the inspection service of the Post Office Department, did he not?

Mr. JOHANSEN. That is my understanding. I know he was in the postal service, and it is my understanding he came from the inspection service.

Mr. GROSS. Since the gentleman from West Virginia has pitched this on a political basis, former Postmaster General Donaldson was a Democrat, was he not?

Mr. JOHANSEN. He was, at least, a Democratic appointee, I will say to the gentleman.

Mr. GROSS. A career Post Office Department officer. He came out of the career service in the Post Office Department.

Mr. JOHANSEN. That is right.

Mr. GROSS. And at no time did former Postmaster General Donaldson eliminate the use of the observation galleries, did he?

Mr. JOHANSEN. The fact of the matter is that the regulations governing their use and the definition of the purpose of that use were actually strengthened under the administration of Mr. Donaldson.

Mr. GROSS. Yes. Let me ask the gentleman this question. Since this has been pitched on a political basis by the gentleman from West Virginia, there were many post offices of the first class built during the thirties; is that not correct?

Mr. JOHANSEN. That is correct.

Mr. GROSS. And all of the first-class post offices, or I assume practically all of them, contain these observation galleries that were constructed within them when they were built under a Democrat administration; is that not correct?

Mr. JOHANSEN. There was testimony, as I mentioned in my prepared remarks, by Mr. Doran before the Subcommittee on Appropriations in 1947, that there is a lookout post in every Federal building built in the last 25 years.

Mr. GROSS. So that if these are snooping galleries, it was the Democrats who put the snooping galleries in the post offices.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. JOHANSEN. Let me say to the gentleman from Tennessee and the gentleman from Iowa, I have not in any way based my comments today on partisan political considerations. I base them solely on what I regard as the interest of the postal service, and I endeavored in my remarks to commend the contributions of the great Postmasters General of both parties to the preservation and improvement of that service.

Mr. BASS of Tennessee. Will the gentleman now yield?

Mr. JOHANSEN. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. For 6½ years before coming to the Congress I had the privilege of serving as postmaster, and I served in one of those buildings built by the Democratic administration, in my hometown; we had lookouts and peepholes, both.

Mr. JOHANSEN. Of course, the gentleman did.

Mr. BASS of Tennessee. And I worked under them. And, as I sat here and listened to this discussion today, I hope that a copy of all of this colloquy, the former, this one and the ones that follow, will be mailed to the clerks and the postal carriers and the postmasters throughout the United States.

I say that because I can imagine that they will really get a bang out of this, out of reading all this discussion that is being had on the floor of the House about peepholes and lookouts in post offices; because, in the first place, it does not disturb the average postal employee very much. As a matter of fact, during the 6½ years I was postmaster I think I was the only person who got into the lookout in my office. I went there to inspect it, to see if it had been cleaned.

If the gentleman will permit, I should like to express one more opinion on this subject. I think, without being critical, but being generous, really, the entire discussion is superfluous. I do not think the lookouts or peepholes in post offices serve the slightest purpose because I do not believe there are enough crooks in the postal service to demand the use of such an instrument. I do not think they are used very often. I think the expense of building them far exceeds the value that they perform for the postal service because I do not believe we have that many crooks in the postal service of the United States of America.

Mr. JOHANSEN. Mr. Speaker, first of all, in order to keep the record straight, I will say in response to the gentleman's remarks that, as post-

master, he was acting within the regulations when he went there to inspect the gallery, because the regulations so provide. He was acting entirely properly. However, I must differ with the gentleman.

Mr. BASS of Tennessee. If I had not known I was acting properly, I would not have said I was there.

Mr. JOHANSEN. I am sure I could go further than the gentleman has gone and say that if he had not known it was proper he would not have done it.

Mr. BASS of Tennessee. I thank the gentleman.

Mr. JOHANSEN. As to the matter of cost and the matter of its importance, under permission to include extraneous matter in my speech, I have a statement from the Post Office Department regarding very major reductions in cost through a modification of the type of construction in the newer post offices.

I wish I could agree with the gentleman in what he has just said. Certainly no one is implying that there is any more than a minority and a very small, an infinitesimal minority of people who require this sort of treatment. Unfortunately, the seriousness, the gravity of a violation of the sanctity of the mails is not to be measured solely or even primarily by the number of such offenses.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield further?

Mr. JOHANSEN. I yield.

Mr. BASS of Tennessee. I want to agree with the gentleman thoroughly on that score. Nothing is more important to the postal service, in my opinion, than the sanctity of the mails. And we are proud of the fact that when we seal a letter and drop it in a postal box we know, here in America, that the only person who will see that will be the one to whom it is addressed or someone named at his discretion. That is one of the most important parts of our mail service. However, in stating what I did, I am of the opinion that this really time-worn practice of lookouts is outmoded, because the average employee going into the postal service at the present time is so much under surveillance by his own fellow employees who have also this deep-seated desire to observe the sanctity of the mails, that this business of having an individual look at him through a lookout, in my opinion, is unimportant.

Every employee of the Post Office Department is a postal inspector in his own right because he is so proud of the institution for which he works that he is going to see that the sanctity of our mail is continuously preserved. I believe this is the thing which has made the Post Office Department the one Department of our Government that is performing day after day a dollar's worth of service for every dollar we pay out for it. I am happy to have had the privilege to learn this through personal experience.

Mr. JOHANSEN. I thank the gentleman. I am glad to have on record the expression of his views. Of course, whether or not we agree in every detail, the important fact is that the basis on which he rests those views is quite different from the basis on which the views were expressed by the gentleman from West Virginia.

Mr. BASS of Tennessee. I did not get into the colloquy to express an opinion on the statement of either the gentleman who now has the floor or that of the gentleman from West Virginia because I did not have the privilege of reading the remarks of the gentleman from West Virginia and was not on the floor when he made them. I just wanted to say a word about the postal employees and about the way the postal service is carried on in this particular instance, without taking any sort of interest in the colloquy between the gentleman from Michigan and the gentleman from West Virginia.

Mr. JOHANSEN. I thank the gentleman in any case for his remarks.

LEGISLATIVE PROPOSALS TO HELP SMALL BUSINESS

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, last week I announced that I would introduce bills designed to provide encouragement and help for small business engaged in the distribution of food, petroleum, petroleum products, and motor-vehicle parts, equipment, accessories, and supplies. We who are members of the House Small Business Committee are well aware of the need for legislation to help small business.

As you will recall, on March 17, 1959, when I announced the program for Subcommittee No. 5, I stated that it was the intent and purpose of the subcommittee to review the trade relations and trade practices in the sale of petroleum and automotive accessories, including tires and batteries, for the purpose of determining whether improvement had been made and whether the improvement had provided small business firms with the benefits and opportunities to which they were entitled. Also, it was announced at that time that Subcommittee No. 5 would include in its program an investigation, hearings, and study of alleged unfair competitive trade practices in the field of food distribution. We noted that in that connection it had been alleged that monopolistic and unfair trade practices were becoming matters of great concern to those who cherish and fight for a free and competitive enterprise, and present a threat to those things needed for the growth and survival of a healthy small business community.

We noted that the Federal Trade Commission had stated that "there have developed tendencies to concentration of economic power, to collusive price action, and to unfair competitive methods." In that connection, Hon. John W. Gwynne, then Chairman of the Federal Trade Commission, in announcing that the Federal Trade Commission would study the situation said:

> We want to know why the industry is getting so tough for the smaller operator. * * * The trend seems to be to eliminate the small man entirely.

With this backdrop, Subcommittee No. 5 first turned its attention to small business problems in food distribution. We learned that although the FTC has had under way for a considerable period of time an economic study of small business problems in the food industry, that study did not include an investigation of pricing practices, trade practices involving private labels, price discriminations, integration practices, financing of small business, and the economic significance of the concentration of economic power in food distribution. We were told that the Trade Commission was undertaking some specific cases involving these problems. However, those cases have in their sights only the specific practices allegedly carried on by those few corporations named as respondents in the cases. Therefore, industrywide treatment of problems stemming from these particular matters has not, and perhaps cannot, be undertaken by the Federal Trade Commission.

In view of these circumstances, these matters appropriately have become matters of concern, study, investigation, and hearings before Subcommittee No. 5 of the House Small Business Committee. Hence, we directed our attention to these things when we commenced hearings on small business problems in the food industry in Washington, D.C., last June 22. Before we concluded that series of 8 days of hearings on July 9, we had heard from witnesses of every segment of the food industry.

We heard from the chainstores and the co-ops, from the frozen food people and the poultrymen, from the wholesalers and retailers, and from the farmers. The Government agencies gave us facts on how many retail grocery stores there are and how much money we spend in them. From all of this information we have a broad picture of small business problems in food distribution.

Among small business problems in food distribution presented to the subcommittee during the course of its Washington, D.C., hearings were those involving the following subjects:

First. The effect of concentration of economic power in food retailing.

Second. The effect of integrating retailing and manufacturing in the food industry.

Third. The need for grading of livestock and livestock products.

Fourth. The effect of mergers in the food industry.

Fifth. The problem of private brands against advertised brands.

Sixth. The contest for shelf space in retail food stores.

Seventh. The problem of small businessmen in their efforts to secure shopping center locations.

Eighth. The practice of loss leader selling.

Ninth. Advertising allowances.

Tenth. Price discrimination in the sale of oat flour.

Eleventh. Price spreads and consumer interests.

Twelfth. The effect of a few large chain food retailers in making their purchases of canned fruits and vegetables through west coast buying offices located on or near California Street, San Francisco, and alleged abuses incident to the so-called California Street buying.

Therefore, we accomplished the purpose of the Washington hearings to put these problems in their proper perspective. Then we moved on to San Francisco where we held 6 days of hearings—and then to Denver, Colo., for 2 more days of hearings. In all, we have heard almost 100 witnesses and have built up a record of almost 1,400 printed pages on small business problems in the food industry.

Out of this mass of information emerged the showing of need for legislation to help small business in dealing with some of these problems. For example, in the course of our hearings in Washington, we found that approximately 40 percent of all markets for preserves and jellies have been captured by large chain retailers who are either producing their supplies or have made special long-term arrangements for their supplies. In the face of these facts, small independent producers and packers of jams, jellies, and preserves are under severe handicaps in their efforts to survive.

During the course of our hearings in San Francisco, we were told that a few buyers or large chain food retailers with offices on or near California Street, San Francisco, were buying 80 percent of the annual output of canned fruits and vegetables produced in that section of the country. Incidentally, California produces almost 50 percent of the national output. We were told that these few buyers for the large chain food retailers are utilizing their combined economic power in such a way as to result in the destruction of countless independent business enterprises.

Our Denver hearings disclosed that large chain food retailers are getting into the production, preparation, and distribution of meat food products. Large food retailers have captured a substantial portion of the total retail market of meat food products. Proceeding from that vantage position, they are integrating backward into the processing, slaughtering, and even the feeding of cattle.

Representatives of small meatpackers, feed lot operators, ranchers, and many other businesses testified that the practices of large food retailers in integrating the retailing with the feeding, slaughtering, and packing of meat food products, are destroying small and independent business enterprises and competitive markets for those products. In that connection, it was pointed out that the strongest argument now being put forward by the large packers for relief from the provisions of the meat packing decree of 1920 is the fact that the large food retailers are integrating backward into the meat packing business. In that connection, I stated on the record during the course of our hearings in Denver that "If the basic and fundamental principles which brought about that consent decree were sound, and we must believe they were sound—they remained in operation for many many years, and were therefore in the public interest—it would seem to me a poor excuse to upset them simply because someone else in the other direction was going forward to accomplish the same thing. And my question would be, would it be unreasonable to think that should the 1920 consent decree be reversed, or be obliterated, that there would also be the great danger that that would be the opening door for an amalgamation of the chainstore and the large packer to accomplish exactly what was prohibited in 1920?"

In addition to distribution problems in the food industry, Subcommittee No. 5 also addressed itself to the problems existing in the petroleum industry.

Heretofore, in the 84th and 85th Congresses, Subcommittee No. 5 of the House Small Business Committee investigated and studied the problems of small business and the distribution of petroleum products and automotive parts and accessories, including tires and batteries. In the course of the investigations and studies, much useful information was developed regarding trade relations between the major oil companies and independent service station operators. It was disclosed that in these trade relations unfair trade practices had been used, including the practice of price discriminations and franchise terms, which operated against the survival and growth of independent service stations. During the 84th Congress, through our House report—House Report No. 1423—recommendations were made for improvement in these matters.

In following the intents and purposes we announced March 17, 1959, the subcommittee caused an extensive questionnaire to be prepared by the staff, and mailed on June 12, 1959, to those in the segments of the industry who could supply the subcommittee with information about the conditions and the practices in the distribution of petroleum and automotive accessories, including tires and batteries. The information received in response to those questionnaires clearly indicated that while there had been some improvement, there was room for considerable improvement and the need for additional information was clearly evident.

