SENATE

MONDAY, MARCH 21, 1960

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

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

O God, in whose providence we are come to the gateway opening to another springtime, we are grateful for the calming confidence that if winter comes, a resurrected earth cannot be far behind.

We are girded by the faith invincible that the calendar of Thy eternal design brings surely the hour when out of winter's tomb there emerge blossoming trees and the time for the singing of birds; and that when man sees but withered leaves, Thou dost see sweet blossoms growing.

In the certainty of the divine schedule of Thy kingdom's coming, in these sacred weeks of the Lenten period, we would fix our gaze upon the Master of life who set His face steadfastly against the forces of hypocrisy and expediency, against selfish nationalism, and a religion of mere form, as He declared—the spirit of the Lord is upon me—because He hath anointed me to preach good news to the poor—He has sent me to proclaim release to the captive, and to set at liberty those who are oppressed.

Taking His purpose as our own, give us the strength in these days to follow in His train.

In His name we ask it. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 18, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 18, 1960, the President had approved and signed the following acts:

S. 2033. An act to amend the mining laws of the United States to provide for the inclusion of certain nonmineral lands in patents to placer claims;

S. 2061. An act to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States;

S. 2268. An act to declare that the United States holds title to certain land in trust for the White Mountain Apache Tribe, Arizona;

S. 2431. An act to provide for the striking of medals in commemoration of the 100th anniversary of statehood of the State of Kansas; and

S. 2454. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the pony express.

REPORT ON PROGRAM FOR DISCOVERY OF MINERAL RESERVES—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the Third Semiannual Report of the Secretary of the Interior prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *March 21, 1960.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 607) for the relief of the estate of Sinclair G. Stanley.

LIMITATION OF DEBATE DURING MORNING HOUR

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

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

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to give all Members notice of the possibility of a Saturday session, so they can arrange their plans accordingly. We did not have a session last Saturday; but I am hopeful that we can make sufficient progress this week, that the civil rights bill from the House will reach us, that we shall remain in session during the latter part of the week, and that we can have a Saturday session. So I should like to have all Members on notice that they may anticipate that.

ORDER DISPENSING WITH THE CALL OF THE CALENDAR

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the call of the calendar be dispensed with.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

PLANS FOR WORKS OF IMPROVEMENT IN MISSISSIPPI, NEBRASKA, NEW YORK, NORTH DAKOTA, TENNESSEE, AND VIRGINIA

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Chiwapa Creek and Mulberry Creek, Miss.; Wilson Creek, Nebr.; Conewango Creek, N.Y.; North Branch Forest River, N. Dak.; Bear Creek and Cypress Creek, Tenn.; Porters Creek, Tenn. and Miss.; and Buffalo Creek, Va. (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT ON NUMBER OF OFFICERS ON DUTY WITH DEPARTMENT OF ARMY AND ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the number of officers on duty with the Department of the Army and the Army General Staff on December 31, 1959 (with accompanying papers); to the Committee on Armed Services.

AIRCRAFT MAINTENANCE FACILITIES AT GRENIER AIR FORCE BASE, MANCHESTER, N.H., AND SCHENECTADY COUNTY AIRPORT, SCHENECTADY, N.Y.

A letter from the Assistant Secretary of Defense, Properties, and Installations, reporting, pursuant to law, that approval has been granted to proceed with projects for aircraft maintenance facilities at Grenier Air Force Base, Manchester, N.H., and Schenectady County Municipal Airport, Schenectady, N.Y., for the Air National Guard, at an estimated cost of $150,000 at each location; to the Committee on Armed Services.

REPORT OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report of that administration, covering operations between July 1, 1959, and December 31, 1959 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF U.S. INFORMATION AGENCY

A letter from the Acting Director, U.S. Information Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, covering the period July 1 to December 31, 1959 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON GRANTS FOR SUPPORT OF SCIENTIFIC RESEARCH

A letter from the Assistant Secretary of Defense, reporting, pursuant to law, that during the period August 25, 1959, to December 31, 1959, one grant of $20,400 had been approved for Georgetown University, Washington, D.C., for support of scientific research; to the Committee on Government Operations.

REPORT OF BLINDED VETERANS ASSOCIATION

A letter from the executive director, Blinded Veterans Association, Washington, D.C., transmitting, pursuant to law, an auditor's report on that association, for the 6 months ended December 31, 1959 (with an accompanying report); to the Committee on the Judiciary.

PLANS FOR WORKS OF IMPROVEMENT IN ALABAMA, GEORGIA, KANSAS, AND KENTUCKY

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Terrapin Creek, Ala. and Ga., East and West Fork Point Remove Creek, Ark., Upper Verdigris, Kans.,

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

and Beaver Creek, Ky. (with accompanying papers); to the Committee on Public Works.

REPORT OF NATIONAL ACADEMY OF SCIENCES

A letter from the president, National Academy of Sciences, Washington, D.C., transmitting, pursuant to law, a report of that academy, for the fiscal year ended June 30, 1959 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Nevada; to the Committee on Banking and Currency:

"SENATE JOINT RESOLUTION 5

"Resolution memorializing the Congress of the United States to permit the Director of the Mint to furnish blueprints or parts to put Carson City Mint press in operable condition to strike silver medallions

"Whereas the Carson City Mint, established in 1870, at one time led all mints in coining domestically produced gold and silver; and

"Whereas Carson City minted double eagles, eagles, half-eagles, dollars, trade dollars, halves, quarters, 20-cent pieces called 'short bits,' dimes and pennies, including the last trade dollar and the last silver 'Morgan' dollar ever minted; and

"Whereas after coinage was discontinued at the mint in 1893, the building became a Federal assay office and, after purchase by the people of the State of Nevada, is now the Nevada State Museum, wherein the Carson City Mint press is prominently displayed; and

"Whereas the people of the State of Nevada desire to operate the Carson City Mint press in the State Museum to strike silver medallions commemorating the Silver State, to dramatize the prestige of the precious metal, to perpetuate the prized and historic 'CC' mint mark and to strike medals for other Western States seeking to stimulate their mining industries; and

"Whereas heretofore the Federal Government has refused to release the blueprints or the several parts necessary again to put the mint press into operation: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of Nevada, jointly, That the Congress of the United States is hereby memorialized to permit the Director of the Mint or other appropriate officer to furnish the board of directors of the Nevada State Museum with blueprints or the parts with which to put the Carson City Mint press in operating condition; and be it further

"Resolved, That certified copies of this resolution be prepared and transmitted forthwith by the Legislative Counsel to the Vice President of the United States, the Speaker of the House of Representatives, and to each Member of Nevada's congressional delegation.

"Adopted by the senate February 15, 1960.

"REX BELL,
"President of the Senate.
"LEOLA H. WOHLFEIL,
"Secretary of the Senate.

"Adopted by the assembly February 19, 1960.

"RENDA POOLE,
"Speaker of the Assembly.
"NATHAN HURST,
"Chief Clerk of the Assembly."

A joint resolution of the Legislature of the State of Nevada; to the Committee on Interior and Insular Affairs:

"ASSEMBLY JOINT RESOLUTION 1

"Resolution memorializing the Congress of the United States, Nevada's congressional delegation and the Bureau of Indian Affairs of the U.S. Department of the Interior to continue aid to American Indians

"Whereas the welfare of many American Indians is being sadly neglected; and

"Whereas the American Indians' centuries old manner of living was greatly changed without their consent; and

"Whereas American Indians as an ethnic group have not advanced sufficiently to allow them to compete for jobs in the modern world; and

"Whereas any sudden termination of the functions of the Bureau of Indian Affairs would throw too great a burden on the States and their political subdivisions; and

"Whereas the care of American Indians has traditionally been a Federal function: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of Nevada (jointly), That the Congress of the United States and the Bureau of Indian Affairs of the U.S. Department of the Interior are hereby memorialized to continue the present policy of educating and preparing American Indians by means of an increased program of vocational education, better housing and better health care: And be it further

"Resolved, That the Congress of the United States and the Bureau of Indian Affairs of the U.S. Department of the Interior are hereby memorialized to assist American Indians by leasing Indian lands, with approval of the tribal council or a vote of the Indian people whom it would affect, to outside capital which will lead to the development of such lands, foster the employment of American Indians and increase the income of American Indians through rental moneys: And be it further

"Resolved, That the congressional delegation of the State of Nevada is hereby memorialized to take such positive action as is proper and necessary to carry out the intent and purpose of this resolution; And be it further

"Resolved, That certified copies of this resolution be prepared by the legislative counsel and transmitted forthwith to the Vice President of the United States, Speaker of the House of Representatives, each member of Nevada's congressional delegation and the Commissioner of the Bureau of Indian Affairs of the U.S. Department of the Interior

"Adopted by the senate, February 15, 1960.