On December 9, 10, and 11, 1959, hearings were held by Subcommittee No. 5 in Washington, D.C., on distribution practices in the petroleum industry. The hearings were confined primarly to practices in the distribution of TBA—tires, batteries, and accessories—and other related automotive products handled by retail gasoline station dealers and by the independent wholesalers of those products.

There were 28 witnesses from 19 States. All sections of the country were represented by the witnesses. These witnesses, all of whom testified under oath, were independent wholesalers of TBA products, gasoline station dealers and association representatives of both of these segments of the industry. The record of the hearings is replete with instances in which, through the threat of lease cancellation or other economic pressures, the independent service station operator is coerced into exclusive dealing. One witness alone listed 15 such instances. The evidence indicated that there is a general pattern throughout the country that most of the major oil companies bring pressure to bear on the service station operators to compel them to handle specific products which are sponsored by the major oil companies and on which the major oil companies receive some compensation, usually in the form of an override commission. This does not only have a tremendous adverse economic impact on the independent service station operator, but also deprives the independent automotive parts and TBA wholesalers of their fair proportion of a competitive market.

When we consider that the yearly rate of turnover of gasoline station operators is 39 percent, the highest of any retail business—when we consider that over 200,000 service station operators in the nation may be affected by this economic problem—when we consider that there are 16,000 automotive parts wholesalers and distributors in the nation—when we consider that the vast majority of these are small, independent businessmen who only ask for their right to meet their competitors in a fair and open market, then we realize that it is a matter which must be faced now.

It is evident from the record of our 1955, 1956, 1957, and 1959 hearings that although much lipservice is given to the problem, the major oil companies either will not or cannot correct the situation. The old cry by these companies that it is not their policy to intimidate or coerce the independent service station operators, that they instruct their officials and employees at all levels that these service station operators are independent businessmen and may handle any products they desire, is expected to resound as often as before. But the record does not substantiate this. It also has been suggested in the past and will perhaps be suggested again that a part of the testimony received by the subcommittee concerning the alleged coercive tactics of the major oil companies was indirect testimony containing much hearsay evidence. This may be partially true since the record indicates that the service station operator, who is at the mercy of the major oil companies, hesitates to testify because of fear of retaliation. But not only is the record filled with sworn affidavits concerning these alleged practices, but one independent small service station operator submitted a tape recording of a conversation between the service station operator and the major oil company salesman who advised him that he must remove all competitive products not sponsored by the oil company from his shelves before his lease could be renewed. This same service station operator presented a film which was shown to the

committee which depicted the same instance. This is evidence that cannot be refuted and cannot be overlooked.

In brief, the apparent continued widespread use of intimidation and coercion in the sale of TBA and petroleum products, and the pricing tactics of the major oil companies, appear more than sufficient to justify the introduction of legislation designed to relieve small business concerns from these undue pressures and unfair practices and to remove from their shoulders the yoke of the tremendous economic power wielded by the major oil companies.

In view of these facts and circumstances, I am today proceeding to introduce several bills designed to meet these problems.

Three of these bills specifically relate to small business problems in the distribution of petroleum, petroleum products and motor-vehicle parts, equipment, accessories, and supplies. The first one would provide a new antitrust law. Its objective is the divorcement of retail sales of gasoline and petroleum products from the control of the persons, partners, and corporations engaged in the production, sale, and distribution of gasoline and other petroleum products at wholesale.

The bill seeks to accomplish this objective by providing that on and after January 1, 1964, no producer or affiliate who sells gasoline or other petroleum products or motor-vehicle parts, equipment, accessories, and supplies in interstate commerce at wholesale shall sell such products at retail or directly or indirectly as an agent or any manufacturer or distributor of motor-vehicle parts, equipment, accessories or supplies. The bill does not prohibit a producer or affiliate from continuing to sell gasoline or petroleum products at retail unless it is selling such products at wholesale.

Moreover, the bill would not prohibit a producer from continuing the ownership of retail gasoline stations even though such producer is engaged in the sale of gasoline and petroleum products at wholesale providing that its gasoline retail stations before January 1, 1964, are under leases to independent businessmen. In these situations the oil company producer would, under the terms of the bill, be permitted to continue the ownership and operation of the retail station under such lease arrangements until the lease arrangements are terminated. Even then the oil company would be entitled to continue the ownership and operation of any such retail station in the event that the operator lessee and the oil company mutually agreed for the termination of the lease agreement and the substitution of another operator as a lessee. The death of the operator prior to the termination of the sublease would leave the oil company lessor free to continue the ownership and subleasing of the retail gasoline station to a successor operator lessee.

Other provisions of the bill provide a $50,000 penalty and prison term for not more than 1 year for violations and that the provisions of the bill shall be construed as a part of the antitrust laws, thus paving the way for small businessmen to sue for triple damages for violations.

The second bill also provides for a new antitrust law. Its objective is to prevent producing and refining oil companies selling gasoline at wholesale from acting as agents for manufacturers and distributors in selling motor vehicle parts, equipment, accessories, or supplies to operators of retail gasoline stations.

The bill seeks to accomplish this objective by making it unlawful for any producer or affiliate who sells gasoline or other petroleum products at wholesale to act directly or indirectly as an agent for or to receive directly or indirectly any commission, compensation, or payment because of the sale of any product of any manufacturer or distributor of motor vehicle parts, equipment, accessories, or supplies.

There is included the penalty provision of $50,000 or imprisonment of 1 year or both for violations. A further provision makes the provisions of this bill part of the antitrust laws providing for private litigation in the form of triple damage suits. Except for the latter, this bill is almost a duplicate of the provisions contained in a bill, H.R. 428, I introduced in the 85th Congress.

The third bill would amend and supplement the Federal Trade Commission Act for the purpose of securing close and constant supervision by the Federal Trade Commission over leases between oil companies and operators of retail gasoline stations and the performance under such leases.

The bill seeks to accomplish this objective by requiring that every lease, entered into by a producer, refiner, or importer of petroleum or petroleum products, providing for the operation of a retail gasoline station to be filed with the Federal Trade Commission within 30 days of the date of its execution. It also provides that additional information must be filed by the parties to any such lease regarding performance thereunder. The failure to file any of this information with the Federal Trade Commission would subject the parties to a penalty of $100 per day for each day the failure to file continued. The Federal Trade Commission, by the terms of the bill, would be empowered to investigate the contracts and leases and performance thereunder from time to time.

The requirements of this bill are quite similar to the requirements of the Webb-Pomerene Export Trade Act, Public Law 126, 65th Congress, approved April 10, 1918. It will be recalled that the Export Trade Act requires that every export trade association agreement be filed with the Federal Trade Commission and that supplementary reports relating thereto be filed from time to time as required by the Commission. The bill I am introducing contains similar requirements regarding leases entered into by producers, refiners, or importers of petroleum products providing for the operation of retail gasoline stations.

The fourth bill I am introducing today provides for a strengthening of our antimerger laws. It would help small business not only in the food industry, the petroleum industry, and in the distribution of motor-vehicle parts, equipment, accessories, and supplies, but also would help those in other areas of our economy where the merger movement is sweeping away competition and creating monopolies. The representatives of many small businessmen have urged that our antimerger laws be strengthened.

This objective would be accomplished by amending section 7 of the Clayton Act—the antimerger provision—so as to require any corporation having capital surplus and undivided profits in the aggregate of more than $10 million from acquiring the capital stock or facilities of any person engaged in or affecting interstate commerce without first notifying the Attorney General and the Federal Trade Commission. Even then the merger could not take place for a period of 30 days following such notification. Moreover, the merger would be further delayed if within that 30-day period the Attorney General or the Federal Trade Commission should act to require the filing of additional factual information about the merger. A further delay in the merger would be required following the submittal of that factual information for a period of 60 days. At the conclusion of that period the merger would be free to proceed unless the Attorney General or the Federal Trade Commission had in the meantime filed proceedings charging that the merger as consummated would be in violation of the antitrust laws. In that event, the merger would not be permitted to proceed until the litigation would be brought to a conclusion.

A concluding provision of the bill would authorize the Federal Trade Commission, with the approval of the Attorney General, to exempt by rule any proposed merger from the notice and filing provisions of this bill if the Federal Trade Commission should find that the proposed acquisition would not have the effect of substantially lessening competition nor substantially affect the ownership or control of the company whose facilities are to be acquired.

The fifth bill I am presenting would divorce the retail sale and distribution of livestock products and meat food products from the slaughter, preparation, and wholesale sale and distribution of such products.

The bill would accomplish this purpose through an amendment to the Packers and Stockyard Act of 1921 so as to make it unlawful for any packer or any other person engaged in the business of manufacturing or preparing livestock products or in the wholesale marketing of meats, meat food products, livestock products, and so forth—when such person, during the immediately preceding calendar year, enjoyed gross sales of more than $10 million—to engage in the business of selling at retail any such products.

In addition, the bill would amend the Packers and Stockyard Act of 1921 by making it unlawful for any person—whose purchases of livestock in commerce during the preceding calendar year totaled more than $1 million—to buy or—for any person whose sales of

livestock in commerce during the preceding calendar year totaled more than $100,000—sell livestock in commerce for the purpose of slaughter except, first, at a stockyard, or second, at a market conducted openly and publicly in the same manner as stockyards are required to be conducted under this title.

Penalty provisions for violations include a $50,000 fine or imprisonment of 1 year, or both.

The sixth bill I am introducing today would amend the Federal Trade Commission Act. The objective of this bill is to divorce retail sale and distribution of food and grocery store business from the business of manufacturing, processing, and preparation of food and related merchandise normally offered for sale through retail food stores.

The bill would accomplish this objective by making it unlawful for anyone engaged in the retail sale of merchandise in any more than one market area through food or grocery stores to engage in the manufacturing, processing, or preparation of any such merchandise. This would be done through an amendment of the Federal Trade Commission Act. The amendment would make it unlawful and an unfair act and practice in commerce within the meaning of section 5 of this act, for any person, partnership, or corporation engaged in the retail sale of merchandise, or the distribution for retail sale of merchandise, in or affecting commerce, to engage in the manufacturing, processing, or preparation of any such merchandise, where the effect of integrating the retailing of such merchandise with such manufacturing, processing, or preparation may be substantially to lessen competition or tend to create a monopoly in any line of commerce.

In conclusion, I wish to state that the majority members of the House Small Business Committee have informed me that they endorse these bills in principle. Some of the minority members have reserved judgment until further inspection of the bills. All of our colleagues, whether or not they are members of the House Small Business Committee, are invited to join in sponsoring and supporting these bills to help small business.

SLUM CLEARANCE

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, one of the President's reasons for twice vetoing the omnibus housing bill of last session was the amount of money made available to clear up slums and renew our cities. That bill contained a very modest amount of $1.5 billion and was only signed when this was reduced to $650 million. The original figure was inadequate, but the final figure which the President accepted was still more so.

Careful thinking on the cost of slums to the people of the United States is in order. Then we can see how much of an error the President has made in failing to make this an important issue during this year.

James W. Follin, while serving as Federal Urban Renewal Commissioner, said in a speech before the University of Michigan School of Public Health:

> An Eastern city, in 1 year, received $108 more in per capita revenue from good residential areas than it spent there, but its slums cost $88 more per person than they yielded. In one Southern city, slum areas contributed only 5.5 percent of the city's property taxes, but required 53 percent of the city's health, police, fire, and other service facilities.

One expert estimates it costs local government in the average city about $60 per person to service its entire citizenry each year. The cost of servicing slum areas zooms to $140 per year per capita.

It has been estimated that cities like Cleveland, Buffalo, St. Louis, and Boston are each pouring $7 million to $8 million per year into slum areas.

The cost of some 20 million Americans living in slums conservatively figured in dollar value runs about $2 billion annually.

Over and above this we are incapable of measuring the loss through crime, delinquency, disease, loss of hope and character by the people who live in these areas.

Let us take a tract of some 5,000 dwelling units which has become a slum whose value for taxation has been reduced to about $1,000 per unit. The cost of buying and clearing an average slum unit should run about $6,000 per unit and the cost of renewal of such area of 5,000 units would cost the taxpayers about $30 million.

This is not money down the drain. When the land is cleared it will be the property of the city to be sold to developers for rebuilding.

When the land has been rebuilt it will certainly have regained its tax valuation of $30 million, approximately what its value was previous to the time it became a slum.

It will have appreciated in value some $25 million.

The city will have eliminated an annual loss in cost of services furnished over income derived of about $1.3 million.

Previous to renewal, tax income from the area averages about $30 per unit, or $150,000. Expenditures in the area probably ran about 10 times this to furnish police, fire, garbage and sewage service in addition to health and other municipal services for a total of about $1,500,000. The deficit previous to redevelopment for services of this area probably ran about $1,350,000.

Washington, D.C., is a splendid case in point and reports its slum-clearance program in the renewal area in the southwest should offer a tax boost of from $451,000 to $3,430,000. The gain related to all other renewal projects in the city gives a net gain of $7 million annually, an amount sufficient to amortize the whole renewal program cost in 10 years.

This is why urban renewal is so vitally needed across the country by cities like Detroit.