"REX BELL,
"President of the Senate.
"LEOLA H. WOHLFEIL,
"Secretary of the Senate.

"Adopted by the assembly, February 3, 1960.

"BRUCE PARKS,
"Speaker of the Assembly.
"NATHAN T. HURST,
"Chief Clerk of the Assembly."

A resolution adopted by the Board of County Commissioners, Lee County, Fla., favoring the enactment of legislation to provide funds for the construction of the Intracoastal Waterway in the State of Florida; to the Committee on Appropriations.

The petition of William Harvey Dittman, of San Francisco, Calif., praying for the early confirmation of his nomination as an ensign in the Navy; to the Committee on Armed Services.

Memorials signed by Millie Kluss, and sundry other citizens of the State of Wisconsin, remonstrating against the adoption of the resolution (S. Res. 94) relating to the recognition of the jurisdiction of the International Court of Justice in certain disputes hereafter arising; to the Committee on Foreign Relations.

A resolution adopted by the board of governors of the American Bar Association, Chicago, Ill., favoring the enactment of legislation with respect to the control of travel abroad by U.S. citizens; to the Committee on Foreign Relations.

A resolution adopted by the council of the city of New York, favoring the enactment of legislation to provide a minimum wage law of $1.25 per hour; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from the Postal Union of Manhattan-Bronx Clerks, New York, N.Y., paying tribute to the late Senator Richard L. Neuberger; ordered to lie on the table.

By Mr. SALTONSTALL (for himself and Mr. KENNEDY):

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Labor and Public Welfare:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION OUTLAWING DISCRIMINATION IN EMPLOYMENT BECAUSE OF AGE

"Whereas many older people can work as effectively as younger people but find difficulty in obtaining employment: Therefore be it

"Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to give early and favorable consideration to the enactment of legislation outlawing discrimination in employment because of age; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the Senators and Representatives in Congress from this Commonwealth.

"Adopted by the house of representatives February 29, 1960.

"LAWRENCE R. GROVE,
"Clerk.

"Adopted by the senate in concurrence March 2, 1960.

"IRVING N. HAYDEN,
"Clerk."

By Mr. COOPER:

A concurrent resolution of the Legislature of the Commonwealth of Kentucky; to the Committee on Interior and Insular Affairs:

"CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO CREATE A NATIONAL COAL RESEARCH AND DEVELOPMENT COMMISSION AS AN INDEPENDENT AGENCY

"Whereas a strong, healthy, coal mining industry is essential to the economic welfare and security of the United States and the Commonwealth of Kentucky; and

"Whereas the coal industry at large and particularly within the Commonwealth of Kentucky has long been economically ill and highly vulnerable to economic recessions, and the inroads of competitive fuels; and

"Whereas short-range research and development activities would aid in promptly improving and strengthening the industry; and

"Whereas the Bureau of Mines of the Interior Department as a matter of policy concentrates on long-range studies and has indicated a reluctance or incapacity to engage in short-run investigations; and

"Whereas the research efforts of the Bureau of Mines and industry in general are inadequate in relations to current problems and research opportunities and clearly need to be supplemented by an expanded Government program; and

"Whereas a short-range, federally supported coal research and development program if it is to be conducted expeditiously and effectively and achieve the maximum end results should be administered by an independent Federal agency unshackled and uninhibited by traditional approaches and restricted policies: Now, therefore, be it

"Resolved by the House of Representatives of the Commonwealth of Kentucky (the Senate concurring therein):

"SECTION 1. That the Congress of the United States and the President be memorialized to create a National Coal Research and Development Commission as an independent agency of the Federal Government.

"SEC. 2. That the clerk of the house forward copies of this resolution to the President of the United States and to the Members of Congress from Kentucky."