We in the city of Detroit can anticipate some rich rewards from the $6,250,000 to be spent for urban renewal during the next year and the $1,825,000 last year and $1,280,000 spent the previous year, but the needs of our city are vastly greater than the amount that we have spent and the only place these funds can come from is from the Federal Government.

Some statistics on municipal growth in this country are striking proof of this.

Long-term indebtedness of the 14 largest cities in this country averaged $168 per capita in 1950 and $254 in 1956, a 50-percent increase in 6 years. Slum deficits play a large part in the financial troubles of our cities and make urban renewal even less possible to our cities.

Failure for this Congress to act on urban renewal as vigorously as the needs of the country demand will only result in still more slums springing from slums to the detriment of the population of our whole country.

AMERICAN MILITARY POWER

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. STRATTON. Mr. Speaker, last week, as a member of the House Armed Services Committee, I had the opportunity to be present when Defense Secretary Thomas S. Gates, Jr., filled in members of our committee on the present status of our national defense. A good deal of comment has appeared in the press in recent days with regard to what the Secretary has recently been saying about our Nation's military posture, as well as some things which I do not believe he did say. Not all of those who have commented, unfortunately, have had the opportunity to hear the Secretary's able presentation at first hand.

I want to take this opportunity to say that while I agree with Secretary Gates we must never become complacent and must continue to work hard to maintain our military strength. I do believe on the basis of his presentation that we are in a better position today than we were a year ago, and I believe that Secretary Gates and General Twining are handling their difficult assignments with sincerity and ability.

The comments which they have recently made with regard to our improved relative position are not based on any effort to read the Russian mind, as has been alleged in some quarters. Rather they have been based upon a further refinement of information available to us. Surely, for those in command of our military services not to utilize the best and latest information available to them would be not only foolish but extremely dangerous.

I believe there are many urgent tasks which lie ahead for the Members of this Congress in this session in seeing to it that our military posture is kept at its

fullest possible peak. But I believe that this responsibility can and should be discharged without resorting to some of the more extreme statements on this subject which have recently made their appearance in the press.

In that connection, a very fair and very sound statement of the Secretary's position as presented to our committee and the status of American military power was recently presented in an editorial which appeared in the Albany Times Union of January 24. Under leave to extend my remarks, I include herewith that editorial:

KEEP IT THAT WAY

Some mighty heartening news has come from Secretary of Defense Thomas S. Gates, Jr., and Gen. Nathan F. Twining, Chairman of the Joint Chiefs of Staff. "Mighty" seems to be the right word.

On the basis of revised intelligence estimates, Secretary Gates and General Twining told the Senate Armed Services Committee that our nuclear forces of all types, when matched against Soviet nuclear strength, "represent a clear balance in our favor."

This is impressive because (1) Secretary Gates and General Twining are military experts, (2) they have access to top-drawer information, (3) they have the experience and knowledge to assess it, and (4) their jobs impose on them the obligation to give our country the best defense posture possible.

Detailed testimony to support their belief was taken in closed session—as of course it should have been. But it was sufficient to bring from acknowledgeable and cool-headed Senator RICHARD B. RUSSELL, Georgia Democrat and chairman of the Senate committee, the comment that "It was encouraging."

Two notes of caution.

Both Secretary Gates and General Twining conceded the Russians probably have greater numbers of long-range missiles than we. It should be our business to close this gap.

On a more general level, we Americans seem to have a tendency to relax into complacency when things look encouraging, and in this case the temptation to do so may be greater because a lot of us have done a lot of worrying.

We cannot afford complacency if we are going to keep "a clear balance in our favor" and we had better work hard to keep it.

We cannot afford complacency under any circumstances in defending ourselves against, or dealing with, communism.

AS I SEE IT

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter on various subjects.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, permission having been granted, I am inserting herewith two articles by Mr. E. B. Germany, president of the Lone Star Steel Co., which is located in the district that I have the honor to represent. Eugene Germany is one of our finest and best citizens; he has made the Lone Star Steel Co. a success. It means a lot to the Gulf Southwest and the entire Nation. Without Eugene Germany we would not have this wonderful plant along with the benefits and opportunities it brings to the people of our area.

Mr. Germany edits a column each week in 18 newspapers in the area of Lone Star Steel's plant under the title, "The Way I See It." Articles which appeared under this heading December 17, 1959, and December 23, 1959, were handed to me today by a prominent constituent with the request that they be inserted in the CONGRESSIONAL RECORD. They are as follows:

THE DEATH OF MR. FREEDOM

(By E. B. Germany, president, Lone Star Steel Co., Dallas, Tex.)

PART I

Mr. Freedom was born on July 4, 1776. His birth certificate was the Declaration of Independence. From birth, he often struggled against great odds, and on several occasions it seemed he might not survive vicious attacks from within and without his country.

Mr. Freedom's first brush with adversity of importance occurred at Valley Forge, where as a mere babe, his blood stained the white snows. Only the superhuman efforts of a small, poorly equipped, half-frozen band of patriots led by the immortal George Washington staved off the ravages of cold and hunger to keep alive the faint beat of Mr. Freedom's heart. With the coming of spring, Mr. Freedom grew stronger, and it was not long until he was able to walk proudly, head erect, shoulders back, a brawling young giant capable of holding his own in any kind of fight.

As the years wore on, violence came to Mr. Freedom with increasing intensity. He fought valiantly during the great conflict between the States, and his blood drenched the battlefields of Bull Run, Shiloh, Missionary Ridge, the Wilderness, Gettysburg, and finally, it was at Appomattox courthouse that there was reached a meeting of minds between two of Mr. Freedom's stanchest supporters, U. S. Grant and Robert E. Lee, and in this settlement of a bitter feud, Mr. Freedom walked from the field of conquest and defense with honor, dignity and respect.

The Spanish-American War left its mark upon the face of this scarred veteran, but here as before, a great American—Teddy Roosevelt—threw the weight of his daring and courage into the melee, and at the end, Mr. Freedom was victorious.

Mr. Freedom's brilliant career was less than a score of years into the 1900's when the first of two great worldwide conflicts drew him into action that produced Chateau Thierry, Battle of the Marne, the Argonne Forest, and others. Afoot, Mr. Freedom was a mud-sloshing doughboy that recognized no man as his peer. In the air, he was a spectacular daredevil cutting and slashing at the vaunted Knights of Baron von Richthofen, and afloat, not even the salt-crusted Briton could match the fury of his attack against the U-boats and the mighty dreadnaughts of the Imperial German Navy. At the end, at Versailles, Mr. Freedom stood as proudly as ever, glorious in victory, gracious and forgiving to them who fought him.

The second worldwide conflagration not only drew Mr. Freedom into action, but virtually disarmed him at one and the same time. It was on that fateful December morning in 1941, that Mr. Freedom was knocked to his knees by a sneak attack at Pearl Harbor, and then for months on end, he reeled like a drunken sailor as he struggled to rise against a relentless, savage, and capable enemy. Mr. Freedom fought valiantly around the globe. His blood seeped the sands at Salerno, and those in his company fell by the thousands at Bataan, Guadalcanal, Guam, in the jungles of India, high over the Hump, at Dunkirk, Battle of the Bulge. His men knew the fatal scream of a kamikaze pilot riding his own death bomb into eternity, and Mr. Freedom's boys knew all of the horror, the cruelty, the suffering of full-blown global warfare. And yet—at the end, Mr. Freedom stood erectly on the deck of the U.S.S. *Missouri* and watched war lords of the East hand over their swords.

In Germany, he saw the forces of Nazi aggression disintegrate before the onslaught of his men.

Mr. Freedom was respected the world over for his generosity and sympathy toward those not endowed with the rich heritage that had been his since 1776. For more than 180 years, Mr. Freedom had endured against all types of slavery, against the ideological "isms" that lead away from the dignity of man and to the dungeons of captivity.

Mr. Freedom helped build the greatest civilization known to mankind, and it was largely through his presence that his country was able to develop an economy unsurpassed anywhere. Under his watchful eye, free enterprise gave Mr. Freedom's countrymen the righest standard of living ever enjoyed by any nation at any time. Under him, men had freedom of speech, the right to worship as they pleased, the right to own personal property, the right to work. Men had a voice in the making of rules and regulations under which they would share Mr. Freedom's way of life, and when some erred, even they were guaranteed the right of trial by jury.

In the light of all these accomplishments, the death of Mr. Freedom in a relatively insignificant Minnesota town is the more impressive for its lack of the grand setting. In no global war was Mr. Freedom slain, nor was there a volley of musketry, nor heavy cannonading, nor fiery aerial dogfight to dress the stage for Mr. Freedom's demise. He went to his death without warning and without fanfare. His death warrant was the scratch of pen, his requiem the sound of armed might confiscating private property with gestapo tactics instead of upholding the laws Mr. Freedom promulgated and had protected since 1776.

The deceased leaves upward of 200 million relatives who live in abject fear lest they, too, be sacrificed without warning upon the altar of politics, not policy.

Next: part II, White Cross at Albert Lea, or Murderer in Minnesota.

PART II

As this is written, three Federal judges study the events leading to the death of Mr. Freedom. Here are the salient facts in the case:

On September 1, 1959, a labor contract between the Wilson Packing Co. and the United Packinghouse Workers terminated. The workers continued to work at the Albert Lea, Minn., plant without a contract. Negotiations between the company and the union were broken off on October 29, 1959, when the union members refused to work a 9-hour day. After a few days, Wilson notified the strikers that they would be replaced if they did not return to their jobs. On November 1, 1959, the plant resumed operations with nonunion employees. Violence occurred, and the Governor of Minnesota sent in the National Guard to restore order. The 200 National Guardsmen accomplished this result by simply shutting down the plant. Wilson went to court in an effort to prohibit continued seizure of the plant by the Governor and the National Guard.

It is only coincidental that the name of the Governor who issued the order is Freeman, that the name of the county in which the Wilson plant is located is Freeborn. It is not a coincidence that the name of the victim is Mr. Freedom. In padlocking the Wilson plant, Mr. Freedom was executed through loss of his right to own property, his right to work, and his right to protection from the lawless. Free enterprise was sacrificed on the altar of politics—not policy, not

the law of the land, not the Constitution of the United States of America, which had been Mr. Freedom's birth certificate for close on to two centuries.

After the guardsmen, armed with fixed bayonets and guns, locked the plant gates, union strikers were quoted as saying "it makes a beautiful picket line, doesn't it?"

In considering this flagrant disregard for the constitutional rights of the American worker and an American business, it should be emphasized that the merits of the strike are of no consequence. The union acted within its right to strike. The company acted within its right to operate the plant with replacements. To this point, there can be no criticism of either union or plant. Beyond this point, however, regard for law and order broke down, and given the stamp of approval by the Governor of Minnesota, armed soldiers moved in to accomplish the aims and objectives of lawbreakers who should have been arrested instead of supported.

What could have been Governor Freeman's thinking when he padlocked the Wilson plant? He simply said he did it to prevent bloodshed. What law did Wilson violate to warrant punishment? Will the Governor say that to prevent bloodshed we should knuckle under to the Communists? Will the Governor say that to prevent bank holdups, in which people may be wounded or killed, we should close our banks? Isn't it true, Governor, that you accede to the thought that if one man throws a rock into a store window he doesn't like, that man should be arrested and punished, but that if a mob of 300 throws rocks in violation of the law, they should not be arrested simply because they constitute a large group? Did you, Governor, think about politics instead of policy when you closed this plant? Did you think about union votes instead of the rights of the many individuals who chose to work and to earn an honest day's wages in jobs that were quit by the strikers?

Perhaps Governor Freeman didn't know about a Supreme Court ruling down a few days ago. In this case, Quaker State Refining Co. closed its plant after a labor contract ran out without a new agreement being reached. The union charged the Quaker State company with an illegal lockout. The Labor Board held for the union, and now, the Supreme Court upholds the union.

What about Albert Lea, Minn., a relatively unknown little city of 13,500 population, where an American business firm sought to operate, even as the Labor Board and the Supreme Court held in the Quaker State case, after a contract ran out?

Is the union going to charge Wilson Packing Co. with an illegal lockout or is Governor Freeman going to be charged or will the National Guard become the defendant? Is a Governor of any State acting within his lawful rights when he uses soldiers to quell a riot if stopping the violence means winking at the violators while eliminating the constitutional rights of others?

Why, Governor Freeman, didn't you padlock those who threw the rocks? Why did you penalize those who got hit by the rocks and who violated no law? Why, Governor, did you permit the death of Mr. Freedom on the sacrificial cross of politics instead of standing for principle and policy and thereby enhancing Mr. Freedom's chances for being with us for a good many years to come?

I do not believe that the working men and women of this great country of ours support armed intervention in matters of this kind. I think they feel that free bargaining is the only answer to maintaining the free enterprise system. If on occasions, emotions run high and some violence occurs, there are legal ways of handling those who run afoul of the law. But soldiers to close a plant and deprive men of the right to work just because some union members got mad and refused to follow the "No Violence" orders of their leaders, never.

That's the way I see it.

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. O'HARA of Illinois, for 60 minutes on Wednesday next.

Mr. COHELAN, for 1 hour, on Wednesday next.

Mr. BROOKS of Louisiana, on Thursday next, for 1 hour.

Mr. PUCINSKI, on February 1, for 1 hour.

Mr. MULTER (at the request of Mr. BURKE of Kentucky), for 1 hour, on Wednesday next.

Mr. PATMAN, for 1 hour, on February 8, and to revise and extend his remarks and include extraneous matter.

Mrs. GREEN of Oregon (at the request of Mr. BURKE of Kentucky), for 30 minutes, on January 27, and for 30 minutes, on February 3.

Mr. ASHLEY (at the request of Mr. BURKE of Kentucky), for 1 hour, on Wednesday next.

Mr. PORTER (at the request of Mr. BURKE of Kentucky), for 1 hour, on Wednesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. IRWIN and to include a letter.

Mr. JENSEN and to include a letter from President Eisenhower.

Mr. CURTIS of Missouri and to include extraneous matter.

(At the request of Mr. CUNNINGHAM, and to include extraneous matter, the following:)

Mr. DERWINSKI.

Mr. HALPERN.

(At the request of Mr. BURKE of Kentucky, and to include extraneous matter, the following:)

Mr. FISHER.

Mr. JOHNSON of California.

Mr. QUIGLEY.

Mr. ALGER.

ADJOURNMENT

Mr. BURKE of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 55 minutes p.m.) the House adjourned until tomorrow, Tuesday, January 26, 1960, at 12 o'clock noon.

REPORT OF COMMITTEES ON COUNTERPART FUNDS

Mr. BURLESON. Mr. Speaker, the Mutual Security Act of 1958, chapter IV, section 401(a), requires the Committee on House Administration to publish in the CONGRESSIONAL RECORD, within 10 legislative days after receipt, the consolidated report of each committee of the House using foreign currencies—counterpart funds—during the preceding year. Accordingly, there is shown herein, within the prescribed time limit, the consolidated reports of the Committees on Appropriations, Interior and Insular Affairs, Un-American Activities, and Veterans' Affairs:

COUNTERPART FUNDS

JANUARY 11, 1960.

COMMITTEE ON APPROPRIATIONS

Foreign currency and U.S. dollar equivalents expended between January 1, 1959, and December 31, 1959

No counterpart funds authorized for expenditure in any country.

CLARENCE CANNON,
Chairman, Committee on Appropriations.

JANUARY 11, 1960.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Foreign currency and U.S. dollar equivalents expended between January 1, 1959, and December 31, 1959

No counterpart funds were expended.

WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs.

JANUARY 11, 1960.

REPORT OF COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, UNITED STATES

Foreign currency and U.S. dollar equivalents expended between Jan. 1 and Dec. 31, 1959

Country	Name of currency	Transportation		Lodging		Meals		Gratuities		Miscellaneous		Total	
		Foreign currency	U.S. dollars	Foreign currency	U.S. dollars	Foreign currency	U.S. dollars	Foreign currency	U.S. dollars	Foreign currency	U.S. dollars	Foreign currency	U.S. dollars
France	Franc	54 460	110.50	82 535	168.05	198 700	406.50	34,300	70.00	16,885	34.45	386,880	789.50
Germany	D Mark	5,016	1,254.00	92	22.00	260	62.00	34	8.00	214	53.00	5,616	1,399.00
Italy	Lire			77,653	124.50	69,225	111.50	29,125	45.00	26,244	42.00	202,000	323.00
Japan	Yen	1,710	4.75			16,615	46.15	2,880	8.00	5,795	16.10	27,000	75.00
Republic of the Philippines	Peso	4.50	2.25	100	50.00	98.80	49.40	21.10	10.55	35.60	17.80	260.00	130.00
Total			1,371.50		364.55		675.55		141.55		163.35		2,716.50

OLIN E. TEAGUE, *Chairman.*

JANUARY 12, 1960.

REPORT OF COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE OF REPRESENTATIVES, UNITED STATES

Foreign currency and U.S. dollar equivalents expended between Apr. 3 and 14, inclusive

Country	Name of currency	Transportation		Lodging		Meals		Gratuities		Miscellaneous		Total	
		Foreign currency	U.S. dollars	Foreign currency	U.S. dollars	Foreign currency	U.S. dollars	Foreign currency	U.S. dollars	Foreign currency	U.S. dollars	Foreign currency	U.S. dollars
Italy	Lire	23,598	38.00	24,840	40.00	39,744	64.00	12,482	20.10	23,536	37.90	124,200	200.00
Switzerland	S. francs	85	19.80	115	26.75	204	47.45	61	14.20	35	8.15	500	116.35
France	Fr. francs	26,460	54.00	43,855	89.50	47,040	96.00	17,199	35.10	12,446	25.40	150,000	300.00

FRANCIS E. WALTER, *Chairman.*

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1725. A letter from the adjutant general, Veterans of Foreign Wars of the United States, transmitting the proceedings of the 60th National Convention of the Veterans of Foreign Wars of the United States, held in Los Angeles, Calif., August 30 to September 4, 1959, pursuant to Public Law 249, 77th Congress (H. Doc. No. 317); to the Committee on Armed Services and ordered to be printed with illustrations.

1726. A letter from the Assistant Secretary of Agriculture, transmitting a report for October 1959 of the General Sales Manager, concerning the policies, activities, and developments, including all sales and disposals, with regard to each commodity which the Commodity Credit Corporation owns or which it is directed to support; to the Committee on Appropriations.

1727. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Treasury Department for "Salaries and expenses, Office of the Secretary" and the appropriation to the Veterans' Administration for "Inpatient care;" for the fiscal year 1960, have been reapportioned on a basis which indicates the necessity for supplemental estimates of appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

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. O'HARA of Illinois: Committee on Foreign Affairs. House Concurrent Resolution 465. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites; without amendment (Rept. No. 1223). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. Thirteenth Report of the Committee on Government Operations (Rept. No. 1224). Referred to the Committee of the Whole House on the State of the Union.

Mr. SELDEN: Committee on Foreign Affairs. House Concurrent Resolution 459. Concurrent resolution expressing the sense of the Congress that any variation in the traditional interpretation of the treaties between the United States and the Republic of Panama may only be made pursuant to treaty, with amendment (Rept. No. 1225); referred to the House Calendar.

Mr. KELLY: Committee on Foreign Affairs. Report of the Special Study Mission to Europe (Rept. No. 1226). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE 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. LANE: Committee on the Judiciary. H.R. 2849. A bill for the relief of Oscar A. LaBranche; without amendment (Rept. No. 1218). Referred to the Committee of the Whole House.

Mr. LINDSAY: Committee on the Judiciary. H.R. 5769. A bill for the relief of Earl H. Spero; without amendment (Rept. No. 1219). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 7226. A bill for the relief of Mr. Hughie D. Martin and Ione Martin; with amendment (Rept. No. 1220). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 7933. A bill for the relief of Mrs. Virginia Bond; with amendment (Rept. No. 1221). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 9443. A bill for the relief of Mrs. Ethel B. Morgan; without amendment (Rept. No. 1222). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 9444. A bill for the relief of Hsiao-li Lindsay (nee Li-Hsiao-li); with amendment (Rept. No. 1227). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENTLEY:

H.R. 9860. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

By Mr. BETTS:

H.R. 9861. A bill to continue for a temporary period the existing suspension of duty on certain istle or Tampico fiber; to the Committee on Ways and Means.

By Mr. BOSCH:

H.R. 9862. A bill to continue for 2 years the existing suspension of duties on certain lathes used for shoe last roughing or for shoe last finishing; to the Committee on Ways and Means.

By Mr. BROCK:

H.R. 9863. A bill to amend the Internal Revenue Code of 1954 and the Highway Revenue Act of 1956 to provide for a temporary decrease in the depletion allowance for oil and gas wells and for the transfer of the proceeds of such decrease to the highway trust fund; to the Committee on Ways and Means.

By Mr. BURDICK:

H.R. 9864. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COOLEY:

H.R. 9865. A bill to amend the Commodity Exchange Act, as amended; to the Committee on Agriculture.

H.R. 9866. A bill to establish Federal agricultural services to Guam, and for other purposes; to the Committee on Agriculture.

H.R. 9867. A bill to amend the act relating to the importation of adult honeybees; to the Committee on Agriculture.

By Mr. CURTIS of Massachusetts:

H.R. 9868. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DIXON:

H.R. 9869. A bill to amend title V of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. FLYNT:

H.R. 9870. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying and to preserve copyright protection for creators of artistic works in which copyright subsists; to the Committee on the Judiciary.

By Mr. GATHINGS:

H.R. 9871. A bill to amend title V of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

By Mrs. GREEN of Oregon:

H.R. 9872. A bill to provide certain payments to assist in providing improved educational opportunities for children of migrant agricultural employees; to the Committee on Education and Labor.

By Mr. INOUYE:

H.R. 9873. A bill to restore the size and weight limitations on fourth-class matter mailed to or from Alaska and Hawaii which existed prior to their admission as States; to the Committee on Post Office and Civil Service.

By Mr. KOWALSKI:

H.R. 9874. A bill to organize the Department of Defense and to provide for the administration thereof; to the Committee on Armed Services.

By Mr. McINTIRE:

H.R. 9875. A bill to amend title V of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. McMILLAN:

H.R. 9876. A bill to provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia; to provide the Commissioners of the

District of Columbia with additional authority to carry out the purposes of section 7 of the act approved July 1, 1902, as amended; to authorize the said Commissioners to impose certain requirements on persons licensed under the said act of July 1, 1902; and for other purposes; to the Committee on the District of Columbia.

By Mr. MACDONALD:

H.R. 9877. A bill to authorize and direct the Administrator of the Federal Aviation Agency to make a study and report to the Congress of devices and procedures for the protection of persons and property from injury or damage resulting from destructive devices or substances placed on aircraft operated in interstate, overseas, or foreign air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. MACHROWICZ:

H.R. 9878. A bill to amend the Tariff Act of 1930 to impose a duty upon the importation of bread; to the Committee on Ways and Means.

By Mr. MEYER:

H.R. 9879. A bill to amend section 106 of title 38, United States Code, to provide benefits under laws administered by the Veterans' Administration for service in the Women's Army Auxiliary Corps; to the Committee on Veterans' Affairs.

By Mr. CLEM MILLER:

H.R. 9880. A bill to amend section 8(e) of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to all imported limes, grapefruit, lemons, mandarines, all types of oranges, including temples, tangerines, murcotts, and tangeloes, dried figs, fig paste, sliced dried figs, shelled walnuts, dates with pits, dates with pits removed, and products made entirely of dates; to the Committee on Agriculture.

By Mr. MILLS:

H.R. 9881. A bill to extend for 2 years the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders; to the Committee on Ways and Means.

By Mr. MASON:

H.R. 9882. A bill to extend for 2 years the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders; to the Committee on Ways and Means.

By Mr. MORRISON:

H.R. 9883. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9884. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the Declaration of Independence of Mexico; to the Committee on Post Office and Civil Service.

By Mr. OLIVER:

H.R. 9885. A bill to amend title II of the Social Security Act to permit reduced benefits thereunder (when based upon the attainment of retirement age) to be paid to men at age 62, to permit full benefits thereunder (when based upon attainment of retirement age) to be paid to women at age 62 and reduced benefits to be paid to women at age 60, to eliminate the limitation with respect to the amount which individuals may earn while receiving benefits under such title, and to eliminate the requirement that an individual must have attained age 50 in order to be eligible for disability benefits under such title; to the Committee on Ways and Means.

By Mr. O'NEILL:

H.R. 9886. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 9887. A bill to amend section 6(c) of the Civil Service Retirement Act with respect to the retirement of employees engaged in the investigation, apprehension, or detention of persons suspected or convicted of violations of the criminal laws of the United States; to the Committee on Post Office and Civil Service.

By Mr. PRICE:

H.R. 9888. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to men at age 62 and to women at age 60; to the Committee on Ways and Means.

By Mr. REES of Kansas:

H.R. 9889. A bill to eliminate the mandatory requirements for penalty charges on short paid mail, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9890. A bill to make permanent the temporary increases in rates of basic salary provided for employees in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RHODES of Pennsylvania:

H.R. 9891. A bill to amend section 502(a) of the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 536); to the Committee on Education and Labor.

By Mr. RIVERS of Alaska:

H.R. 9892. A bill to restore the size and weight limitations on fourth-class matter mailed to or from Alaska and Hawaii which existed prior to their admission as States; to the Committee on Post Office and Civil Service.

By Mr. ROOSEVELT:

H.R. 9893. A bill to strengthen public policy and law providing for independent competitive enterprise in the marketing of gasoline and other petroleum products, motor-vehicle parts, equipment, accessories, and supplies; to the Committee on Interstate and Foreign Commerce.