Two concurrent resolutions of the Legislature of the Commonwealth of Kentucky; to the Committee on Public Works:

"CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO CONSIDER APPROPRIATE LEGISLATION TO PROHIBIT THE CONSTRUCTION OF BRIDGES ACROSS THE OHIO RIVER WHICH DO NOT HAVE ADEQUATE CLEARANCE FOR RIVER TRAFFIC

"Whereas 73,476,894 tons of domestic freight was moved over the Ohio River in 1958 and preliminary calculations indicate an even greater amount in 1959; and

"Whereas the utility of this artery of transportation is threatened by the erection of more bridges across the Ohio River, which, because of inadequate clearance, impede the river traffic; and

"Whereas the development of this Nation's natural resources, the prosperity and economic development of the Ohio River Valley, and interests of national defense depend upon the full utilization of this waterway: Now, therefore, be it

"Resolved by the Senate of the Commonwealth of Kentucky (the House of Representatives concurring therein):

"SECTION 1. That the Congress of the United States of America be, and it hereby is, memorialized to consider appropriate legislation to prohibit the construction of bridges which do not have adequate clearance for river traffic across the Ohio River.

"SEC. 2. That the clerk of the senate be directed to forward copies of this resolution to the U.S. Senators and Representatives elected from Kentucky, and to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States."

"HOUSE RESOLUTION 70

"Concurrent resolution memorializing Congress to make possible the construction of Cave Run Reservoir on Licking River

"Whereas it has been long recognized that the Licking River has many advantages as a potential reservoir site; and

"Whereas a dam in the Cave Run area close to the source of the river would prevent the floods that periodically sweep the length of the river; and

"Whereas the opportunities presented by the power source and the recreational facilities that would attend the construction of the dam and reservoir would attract industries and visitors, to the benefit of the entire State: Now, therefore, be it

"Resolved by the House of Representatives of the Commonwealth of Kentucky (the Senate concurring therein):

"SECTION 1. That the U.S. Congress is hereby petitioned and memorialized to appropriate funds to construct the Cave Run Reservoir, on the Licking River.

"SEC. 2. That the clerk of the senate cause copies of this resolution to be sent to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives and to each of the Senators and Representatives of the Commonwealth of Kentucky now serving in the Congress."

FEDERAL SPENDING — FEDERAL SCHOOL AID—RESOLUTIONS

Mr. WILEY. Mr. President, I present, for appropriate reference, two resolutions adopted at a conference of a 16 independent southeastern Wisconsin taxpayer organizations, relating to Federal spending and Federal school aid. I ask unanimous consent that the resolutions may be printed in the RECORD.

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

To the Committee on Finance:

"RESOLUTION ON FEDERAL SPENDING

"Whereas the proposed Federal budget for fiscal year 1961 shows a commendable surplus of $4.2 billion; and

"Whereas this surplus is extremely vulnerable to expenditure increases or revenue losses; and

"Whereas this or an even larger surplus is essential in prosperous times to make possible reductions in our national debt and taxes; and

"Whereas high Government debt and high taxes contribute substantially to the inflation that remains the most serious problem of our time; and

"Whereas a strong factor in high debt, high spending, and high taxes is the Federal aid system which is becoming primarily a political device for transferring power from the States to the Federal Government while increasing Federal costs; and

"Whereas another potent factor in the high debt, high spending and high taxes is lack of complete congressional control of spending: Now, therefore, be it

"Resolved by this area conference of southeastern Wisconsin taxpayer organizations, That the Wisconsin congressional delegation support all measures for improving expenditure controls and oppose any measures designed to lessen the amount of surplus money available for orderly debt retirement and tax reduction."

To the Committee on Labor and Public Welfare:

"RESOLUTION ON FEDERAL SCHOOL AID

"Whereas education traditionally and successfully has been the responsibility of State and local government; and

"Whereas Wisconsin with per capita personal income below the national average is doing the best job nationally in terms of supplying classrooms for its children as needed; and

"Whereas the average teaching load in the public schools of Wisconsin is considerably lighter than the maximum recommended by the state department of public instruction; and

"Whereas Wisconsin over the past 9 years has spent more than $400 million to construct school facilities in quantity sufficient to house half the public school enrollment of the State; and

"Whereas Wisconsin accordingly, without Federal aid, is providing all the school facilities it needs and has been able to acquire teachers at a rate equal to that of the growth of school enrollments: Now, therefore, be it

"Resolved by the area conference of taxpayer organizations assembled in Kenosha this 7th day of March 1960, That the Congress of the United States of America be urged to reject any and all proposals for the Federal Government to enter the education field through aid for school construction, operation, or teacher salaries."

GRASSLAND NATIONAL PARK, KANS.—RESOLUTION

Mr. CARLSON. Mr. President, there is much interest in the establishment of a Grassland National Park in Pottawatomie County, Kans., near the Tuttle Creek Reservoir.