H.R. 9894. A bill relating to certain practices in the distribution of motor vehicle parts, equipment, accessories, and supplies which tend to cause destructive and unfair methods of competition; to the Committee on Interstate and Foreign Commerce.

H.R. 9895. A bill to strengthen free competitive enterprise in the marketing of gasoline and other petroleum products, motor-vehicle parts, equipment, accessories, and supplies by providing for filing of certain contracts and reports with the Federal Trade Commission; to the Committee on Interstate and Foreign Commerce.

H.R 9896. A bill to amend section 7 of the Clayton Act to provide for prior notification and suspension of certain acquisitions, and for other purposes; to the Committee on the Judiciary.

H.R. 9897. A bill to amend the Packers and Stockyards Act, 1921, to strengthen independent competition by providing for competitive enterprise in the marketing of livestock, livestock products, and for other food items; to the Committee on Agriculture.

H.R. 9898. A bill to amend the Federal Trade Commission Act to prohibit vertical integration in the food industry; to the Committee on Interstate and Foreign Commerce.

By Mr. SHELLEY:

H.R. 9899. A bill to amend sections 502(d) and 509 of the Merchant Marine Act of 1936, relating to approval of certain bids by Pacific coast shipbuilders; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of Kansas:

H.R. 9900. A bill to provide that labor organizations shall be subject to the antitrust laws, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMSON of Wyoming:

H.R. 9901. A bill to amend the Sugar Act of 1948 with respect to the proration of quotas in the case of Cuba; to the Committee on Agriculture.

By Mr. JENNINGS:

H.J. Res. 583. Joint resolution authorizing the creation of a commission to consider and formulate plans for the construction in the District of Columbia of an appropriate permanent memorial to the memory of Woodrow Wilson; to the Committee on House Administration.

By Mr. BOWLES:

H. Con. Res. 499. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites; to the Committee on Foreign Affairs.

By Mr. BUCKLEY:

H. Con. Res. 500. Concurrent resolution expressing the indignation of Congress at the recent desecrations of houses of worship and other sacred sites; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H. Con. Res. 501. Concurrent resolution expressing the indignation of Congress at the recent desecration of houses of worship; to the Committee on Foreign Affairs.

By Mr. HEMPHILL:

H. Con. Res. 502. Concurrent resolution declaring the sense of Congress on the use of a Great White Fleet in support of American foreign policy; to the Committee on Armed Services.

By Mr. THOMSON of Wyoming:

H. Con. Res. 503. Concurrent resolution expressing the sense of Congress that the United States should grant no further tariff reductions and that a joint investigation should be conducted through the State, Commerce, and Treasury Departments to determine the extent and effect of limitations other than tariffs imposed by foreign countries on U.S. exports and the extent to which these limitations are removed in the next 2 years; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legisture of the Territory of Guam, memorializing the President and the Congress of the United States relative to commending Hon. Marcellus Graeme Boss, secretary of Guam, for the statesmanlike manner in which he has fulfilled his responsibilities and duties as such secretary and as Acting Governor of Guam; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the Territory of Guam, memorializing the President and the Congress of the United States relative to expressing the sincere thanks and gratitude of the people of Guam to the members of the Committee on Interior and Insular Affairs, House of Representatives, for spending their valuable time in Guam during the month of November 1959; 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. ANFUSO:

H.R. 9902. A bill providing for the award of the Congressional Medal of Honor to Dr. Thomas Dooley; to the Committee on Armed Services.

H.R. 9903. A bill for the relief of Maria Domenica Donata Taddeo; to the Committee on the Judiciary.

By Mr. BETTS:

H.R. 9904. A bill for the relief of Andrew T. Durbin and Mildred Durbin, his wife; to the Committee on the Judiciary.

By Mr. BROYHILL:

H.R. 9905. A bill for the relief of Nicolas James Deoudes; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 9906. A bill for the relief of Miss Franca Buttazzi; to the Committee on the Judiciary.

By Mr. INOUYE:

H.R. 9907. A bill for the relief of Florante M. Dulay; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 9908. A bill for the relief of Mrs. Sha-Kay Saemann; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H.R. 9909. A bill for the relief of Mrs. Filemena Elapre Smith; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 9910. A bill for the relief of Georgios Dastamanis; to the Committee on the Judiciary.

H.R. 9911. A bill for the relief of Mrs. Wong Ship Shee; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 9912. A bill for the relief of Mrs. Kikue Yamamoto Leghorn and her minor son, Yuichiro Yamamoto Leghorn; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 9913. A bill for the relief of Lt. Matthew A. Wojdak, U.S. Navy (retired); 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:

320. By the SPEAKER: Petition of Hugh Latimer, president, Academy for Independent Studies, Chicago, Ill., relative to the freedom and peace statements signed by all American Catholic bishops, and requesting that it be incorporated as a resolution of the Congress signifying our faith in God and the freedom He has granted; to the Committee on Foreign Affairs.

321. Also, petition of the city and county clerk, city and county of Honolulu, Honolulu, Hawaii, relative to protesting the plan of the Union of Soviet Socialist Republics to establish and to use an impact area in the central Pacific Ocean for the testing of rockets and missiles, and urging that the plans be abandoned, or the impact area be relocated; to the Committee on Foreign Affairs.

322. Also, petition of Clifford Crail, Cincinnati, Ohio, relative to a redress of grievance against Representative FRANCIS WALTER, Representative GORDON SCHERER, and Staff Director Richard Arens of the House Committee on Un-American Activities; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Anniversary of the Birth of Robert E. Lee

EXTENSION OF REMARKS

OF

HON. A. WILLIS ROBERTSON

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, January 25, 1960

Mr. ROBERTSON. Mr. President, on Saturday, January 23, the senior Senator from South Carolina delivered a stirring address in Statuary Hall commemorating the 153d anniversary of the birth of Robert E. Lee, general of the Confederacy.

Senator JOHNSTON, the able chairman of the Senate Post Office and Civil Service Committee, was invited to deliver this address by the United Daughters of the Confederacy, and I commend the UDC in their choice of a speaker.

Senator JOHNSTON is an outspoken defender of the rights of States, and one who carries on today in our mutual struggle to preserve in our Nation the principles to which Lee dedicated his life.

Mr. President, I ask unanimous consent that this address by Senator JOHNSTON be printed in the RECORD.

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

ADDRESS OF SENATOR OLIN D. JOHNSTON COMMEMORATING THE 153D BIRTHDAY OF GEN. ROBERT E. LEE IN STATUARY HALL, THE CAPITOL, WASHINGTON, D.C., JANUARY 23, 1960

Madam President and Daughters of the Confederacy, one approaches a discussion of the life of Robert E. Lee in an audience of this character with a feeling of great satisfaction and deep reverence. To again be honored with your invitation is a source of no little personal gratification to me.

Robert E. Lee was a direct descendent of the famous Lee family which played such a prominent part among the Founding Fathers of our Nation. Richard Henry Lee, one of his uncles, as a Delegate from Virginia, signed the Declaration of Independence and also the Articles of Confederation. In fact, Richard Henry Lee was the author of the resolution at the Virginia Convention which resulted in the Articles of Confederation.

Robert E. Lee's father was the distinguished Revolutionary War hero, Henry Lee, a bosom friend of George Washington. His father is better known as "Light Horse Harry" because of his extraordinary exploits during the Revolution. As a consequence of this service, Lee's father became a major general in the U.S. Army. He later served as Governor of Virginia and as a Member of Congress. The Congress selected Lee's father to deliver their eulogy to George Washington upon the latter's death. It was he who was the author of the time-honored reference to Washington as the man "first in war, first in peace, and first in the hearts of his countrymen."

The distinguished ancestry of Lee stood him in good stead both as a southerner and as an American. He is now loved by men of good will in both the North and the South.

Theodore Roosevelt had as one of his aides Col. Fitzhugh Lee, a nephew of General Lee. President Roosevelt remarked about the general as follows:

"This Nation is big enough to revere the name of Robert E. Lee without sectional distinctions. He is no longer southern; he is American, and he belongs to the Nation, not to the South alone."

As a southerner, I am proud to acknowledge a debt to Mr. Roosevelt for the use of those words. It gives us heart to know that out of the blood and sorrow and suffering of war has come, at last, a healthy, mutual respect—yea, admiration—for the man on both sides of the Mason and Dixon line.

It is a trait of our race well to be glorified that we possess the inherent and cardinal virtues of forgiveness and forgetfulness.

There is a noble page in our history we will not forget. That was the last sad encounter between General Lee and General Grant at Appomattox. Lee, the highborn knight, the flower of chivalry, and the best the South could produce, met Grant, the plain man of the plain people of Ohio. Lee was there—in the words the Daughters of the Confederacy engraved on the stone marking the spot of surrender, which say:

"Here on Sunday, April 9, 1865, after 4 years of heroic struggle in defense of principles believed fundamental to the existence of our Government, Lee surrendered 9,000 men, the remnants of an army unconquered in spirit, to 118,000 men under Grant."

From the pen of a Union officer who accompanied General Grant to General Lee's headquarters on the day of surrender, we have a moving account of what transpired on that fateful day. Grant, upon entering General Lee's room, extended his hand, saying, "General Lee." The two shook hands cordially. The conversation started with General Grant saying, "I met you once before, General Lee, while we were serving in Mexico." "Yes," replied General Lee, "I know I met you on that occasion and I have often thought of it."

After a brief reminiscence of the Mexican campaign, in which General Grant was a captain and General Lee a colonel, General Lee requested General Grant to write out the surrender terms. After admiring the handsome uniform and sword worn by General Lee, General Grant said it would be an act of humiliation to require the officers and men to surrender their swords and side arms or their personal baggage and horses.

General Lee upon reading the terms of surrender was greatly relieved when he read the passage permitting his men to retain their horses and baggage. He said with a warmth of feeling:

"This will have a very happy effect on my men."

As General Lee left his office and mounted his famous Traveler, General Grant moved toward him and saluted. Returning the salute, General Lee left in a slow trot to break the sad news to the brave men under his command. It is said that General Grant sent an order to the Union soldiers that no salutes be fired by them, for, he said:

"The war is over; the rebels are our countrymen again; and the best sign of rejoicing after victory will be to abstain from all demonstrations in the field."

In this brief talk, ladies, which you were gracious enough to invite me to give, I shall not attempt to even give in summary a career and life so crowded with momentous historical events. The life and heritage of the man so overshadow all description that one would be presumptuous to feel otherwise. I am confident that you need little introduction to the subject matter.

Robert E. Lee was born January 19, 1807, at Stratford, the stately Lee Mansion in Westmoreland County. His background on his father's and mother's side was illustrious. His army service tempered the aristocracy of his birth. He never claimed preference or prerogative of birth or name. There was a cast to his mind, an elevation of spirit and a loftiness of thought which gave him a

wholesomeness of spirit and action. He was drawn to the right as the needle is to a magnet. He never had to meditate on the truth; he spoke it by nature. Unconsciously, he set up as his life's model his father's distinguished friend, the illustrious George Washington. Lee followed that example as an humble aristocrat in thought, word, act, and deed.

Shortly after General Lee's death, a most distinguished Southern Senator, in an address before the Southern Historical Society, said:

"When the future historian shall come to survey the character of Lee, he will find it rising like a huge mountain above the undulating plain of humanity, and he must lift his eyes high toward Heaven to catch its summit. He possessed every virtue of other great commanders without their vices. He was a foe without hate; a friend without treachery; a soldier without murmuring. He was a public officer without vices; a private citizen without wrong; a neighbor without reproach; a Christian without hypocrisy, and a man without guile. He was Caesar without his ambition; Frederick without his tyranny; Napoleon without his selfishness, and Washington without his reward. He was obedient to authority as a servant, and royal in authority as a true king. He was gentle as a woman in life; modest and pure as a virgin in thought; watchful as a Roman vestal in duty; submissive to law as Socrates, and grand in battle as Archilles."

Lee was a military genius. He graduated from West Point, second in his class, at the age of 18 years. No one need labor the point of his military excellence. His record equals history's greatest. Distinguished historians, professional military men, as well as laymen, vie with one another in their praise of his military achievements.

The late James Ford Rhodes, the scholar and historian from Ohio, said of Lee:

"Drawing from a knightly race all their virtues, he had inherited none of their vices. Honest, sincere, simple, magnanimous, forbearing, refined, courteous, yet dignified and proud, never lacking self-command, he was in all respects a true man."

When the War Between the States became evident, Lee was offered the command of the Union forces. He resigned his U.S. Army commission and said:

"With all my devotion to the Union, and the feeling of loyalty and devotion as an American citizen, I have not been able to make up my mind to raise my hand against my relatives, my children, and my home."

We cannot know the agony of spirit which he must have suffered in his decision to leave the Union and remain with those on his native soil of Virginia. He must have paced the broad pillared veranda of Arlington House struggling with soul and mind as he saw the Capitol's dome. We must recognize in that hour of trial one of the finest products of the American way of life. As the years go by, surely we shall see in larger measure that such a life cannot be judged in a partisan measure or tone. All shall come to look upon him as the English now look upon Washington.

Sir Frederick Maurice, an English major general, said of General Lee:

"As he rode along lines, hundreds of his devoted veterans pressed around the noble chief, trying to take his hand, touch his person, or even lay hands on his horse, thus exhibiting for him their great affection. The general then, with head bare and tears flowing freely down his manly cheeks, bade adieu to his army. In a few words he told his brave men who had been so true in arms to return to their homes and become worthy citizens."

Such was part of the farewell to the army of the South. It is said that when Lee returned to Richmond after the surrender, the people flocked to cheer him. He was received with great acclaim by men and women alike. The record, the character of the man, had placed him forever in the hearts of his comrades and his people irrespective of war's misfortunes.

The integrity, humility, and devotion to duty of General Lee are among his great characteristics. Many have appraised his service after the war to be more important than his direction of the South during that struggle. He returned to his wrecked and prostrate homeland. By precept and example he called his fellow citizens to duty to their State and Nation. Among other things, he said:

"I have led the young men of the South in battle; I have seen many of them die on the field; I shall devote my remaining energies to training young men to do their duty in life."

General Lee accepted the presidency of Washington College at Washington, Va., which had been almost totally demolished by the ravages of war. Cheerfully, resolutely and with determination he set about his appointed task of building the character and educating the men privileged to attend the college which now bears his name along with that of Washington.

Lee's greatness is exemplified in his farewell message to his troops. That also becomes a good note on which to end this discourse. The great General we all love and respect so much said:

"After 4 years of arduous service, marked by unsurpassed courage and fortitude, the Army of Northern Virginia has been compelled to yield to overwhelming numbers and resources. I need not tell the survivors of so many hard-fought battles, who have remained steadfast to the last, that I have consented to this result from no distrust of them; but, feeling that valor and devotion could accomplish nothing that could compensate for the loss that would have attended the continuation of the contest, I have determined to avoid the useless sacrifice of those whose past services have endeared them to their countrymen. By the terms of the agreement, officers and men can return to their homes and remain there until exchanged. You will take with you the satisfaction that proceeds from the consciousness of duty faithfully performed; and I earnestly pray that a merciful God will extend to you His blessing and protection. With an increasing devotion to your country, and a grateful remembrance of your kind and generous consideration of myself, I bid you an affectionate farewell."

Federal Lamb Grading

EXTENSION OF REMARKS
OF
HON. O. C. FISHER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, January 25, 1960

Mr. FISHER. Mr. Speaker, under leave to extend my remarks I include a letter to the editor of the Washington Post which appeared in that paper on January 13, 1960. It was written by our colleague the gentleman from California [Mr. MILLER]. I commend it to your reading, because it contains some sound advice on an important subject. It is good food for thought. The letter follows:

UNGRADED LAMB

Your January 9 editorial on lamb grading is worth some comment. I imagine all of us feel the need for proper quality standards of all food products. In this day and age, the individual is helpless to do the job himself.

However, it may as well be noted that such standards, unintentionally, of course, are very frequently of no help and may actually harm the consumer. In the case of lamb, prime grades now require prescribed amounts of fat along the back-lining of the animal.

This surplusage must be paid for by the consumer thought it is of no possible use to anyone. To feed the lamb up to grade requires keeping past its prime, into the second year. This is not young lamb at all. So, as a result of lamb grading we pay added costs which serve no purpose, and we lose out in flavor, and delectability.

This general thesis can be extended to other agricultural products. It is easy to see the imposition of unnecessarily high grading standards as an instrument of monopoly and high price structure. The farmer takes the rap because his good product is turned down at the plant unloading dock as below standard.

Witness what is happening in the fruit industry, peaches, apples, pears. Consumers share the costs of this restrictive wastefulness with the farmer; only the middleman gains.

This is the other side of the grading coin. As our society becomes wealthier and feels it can afford restrictive practices which are wasteful, we do not seem to comprehend that the added costs are ours.

CLEM MILLER.

Our Farmer Can Now See a Ray of Hope

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 25, 1960

Mr. JENSEN. Mr. Speaker, as you know, on November 16, last, I wrote President Eisenhower recommending the soil bank withdrawal plan, as explained in my remarks to the House on January 7, at which time I said I would send the plan to many Americans in all walks of life, which I did, and I am now pleased to report that the response and support of that plan has been most encouraging, from Members of Congress and nationwide.

I have just received the following letter from President Eisenhower:

JANUARY 22, 1960.

The Honorable BEN F. JENSEN,
House of Representatives,
Washington, D.C.

DEAR BEN: I have your recent letter regarding the soil bank withdrawal plan, which has been given serious study here. CHARLIE HOEVEN is also interested in this general approach.

A number of people in the executive branch are working actively on this proposal; a position on it will be firmed up shortly. The plan as you have outlined it is quite clear and is well understood and I appreciate your constructive interest.

With warm regard.

Sincerely,

D.E.

Hence, Mr. Speaker, we can now at least see a ray of hope for our farmers for the first time during the past several years—for if this plan is made law,

to pay liberally in kind for effectively reducing production of the costly price depressing surpluses, of not only corn and wheat, but also of cotton and tobacco, it will reduce the surpluses to normal size in about 2 years and will tend almost immediately to stabilize all farm prices on a higher profitable level without added cost to our taxpayers, farmers themselves being substantial taxpayers.

Now we can only hope that President Eisenhower will urge—yes, even demand—that this plan be enacted into law, just as he recommended in his farm speech to Congress on January 9, 1956.

Crisis of the Commuter Railroads: No. 1

EXTENSION OF REMARKS
OF

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1960

Mr. IRWIN. Mr. Speaker, the commuter railroad conditions in the Fourth Congressional District of Connecticut, which I represent in this House, and those of other metropolitan areas have reached the critical point. Dwindling passenger traffic has resulted in shrinking revenues for the commuter railroads which in turn invite disaster while further worsening traffic and financial problems of our major cities. The importance of rail commuter service to a strong economy, to national defense, and to our security warrant the attention of the Congress to problems of the commuter railroads. To help focus attention on these problems, I shall submit a series of articles, statements, and other matter bearing upon the subject. Pursuant to permission granted, I insert into the RECORD, a letter published in the Ridgefield (Conn.) Press of January 21, 1960:

REPRESENTATIVE IRWIN REVIEWS COMMUTER PROBLEMS

To the Editors:

I appeal to you as readers of this paper to let me know your views on the New Haven Railroad commuter service problems.

You know the difficulties, indeed you have to live with them. What you want, need, and deserve from the commuter service has deteriorated and nobody knows it better than you.

In the Fourth Congressional District of Connecticut live some of the most talented people in the country. They have proven this in countless business successes and I want to call on them. They can provide invaluable help and insight into the commuter issue to supplement findings from my personal studies and inspections of the railroad's operations.

The overall problem is simple to state: How do you transport some 35,000 persons to New York City in the morning and return them at night with safety and on time. This isn't being done.

A look at highway travel as an alternative emphasizes that it must be done.

To carry the 35,000 commuters, say with car pools of four in a car, would take 8,750 cars—a bumper-to-bumper line from Bridgeport to Greenwich, about 28 miles. Imagine what would take place in Westchester and picture the scene at the New York bridges? Go a step further into the city—traffic experts estimate conservatively it would take more than 50 acres to park the 8,750 cars. Where do you find 50 acres in the middle of New York or near the middle of the city?

Railroad commuter transportation is the only way to do the job.

Now, in my studies of the commuter issue, I have come upon some startling facts. Take the commuter service breakdowns. Railroad officials frankly admitted to me that the trains don't get proper maintenance. For this, they said, every car should have a thorough renovation every 6 years. Motors, running gear, electrical equipment, interior fixtures, seats, windows, and so forth would be inspected and repaired or replaced if necessary * * *.

But the passenger deficit eats up funds, leaving nothing for proper maintenance work, the New Haven authorities claimed. They added that proper maintenance hasn't been given in the past and isn't being given now.

What are the results? You commuters know what the lack of proper care has done to interiors of the cars. The railroad officials confirmed what you have undoubtedly believed—that the breakdowns occur largely because of poor maintenance. For example, it isn't uncommon in bad weather for water to leak into electrical equipment because of bad gaskets and cause short circuits and stall trains. Gaskets, the train officials said, would be inspected and kept in good condition had the trains been getting the 6-year renovation work.

Failure to provide the work has had a cumulative effect. The authorities told me the renovation jobs would normally cost $10,000 per car. Now, they say, it would cost $66,200 for each motorcar and $52,700 for each without a motor to put them in top-notch shape. They said it would be necessary to "remanufacture" the cars.

The New Haven's 100 new stainless steel cars, purchased in 1954, wouldn't need remanufacture but are due this year, under normal circumstances, for the 6-year renovation work. It doesn't look like this will be done.

Breakdowns, in addition to causing distress by resulting in delays, are serious hazards. I cannot overemphasize this. The railroad people at New Haven contend that they aren't hazards. I ask you, what is a breakdown on tracks crowded during the peak commuter hours?

The railroad has installed certain safety devices in its control towers to regulate switches and signal lights. They also have devices to indicate the position of trains in the vicinity of the switches.

But the switches are not automatic. In addition, there are no speedometers in the multiple-unit cars. One engineer told me experience must serve as the engineer's speedometer. I believe there is too much room for human error to regard breakdowns, especially during busy periods, as anything but hazards to safety.

The recent accident at Rowayton proves the point. It was caused by a human error—the engineer of a train coming to the aid of another that had stalled was misinformed by a dispatcher, so the Public Utilities Commission said, as to the location of the stalled train and the result was an accident. It could have been far more serious.

The conditions on the New Haven have an obviously bad effect on morale of the employees. They appear to have little or no interest in promoting the railroad. I believe that better conditions—and some places where the employees work are very depressing—contribute to morale improvement and see employees do a better job.

Railroad management has told us its commuter line deficit wouldn't be anywhere near as bad if taxes weren't so high. This can't be disputed. Last year, for example, the New Haven paid some $10 million in taxes, mostly to New York. About $600,000 of this went to Connecticut in earnings taxes on passenger operations, the management has pointed out, an amount equal to the cost of giving 60 cars the 6-year renovations.

Whether New York, with its tremendous financial problems, could be of much help in the way of tax relief, if any at all, remains to be answered. Tax relief, admittedly however, isn't the only answer.

Fare increases which might be justified in some instances won't put operations back in the black and reportedly tend to drive away commuters—if the increases are applied without improvements in trains and services or even a guarantee that conditions won't get even worse.

There is also a question of equitable taxation—other forms of transportation don't bear proportionately equal tax loads. These other means of transportation also enjoy enormous amounts of financial aid, from local governments and the Federal Government.

The commuter railroad problem won't be answered by massive grants of Federal aid alone. A Federal transportation policy covering the commuter lines is essential.

Railroads are private businesses that must make profits to survive—and they are here to stay. They will increase in importance with the growth of our cities and suburban areas. Answers to the commuter service problems must be keyed to a long-range program for orderly development of good economic mass transportation systems which include highways, air facilities and other means of travel.

Representative DONALD J. IRWIN.

WASHINGTON, *January 15.*

Gen. Douglas MacArthur

EXTENSION OF REMARKS
OF

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1960

Mr. DERWINSKI. Mr. Speaker, as time marches on, great men take their rightful places in the nonpartisan pages of history. In the heat of controversy, our greatest leaders have been subjected to ill-tempered abuse. Years later, in the calm, when a man's true role in history is analyzed, we can properly evaluate his contributions to his country. It is with this thought in mind that I call your attention to the 80th birthday of one of the greatest Americans of all time, Gen. Douglas MacArthur.

A decade ago, he was subject to removal from his command by the ill-advised action of the then President of the United States. General MacArthur was, in fact, punished because he maintained a belief that victory was essential for the protection and integrity of our country. Since we can now look back at that turbulent period, in a quiet and analytical manner, it is apparent that General MacArthur was completely correct in his position, and that the Nation suffered irreparable harm as a result of his being removed from military command.

Mr. Speaker, I take this opportunity to salute this truly outstanding American on his 80th birthday and to remind him

that the Nation will be forever grateful for his lifetime of service in defense of his country and the cherished ideals he so steadfastly maintained.

Danger Points to Public Power in 1960

EXTENSION OF REMARKS
OF

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1960

Mr. JOHNSON of California. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech by Senator CLAIR ENGLE before the Electric Consumers Information Committee Legislative Workshop, Monday, January 18, 1960:

You and I have been working together toward a common goal for a good many years—so I am glad to have this opportunity to appear before the Electric Consumers Information Committee. I want to talk to you a little about electric utility policies and politics. We both know these subjects rather well. I hope that I can add something to your already extensive information on these subjects.

I am glad that this legislative workshop is working in the interest of the consumer. The consumer is the least represented element in our society today. Under this administration, which took over as a businessman's administration, the consumer has been pretty well ignored. The private power companies of America picture the consumer as a downtrodden taxpayer who is systematically being forced to pay two power bills—his own and that of the fellow who gets power from public projects. We know that the consumer is not only a taxpayer but also a ratepayer. He pays the rates set by the utility—a fact which the private utilities choose to ignore and which this administration has not yet discovered.