The Board of County Commissioners of Pottawatomie County adopted a resolution approving and supporting the location of this park, but officially protested the extension of the park area to where it will join the Tuttle Creek Reservoir.

I ask unanimous consent that the resolution be printed in the RECORD, and referred to the Committee on Interior and Insular Affairs.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

RESOLUTION ON GRASSLAND NATIONAL PARK

Whereas the proposed location of the Grassland National Park is in the western portion of Pottawatomie County, Kans.; and

Whereas there is a further proposal to extend the park area, westward, to where it will join the eastern rim of the Tuttle Creek Reservoir; and

Whereas if the area of said proposed park is extended westward, to where it joins the Tuttle Creek Reservoir, it will utilize and take much valuable land that is ideal for commercial, residential, and recreational purposes, and it will deprive the present landowners of the opportunity of exploring and developing the same, all of which will materially affect the tax structure of said county; and

Whereas the proposed Grassland National Park, if located in Pottawatomie County, Kans., will affect roads, bridges, school districts, zoning, tax structure, etc.; and

Whereas the Board of County Commissioners of Pottawatomie County, Kans., in performing its administrative duties in said county, should be apprised of all proposed and important changes in and to said county: It is therefore

Resolved by the Board of County Commisssioners of Pottawatomie County, Kans., That said board approve and support the location of the proposed Grassland National Park in the western portion of Pottawatomie County, Kans.; but said board hereby officially protests the extension of the said park area, westward, to where it will join the Tuttle Creek Reservoir, or interfere with the development of said strip of land; it is further

Resolved by said board, That the Government be asked to address all of its official correspondence, pertaining to said Grassland National Park, to the "Board of County Commissioners, Westmoreland, Kans."

RESOLUTION OF ALLEGANY COUNTY, N.Y., POMONA GRANGE

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Allegany County, N.Y., Pomona Grange, relating to the issuance of passports to certain persons.

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

Whereas there have been citizens of the United States granted passports; and

Whereas some of these people have used these passports to go to foreign countries and broadcast propaganda about the United States; and

Whereas these people have used the fifth amendment to protect themselves from actions upon return to the United States; and

Whereas the President of the United States has asked for more control in this regard; and

Whereas the Federal Bureau of Investigation is limited in its efforts: Therefore be it

Resolved, That Allegany County Pomona Grange petition the New York State Grange to use its influence to have the laws amended to make such persons subject to more stringent laws in regard to subversive activities and statements in regard to the United States: Therefore be it

Resolved, That a copy of this resolution be sent to our U.S. Senators from New York State, Jacob Javits and Kenneth Keating; Representative Charles Goodell; the New York State Grange master, Leland D. Smith; and grange representative, Kenneth Fake.

BILLS INTRODUCED

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

By Mr. JACKSON (by request):

S. 3231. A bill to provide for the termination of Federal supervision over the Georgetown or the Shoalwater Bay Indian Reservation in the State of Washington, and for other purposes; and

S. 3232. A bill to provide for the termination of Federal supervision over the property of the lower Elwha Band of the Clallam Tribe of Indians of western Washington, and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JACKSON (for himself and Mr. MAGNUSON) (by request):

S. 3233. A bill to authorize the issuance of marketing orders with respect to certain fruits for canning or freezing, and the products thereof; to the Committee on Agriculture and Forestry.

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S. 3234. A bill to authorize the Secretary of the Interior to convey to the Sunnyside Valley Irrigation District, Washington, and to the Tieton Irrigation District, Washington, all right, title, and interest of the United States in certain lands, together with the improvements thereon; to the Committee on Interior and Insular Affairs.

By Mr. FONG:

S. 3235. A bill for the relief of Cecilia Rubio; to the Committee on the Judiciary.

By Mr. MARTIN:

S. 3236. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Finance.

By Mr. SALTONSTALL (by request):

S. 3237. A bill for the relief of Anastasia Stassinopoulos; to the Committee on the Judiciary.

By Mr. FULBRIGHT (by request):

S. 3238. A bill to authorize payment to the Government of the Philippines; to the Committee on Foreign Relations.

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

By Mr. McCARTHY:

S. 3239. A bill to amend the Postal Field Service Compensation Act of 1955, as amended, with respect to position descriptions, salary, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DIRKSEN:

S. 3240. A bill relating to the credit against the estate tax for the amount of gift tax paid on a gift of property which is included in the gross estate of a decedent; to the Committee on Finance.

By Mr. WILLIAMS of Delaware:

S. 3241. A bill to abolish the Federal Farm Mortgage Corporation, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. ANDERSON:

S. 3242. A bill to amend title II of the Social Security Act to increase to $2,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

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

By Mr. HARTKE:

S. 3243. A bill to permit certain taxpayers who use the cash receipts and disbursements method of accounting to make an election with respect to prepaid subscription income under section 455 of the Internal Revenue Code of 1954; and

S. 3244. A bill relating to the taxable status of sales prior to September 1, 1955, of tubes for use in the production of certain component parts of television receiving sets; to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bills, which appear under separate headings.)

By Mr. MARTIN:

S. 3245. A bill to prohibit the imposition by any State of migratory waterfowl hunting restrictions which discriminate unduly against citizens of other States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WILEY (by request):

S. 3246. A bill to exempt the manager-custodian of the Japan Locker Fund from certain dual-compensation restrictions; to the Committee on Armed Services.

By Mr. HICKENLOOPER:

S. 3247. A bill to amend the act of September 9, 1959 (73 Stat. 473), to provide that payment for the lands covered by such act may be made on a deferred basis; to the Committee on Agriculture and Forestry.

By Mr. SYMINGTON:

S. 3248. A bill for the relief of certain sisters of the Missionary of Our Lady of Mercy; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 3249. A bill for the relief of Salwa Salameh; to the Committee on the Judiciary.

RESTORATION OF FREEDOM TO CAPTIVE NATIONS

Mr. DOUGLAS submitted the following concurrent resolution (S. Con. Res. 95), which was referred to the Committee on Foreign Relations:

Whereas the rulers of the Soviet Union have repeatedly declared their determination to pursue relentlessly their political, economic, and ideological drive for a worldwide victory for communism; and

Whereas in their efforts to attain that objective, the leaders of Russian communism, through force of arms, subversion, infiltration and other unlawful means, have imposed puppet Communist regimes upon the people of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Viet-Nam, and others; and

Whereas the leaders of Russian communism have employed organized tryanny, terror, mas killings and deportations, and other inhuman means to crush the spirit of the people of these captive nations and to transform their countries into political, social, economic, and cultural replicas of the Russian Soviet State; and

Whereas in direct violation of the commitments set forth in the Atlantic Charter and the provisions of the Yalta Agreement, the peoples of the captive nations are still being denied the right of self-government by democratic means and the opportunity to choose, through free and unfettered elections, national governments of their own free choice; and

Whereas in contravention of duly ratified treaties of peace, of the Charter of the United Nations of the universal declaration of human rights, and of expressions of the United Nations General Assembly, the people of the captive nations are being systematically deprived of the exercise of fundamental freedoms and basic human rights; and

Whereas the Eighty-sixth Congress did unanimously enact the captive Nations week resolution as a testament of support for the legitimate aspirations of the people of all the captive nations, thus recognizing the common plight of all the submerged nations forcibly incorporated into the Russian Communist empire during the past 42 years; and

Whereas the President of the United States has concurred in this action by Congress by signing the resolution into law and declaring by public proclamation that the third week of July shall henceforth be observed officially as "Captive Nations Week"; and

Whereas the United States of America has stood firmly on the principle of self-determination, welcoming the enlargement of the area of freedom and self-government and insisting on the inalienable right of the people of the captive nations to live under governments of their own choice; and

Whereas the United States of America has consistently refused to sanction, either directly or by implication, the political status quo of the captive nations, which the leaders of Russian communism have persistently attempted to impose upon the countries of the free world, particularly the United States; and

Whereas the attainment of a just and lasting peace is inconceivable without the restoration of freedom, independence, and national sovereignty to the captive nations forcibly incorporated into the Russian Communist empire, the United States of America is determined to pursue by all peaceful means the emancipation of these nations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) The Congress of the United States reaffirms its intention to stand firmly by the people of the captive nations in their aspirations for freedom, liberty, and national independence.

(2) The Congress of the United States invites the active cooperation of all nations and men of good will in a crusade for peace with justice and freedom for all mankind; and

(3) The Congress of the United States urges the President to pursue energetically and as a matter of first priority at the forthcoming summit conference the inalienable right of all people to self-government, individual liberty, and the basic human freedoms, and, in particular, the restoration of these God-given rights to the people of the captive nations.

RESOLUTION

EXTENSION OF TIME FOR FILING REPORT BY, AND CONTINUATION OF AUTHORITY OF, THE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN LABOR OR MANAGEMENT FIELD

Mr. McCLELLAN (for himself, Mr. MUNDT, Mr. ERVIN, Mr. GOLDWATER, and Mr. CURTIS) submitted a resolution (S. Res. 294) extending the time for filing the final report of the Select Committee on Improper Activities in the Labor or Management Field and continuing its authority, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. McCLELLAN, which appears under a separate heading.)

PAYMENT TO THE GOVERNMENT OF THE PHILIPPINES

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize payment to the Government of the Philippines.

The proposed legislation has been requested today by the Acting Secretary of State in a letter to the Vice President of March 3, 1960, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the letter from the Acting Secretary of State to the Vice President with regard to it.

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

The bill (S. 3238) to authorize payment to the Government of the Philippines, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, 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—

SECTION 1. There is hereby authorized to be paid by the Government of the United States to the Government of the Republic of the Philippines a sum not to exceed $73 million in full satisfaction and final settlement of all awards for war damage compensation made by the Philippine War Damage Commission under the terms of title I of the Philippine Rehabilitation Act of 1946 (60 Stat. 128).

SEC. 2. There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the amount of $73,000,000 less the amount determined by the Secretary of the Treasury in consultation with the Secretary of State to be owing to the Government of the United States by the Government of the Philippines under the terms of the agreement relating to the repayment of funds advanced to the national defense forces, Republic of the Philippines by the United States Philippines-Ryukyus Command signed at Washington November 6, 1950, and entered into force on that date.

SEC. 3. There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated a sum not to exceed $10,000 which shall be available to the Secretary of the Treasury for administrative expenses which may be incurred in supplying records appropriate and needed by the Philippine Government consistent with the purposes of this Act, and the transfer to the Philippine Government of such records is hereby authorized.

The letter presented by Mr. FULBRIGHT is as follows:

MARCH 3, 1960.

The Honorable RICHARD M. NIXON,
President of the Senate.

DEAR MR. VICE PRESIDENT: There is enclosed for the consideration of the 86th Congress the draft of a proposed bill entitled "An act to authorize payment to the Government of the Philippines." The proposed measure is the culmination of long study by appropriate agencies of the executive branch of the Government of an important problem: final settlement of all awards for war damage compensation made by the Philippine War Damage Commission under the terms of title I of the Philippine Rehabilitation Act of 1946 (60 Stat. 128).

The draft bill authorizes the Government of the United States to pay to the Republic of the Philippines a sum not to exceed $73 million, which amount reflects the statutory maximum of unpaid private claims according to the reports of the War Damage Commission. It also provides that the appropriations for this purpose be reduced by any amount owed by the Government of the Philippines to the Government of the United States under the terms of an agreement (generally referred to as the Romulo-Snyder Agreement) signed by the two countries on November 6, 1950.

The records of the War Damage Commission are now largely in the custody of the Department of the Treasury. The draft bill provides for the appropriation of a sum not to exceed $10,000 for administrative expenses which may be incurred in supplying appropriate records to the Philippine Government and authorizes the transfer of such records to that Government.

The Philippine Rehabilitation Act of 1946 (Public Law 370, 79th Cong.), as a manifestation of U.S. good will toward the Philippine people, provided for the payment of $120 million for restoration and improvement of public property and essential public services. The sum has been paid in full. The act also provided for payments, on account of war damage to private property in the Philippines, for rebuilding, replacement, or repair of such damaged property. These payments could, by the act, amount to a maximum of 75 percent of the approved amount of each claim after an initial $500 had been paid on each claim. The $400 million appropriated under that act for this purpose was sufficient to pay the initial $500 on each claim and approximately 52.5 percent of the amount of each claim in excess of $500 and such payments were made.

While the United States is under no legal obligation to make further war damage payments in the Philippines, it is the view of the Department of State that a payment in settlement of this matter would be of substantial assistance to the United States in attaining its foreign policy objectives. The Philippine people feel that the program provided for by the Philippine Rehabilitation Act of 1946 was not carried out as fully as the law permitted. While all claims of $500 or less were paid in full and approximately 52.5 percent of the excess over $500