In the kind of environment we have had in recent years, it is particularly important that the Electric Consumers Information Committee be more active and vigilant than ever. The groups that support your organization are entitled to special commendation. I speak particularly of the National Rural Electric Cooperative Association, headed by my former colleague in the House of Representatives, Clyde T. Ellis. The American Public Power Association, with Alex Radin, has done fine work. The AFL–CIO has recognized a legitimate interest in the welfare of the consumer. The Farmers Union and the National Grange, as farm organizations, have taken more than ordinary interest in consumer affairs. The Northwest Public Power Association is active and vigorous as was the Hell's Canyon Association during the difficult struggle for that project.

It is necessary for these organizations to keep on the statute books a public power policy that is beneficial to the power consumers of America. These power policies have not received the support of this administration. Congress has been deluged with proposals to water down the laws that make power cheaper throughout the land. Whenever possible the administration of existing laws has been distorted to impair the established national power policy as imbedded in the statute books. So far, none of these laws have been repealed. Sometimes they haven't been executed as they should. But they are still on the books. A Federal Power Commission has been appointed that does not agree with the power policy written by the Congress. The present Federal Power Commission is not interested particularly in protecting the consumer. The Bureau of the Budget has taken a stranglehold on new projects. Federal public power development has been either completely stopped or delayed because the officials in this administration are not in favor of public power.

This will be an active and busy session of Congress. We will have to be adjourned by July 1 or thereabouts to attend the national conventions. In the rush of getting through the appropriation bills and major legislation demands by the administration, it will be necessary for all the electric consumer organizations to be especially alert that some proposal adversely affecting their interest does not get by undetected. There are some matters that will be of particular importance. I will mention them.

First, we may again be faced with a proposal in one form or another involving the so-called "partnership" program advocated by this administration. You will recall that this proposal took specific form first on the Trinity River project in California. Just to refresh your memory: The administration proposed that a private power company be permitted to build the powerhouses on an otherwise completely federally financed project. This would accomplish economy, in the mind of the administration, by saving the cost of the powerhouses to the Federal Government. It is hardly necessary for me to emphasize that the consumers would pay for the powerhouses in any case. In the end, the private power company instead of the Federal Government would own the powerhouses, and the consumer would pay nearly twice as much for the power. This is a costly way of avoiding creeping or crawling socialism.

Last session we defeated the partnership program when the House Interior Subcommittee tabled the bills which would have put it into effect. Congress then proceeded to appropriate $2,400,000 to start Federal construction of the powerhouses. But this isn't enough to firmly nail down the proposition. We will need at least $20 million more for fiscal 1960 to really get these powerhouses beyond the planning and design stage. A California newspaper last week quoted a vice president of the Pacific Gas & Electric Co. as saying: "Our faith in the partnership concept of water and power development is undiminished. We intend to continue our advocacy of this principle on Federal, State, and local projects within our territory of service * * *."

This indicates that the power company hasn't given up. Some effort may be made this year to block the Trinity funds for the powerhouses. Accordingly I welcome the continued attention of your membership to this particular issue.

Another question directly involving public power to the consumer is the proposal to build an intertie line between the Columbia River powerplants and the Central Valley project in California. These are two Federal power systems. This administration now proposes to tie them together with a private line built by a private power company. This scheme, of course, will make the private power company the tollkeeper. A contract was prepared last year to put the proposal into effect, but we stopped it. I am not sure how long it will stay stopped. It is our belief that a Federal line should interconnect the two Federal systems. Power that cannot be used in the Central Valley system or by preference customers can be wholesaled to the private power company on the same basis that nonfirm power from the Central Valley project itself is now sold to the private power company. Let me emphasize that this proposal would not divert power from the Columbia River system for which that system has any need or use, but would provide revenue to that system for kilowatts now going to waste. For the preference customers in California a Federal construction of the intertie is the only method by which their preference can be preserved. In 1951—the 82d Congress—I introduced a bill to provide for a Federal intertie between the Columbia River and the California Central system. The private utilities fought it tooth and nail. Now they are for it, provided they can do it. The economic justification of this intertie has never been in question. The only issue has been whether or not the Federal Government would be permitted to interconnect those two systems. The private utilities defeated legislation to permit that to be done. Now they are for it, provided they can do it. I doubt that the President would sign legislation providing for a Federal intertie. The best we can hope for is to prevent the execution of a contract which permits it to be done by private utilities until after the first of next year—when I hope we will again have a Democratic President.

Third, we want to make sure that none of the pending proposals to wreck the REA achieve the status of law as a part of the last will and testament of the dying Eisenhower administration. The REA can be economized into oblivion by hoisting the interest rates on REA loans or driving the cooperatives toward high-priced money markets of Wall Street. This is clear from the Republican program embodied in legislation pending before Congress. I refer specifically to S. 133 and H.R. 797, among others. At the present time neither of these bills has gotten out of committee, and I hope we keep them there. I suggest that you read the editorial entitled "REA and Tight-Money Policy" in the January issue of Rural Electrification. It points out that the drive to raise REA interest rates is a part of a carefully planned administration tight-money policy. The editorial concludes: "As inflation medicine, this policy is poison." There is growing pressure on public power agencies to make them accept higher interest rates. That pressure will be increased during this session of Congress.

The purpose of these administrative and legislative actions is to reverse the national power policy laid down in the REA Act and other Federal legislation. That policy provides for the lowest possible rates for power produced at public dams consistent with the repayment of the cost of the project. It has, further, historically provided a preference to public power for cities, municipalities, public agencies, and irrigation districts. We have not forgotten that when the President was called to give an example of socialism he named the TVA. The Administration has clearly been alined with the private power companies during the past 7 years. This year may be their last chance to get in their licks.

As part and parcel of the effort to cut back public power development, we have been faced consistently in recent years with a no-new-starts policy. This has been dressed up as an economy measure. The projects which produce Federal public power have been special victims of this no-new-starts policy. We authorized some 32 projects last session by overriding the veto of the President of the United States. I am not sure, however, how fast they are going to start because the Bureau of the Budget can impound the money appropriated to build these projects. Some of the more controversial new starts have not as yet been able to get underway.

For example, Yellowtail Dam on the Big Horn River was authorized in 1944 as part of the Missouri Basin program. Congress has repeatedly confirmed its decision with reference to the need for this project. Each and every year for the past 7 years this administration has found new reasons for not

going forward. The people of Montana and Wyoming need this project, both for its water and for its power.

There are a great number of authorized smaller Missouri Basin projects which would yield power but have not been started by this administration—and will not be started unless continuous pressure is exercised.

The seven Colorado River States have a vital interest in the power to be developed in the Upper Colorado River storage project. This administration inherited that project from its predecessor—fully engineered and ready for authorization. The Congress authorized this project under reclamation law, including public transmission lines. Now, as soon as the project is underway private utilities are prepared to help the administration economize and save some money. In this case the economy consists of turning over the public power to the private utility companies who would provide the transmission lines. Here again, as in the Columbia River situation, this power would in the process be freed of the preference clause and would be subject to distribution by a private power company.

In summary, we are fighting a defensive battle in Congress and with the administration to retain what we have in the public power policy of this Nation for the benefit of the consumer.

The executive branch has teamed up with the private utility and the banks to make it tough on every phase of public power. Power producing projects have been the victim of the no-new-starts program. Money has been tightened up on REA cooperatives—and the interest rates have been raised. The so-called partnership has been actively pushed to take the Federal Government out of power production at federally built projects. The power preference for public agencies has been challenged in national advertising by the private power lobby—with the cost of the advertising written off as a business expense. The President described TVA as the best example of creeping socialism—and this attitude has permeated his whole administration. This was the most direct and powerful assault on the electric consumer in the past 30 years.

On the whole, we have sustained the attack rather well. We have lost no major legislative battles—no laws have been repealed. Some have been watered down. We have been hurt, but not ruined.

We can fight 1 more year. We will be vigilant and active in defense of the interests of the electric power consumers. And we can look forward after 8 long hard years to a new administration that will support and implement the 50 years of Federal legislation beneficial to the electric power consumers of America.

Forty-second Anniversary of Ukrainian Independence

EXTENSION OF REMARKS
OF
HON. SEYMOUR HALPERN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, January 25, 1960

Mr. HALPERN. Mr. Speaker, January 22 was the 42d anniversary of Ukrainian independence in the 20th century. It is, however, far more than just a solemn commemoration for a latter-day event. It justly is emblematic of the solidarity and dedication of a people who had established their own government and society on the rich western steppes when Europe was still in the Dark Ages, centuries before William the Conqueror commanded his armies to cross the channel and assault the Saxon strongholds in England.

The Ukrainian struggle for independence and self-determination today springs from the ages-old tradition of a proud people who have never relinquished their dream despite decades of suppression and adversity.

Those of us who are free call out to you who are in bondage, "Do not despair. We are striving to create a world where justice and peace shall prevail, when once again we shall welcome you as brothers in the legions of the free."

Surplus Property Disposal

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, January 25, 1960

Mr. CURTIS of Missouri. Mr. Speaker, October 7 of last year TelePrompTer Corp. conducted for the Department of the Army an experimental closed-circuit television auction of surplus Department of Defense materials. The results of this auction are worthy of the attention of this House as this system may offer one way of improving the return to the Government on the sales of its surplus materials. The Department of Defense alone has some $26.7 billion in salable surplus property, according to the report of the Committee on Appropriations on the 1960 Department of Defense appropriation bills, and an increase of return, however small—even 1 or 2 cents on the dollar—on this property would be of real economic significance.

This auction was conducted simultaneously in six cities, with bidders in each city competing not only with one another but with those in the other cities. Goods for sale were being offered from three locations, making a nine-station circuit to serve this sale. The obvious advantage of this system is that it permits a larger number of potential buyers to enter the bidding for the goods on sale, it expands the market and thereby the competition for these goods.

Goods of an acquisition cost of $2,614,000 were sold in this auction for $534,556, a return of 20.5 cents on the dollar. The overall average for Defense Department surplus sales is in the range of 3 to 5 cents; an estimate of the materials in this sale, including heavy machinery, clothing, and marine engines and machinery, put their likely maximum return at 15 cents. The auction ran for over 8 hours without interruption for technical failure.

As a member of the newly-created Subcommittee on Defense Procurement of the Joint Economic Committee, I find these figures quite interesting. This one experiment, of course, does not prove this as the way in which to dispose of all surplus property, but it does justify further experimentation with it. I would also raise the point that this process might better be turned over to the General Services Administration which, with its experience in the field and its charged responsibility in disposal of surplus Government property, would be best qualified to make use of it.

In connection with the last statement, I would like to enter a portion of a letter of evaluation of this sale written to me by the Honorable Franklin Floete, the Administrator of the General Services Administration:

DEAR MR. CURTIS:* * * The subject sale was conducted by the Department of the Army as an experiment designed to test the effectiveness of this medium in DOD surplus selling. The sale was planned as a departure from traditional, conventional Government sales methods, with a view toward attracting new buyers through a mechanic to broaden market appeal. General Services Administration personnel observed the sale at all property and selling locations.

The contractual services rendered by the TelePrompTer Corp. were efficient and in keeping with good professional standards. It should be reported that the attendance of 479 buyers distributed between 6 viewing locations was less than anticipated, but was adequate to produce spirited intercity competition among bidders. The sale provided valid experience concerning the types of property suited and the geographical and market considerations which are involved in televised selling.

A preliminary evaluation of the test indicates that the application of television to sales of Government property must be limited to select situations. Additional testing may be required before a reliable, conclusive evaluation can be completed.

One important consideration in planning future uses of televised broadcasts is the heavy cost attending the transmission service and equipment.

Sincerely yours,

FRANKLIN FLOETE.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, January 25, 1960

Mr. ALGER. Mr. Speaker, as is my practice every Monday, I put my newsletter in the RECORD so that my colleagues as well as others who read the CONGRESSIONAL RECORD may know my views if they are so disposed.

The budget message is of great interest to all of us. For my part, I decided to write the President a letter of commendation well deserved, as my newsletter for this week:

WASHINGTON REPORT BY CONGRESSMAN BRUCE ALGER, JANUARY 23, 1960

THE PRESIDENT:
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Good for you. Having studied your budget message, I feel compelled to write you this letter. Moreover, I believe that a majority of Dallas citizens would join me in these thoughts. Undoubtedly numberless others throughout the land feel the same.

Yours is no easy task. We all know that. Presenting and preparing a year's budget for our National Government is tough, but hardly more so than a long list of difficult things that, by law, we require you as President to do. On top of the all important military expenses, there are countless Government functions that must be paid for.

Besides recommending action, you have to assemble, from all branches of Government, estimates of what it will cost to carry out the laws Congress has passed. Congress may than accept or ignore your recommendations, but the chances are that you will be blamed for any inaction by Congress, as often as not by the very Congressmen responsible. Worse yet, many of our people simply do not understand the respective functions of the Congress and the President.

In addition to the necessary expenses, there are endless numbers of costly pet projects that Congressmen, pressure groups, and individual citizens think are needed right now. It's easy for any of us to lose sight of basic objectives and the overall picture. You, of course, must not. It's easy for some to figure that the other fellow's needs are not so important as their own. Easy too, to demand some particular, even worthwhile, spending project—"after all, it doesn't cost much"—without fitting that demand into the whole nationwide framework. In fact, it would probably be hard for many people to realize just how much restraint, self-discipline, and willpower it takes to withstand the pressures for greater spending when preparing the budget. Maybe, over the years, that's why the Government often spends more than it takes in.

Well, we of Dallas, want to compliment you and to encourage you in the statesmanlike attitude toward spending shown by your budget message. You have offered us a balanced budget. You have suggested that we pay down the debt, tipping our hats to our children who will inherit it. You ask us to look forward to the possibility of a tax cut, if we follow this responsible course you have charted.

To do this, you have chosen to delay your request for some of the money for Federal building that is under way throughout the Nation. So, the shoe is pinching us in Dallas. We have high hopes for our Federal building conceived and based on sound economic principles. We expected speedy construction. Now it will be delayed since no money is provided in the current budget, beyond buying the site and preparation of plans, which are going ahead full speed.

Perhaps it would be expected by some, even demanded, that we now solicit you to include the funds necessary for immediate construction of this building, justified by persuasive arguments. It would be easy to forget the national picture and just demand this admittedly worthwhile project.

However, sober consideration and understanding of Federal spending is not new to the people of Dallas. We have on other occasions declined to request Federal aid when we might have had it under the law. From time to time, as a Representative, I have voted, in the name of Dallas people, against boondoggle bills, even when it meant voting against some Dallas project included in a bill. We were prepared then and are now to be self-disciplined and responsible in our attitude toward Federal spending.

It is possible that in this moment of history, under your leadership, responsible people everywhere will rally around your sensible economic course. We, in Dallas, hope so. Surely, it is not too much to ask that we delay some construction, however worthwhile, to accomplish the objectives of sound fiscal policy. We know that it is time we got our house in order. We must not spend more than we take in. We must cut our debt. We should reduce the tax burden on our people.

We cherish our freedoms as dearly as any generation of Americans ever did and we know to what degree they may hinge on our maintaining a sound dollar. Hence, we demand only what we have a right to demand—sound money management.

In a larger sense some may even feel, as I do, that we are at a turning point in history. We should count the blessings of a free society and turn decisively and resolutely away from the false charms of a regimented planned economy resulting from crushing taxation and the big spending that occasions it.

We're behind you and want you to stand firm while we face up to the economic facts of life. Thank you, Mr. President.

Sincerely,

BRUCE ALGER,
Member of Congress.

Gettysburg—Heritage or Horror

EXTENSION OF REMARKS
OF

HON. JAMES M. QUIGLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 1960

Mr. QUIGLEY. Mr. Speaker, under leave to extend my remarks I would like the privilege of inserting in the RECORD an editorial from the Harrisburg (Pa.) Patriot of last Thursday, January 21, in which the need for cooperation among all Americans in both their private and public capacity, and at all levels of local, State, and National governments is stressed if our national shrines are to be preserved from commercial desecration. This editorial highlights the recently formed Gettysburg Battlefield Preservation Association, an organization of private citizens constituted to bend its collective efforts to save the Gettysburg battlefield from the fate of unrestrained commercialization.

The editorial also raises the question about what the State government in Pennsylvania, and the local Adams County and the Cumberland Township officials are doing to protect the battlefield site. The editorial follows:

PRIVATE-PUBLIC TEAMWORK NEEDED TO SAVE SHRINES

In 1958, more than 20 million persons visited historical shrines maintained by the National Park Service. They went to see the battlefields and other places that have figured in the remarkable development of a raw, new world into a powerful, respected nation.

In a shocking number of cases what they see are cheap souvenir stands and housing subdivisions crowding right up to the edge of Government-owned land.

Pennsylvanians need go no farther than Gettysburg to see the process at work. If any spot in America should be treated as sacred soil it should be this place where one of the most decisive and bloody battles in our history was fought; where Lincoln uttered his few words that have become a classic article of faith in democracy. Yet the main highway through the battlefield is lined with motels and souvenir shops. Tracts all about the national park stand in danger of becoming "tourist traps."

Whose duty is it to protect our historical shrines from commercial encroachment? Conrad L. Wirth, Director of the National Park Service, says it should be a joint venture by Federal, State, and local governments with private organizations and individuals chipping in.

As far as Gettysburg is concerned, this appears to be the only way that the battlefield can be protected adequately. The last session of Congress came through with a $450,000 appropriation to buy land but tied up the funds with the stipulation they be used only to get property that has already been commercialized.

The Gettysburg Battlefield Preservation Association has come into being to help fill the gap left by this rather shortsighted Federal legislation. It has incorporated for the purpose of raising funds to buy land in danger of commercialization. Already several thousand persons have sent contributions to the organization's headquarters in Gettysburg.

The Federal Government and private individuals are doing something toward preserving Gettysburg. What about the State government? And officials of Adams County and the townships about Gettysburg? It would seem that both the Commonwealth and the local officials have a strong duty to protect the area. Airtight zoning laws by the localities and cooperative purchases of land by the State would plug up the gaps.

As the National Park Service points out in a recent bulletin, more and more people are discovering history. The growing numbers of visitors to places such as Gettysburg is a big reason for the threat of commercialization. It would be tragic if this rise in the public's appreciation of a rich American heritage should become blunted by quick-buck artists.

I would also like, Mr. Speaker, to insert my testimony given today before the Interior Subcommittee of the House Appropriations Committee, in which I think I point out that all of these local officials are at least making an effort to solve the problems which exist at Gettysburg. I believe, Mr. Speaker, my testimony makes it quite clear that we are still a considerable distance from a solution but as of the moment, I do believe that everybody involved deserves a big A for effort.

It's been my experience that when I am in the Gettysburg area I am asked "Why doesn't Congress do something about the battlefield?" And when I am in the Congress I find myself being asked "But isn't the problem at Gettysburg a local one?" I would suggest, Mr. Speaker, that if preserving the Gettysburg battlefield as a sacred shrine is a national problem it is one that cannot be solved by the Congress or the National Park Service without the full and complete cooperation of all of the local governmental units as well as the local citizenry. By the same token, if the preservation of the Gettysburg battlefield is, in fact, a local problem, it is a problem that cannot be solved by the efforts of the local citizenry and the local governmental officials without the help and cooperation of the National Park Service and the Congress.

In the interest of solving this problem rather than placing the blame for a lack of a solution, I join with the editorial writer in urging private and public teamwork until a satisfactory answer is finally reached.

My testimony follows:

TESTIMONY BY THE HONORABLE JAMES M. QUIGLEY, DEMOCRAT, PENNSYLVANIA, ON THE INTERIOR DEPARTMENT APPROPRIATION FOR 1961 BEFORE THE INTERIOR SUBCOMMITTEE OF THE APPROPRIATIONS COMMITTEE, HOUSE OF REPRESENTATIVES, MONDAY, JANUARY 25, 1960

Mr. KIRWAN, members of the committee, I appreciate this opportunity to testify on the Interior Department, and more specifically the National Park Service, appropriation for fiscal 1961.

Quite specifically, I am here to speak about the Gettysburg National Park which, as many of you know, is located in my district. I think perhaps the best service I can perform is to bring this subcommittee up to date concerning what has happened at Gettysburg since last year.

Without trying to open any old wounds or expressing my own opinion, which varies somewhat with my next statement, let me point out that a minor furor was raised in the Gettysburg area when, last year, Congress as much as said that Gettysburg should protect its own future with zoning and that Adams County, in which the battlefield lies, could help preserve the Nation's shrine by preserving its own holdings there.

Once the understandable disappointment over lack of immediate Federal funds disappeared, Gettysburg and its friends began to work, slowly but in earnest. The second battle of Gettysburg which started with skirmishes in the public press settled down to a serious long-range attack of the problem on four separate fronts. Those attacks are local action with planning and zoning, nationwide action with a privately sponsored fund-raising campaign, executive action in the form of a proposed land exchange and, I hope, further congressional action with appropriations.

Surveying the battlefield front by front, let me tell you about the status of zoning first. Admittedly, as of this moment Gettysburg and the adjacent jurisdictions are still some distance from passing an effective zoning ordinance as stipulated by Congress last year in giving an appropriation for the battlefield. Legally it takes time to set up an effective plan for the future, but I would like this committee to know that the steps have been started. A temporary setback ordinance has been passed by Cumberland Township, which encompasses approximately 95 percent of the battlefield. The enactment of this ordinance was in the nature of a hold-the-line action.

The Fels Institute of the University of Pennsylvania has begun work under a contract approved by the Housing and Home Finance Agency. A comprehensive growth plan for the future will be presented to Cumberland Township in the near future, a plan which I feel certain will contain protection for the battlefield.

Now let me say that I think Gettysburg, which incidentally has its own planning commission, and Cumberland Township, and perhaps Adams County, will eventually all enact planning and zoning laws. They will do this not because of the battlefield, nor because Congress would like them to do so, but because people generally are beginning to realize that planning for the future is the only way to protect their own investments and provide for an orderly development of their communities.

The second front is actually under the command of a military man. It is a front which has received the least publicity thus far and may in the long run do the most good. This is the Gettysburg Battlefield Preservation Association whose president is Maj. William M. Haller, currently stationed at Fort Meade. This group was founded last August and incorporated last month with its nucleus among students of the Civil War. This group has already raised a sizeable amount of money and its forthcoming national campaign should raise a great deal more. Its sole aim is to preserve the battlefield in the best way possible, aiding either with money or land donated to the National Park Service. Here is a group of dedicated citizens who are in the forefront of urging congressional action, yet at the same time they are putting their money where their mail is by following up their letters to their Congressmen with their own donations to the Battlefield Preservation Association.

Then, within the Park Service itself, I'm happy to report that there is in the process of formulation a possible exchange of some historically less valuable property presently owned by the Federal Government for some historically very valuable property owned by Adams County. Just to digress here a moment, may I insert into the record of these hearings the county commissioners' statement of their dilemma in which they find themselves unable to legally donate their land to the Government, much as they possibly might like to do so. I might add they have a further dilemma in that they also have hopes of gaining some money from land sales to help pay for their new and much-needed county home for the aged. And this is where a land swap might help out a great deal. Further, it would satisfy one of the congressional complaints that the Park Service has enough land already. However, I must point out that there is just a limited amount of land that is suitable for swapping and for this reason I would not suggest that a land swap is the full and easy answer to the problem.

The commissioners have thus far been patient, and in their way cooperative men. They have delayed their final actions as long as possible. But this year they must either swap or sell or give up the idea of a new county home. This is why I sincerely hope that the idea of a land swap may be approved soon. And approvals aplenty it will take—like congressional and county court action after the Park Service and the commissioners agree.

On the fourth front I can only hope that you gentlemen will respond to the needs of history and a growing appreciation of the Civil War.

Last year when Congress set aside $450,000 for this purpose it said the money could be used at Gettysburg and Manassas provided they met the stipulations of the Congress. Unfortunately for Gettysburg, Manassas has enacted what is considered to be an effective county zoning ordinance which the Park Service is urging them to make even stronger. Thus there is the probability that all of the money may be used there, for it is in keeping with both the spirit and the letter of the law.

Gettysburg is moving in that direction, successfully, I think on three fronts. I sincerely trust that you gentlemen will provide the fourth front by giving the Park Service the necessary money so that the Federal Government can do its fair share in this worthwhile public effort.

SENATE

TUESDAY, JANUARY 26, 1960

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

Eternal God, we come each with manifold needs. But our greatest need is of Thee.

Lift us, we beseech Thee, above the immediate which so hems us in, and set our lives in the wide horizons of abiding verities.

As Thy servants and the servants of the people of this good land, in this temple of democracy save us from any perversion of power that has not Thee in awe.

In this day of destiny for us and for the world make us worthy of our high calling as keepers of the sacred flame.

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

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 25, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

LIMITATION OF DEBATE DURING MORNING HOUR

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

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

FEDERAL ELECTIONS ACT OF 1959—POSITION OF SENATOR FROM MARYLAND

Mr. BEALL. Mr. President, I was necessarily absent from the floor when the vote on S. 2436, the bill to amend the election laws, was taken. I was inadvertently recorded as being opposed to passage of the bill.

Mr. President, if I had been present and voting I would have voted in favor of S. 2436.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

AUTHORIZATION FOR COMMITTEE ON ARMED SERVICES TO INVESTIGATE CERTAIN MATTERS RELATING TO THE COMMON DEFENSE

Mr. STENNIS, from the Committee on Armed Services, reported an original resolution (S. Res. 261) authorizing the Committee on Armed Services to investigate certain matters relating to the common defense; and, under the rule, the resolution was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections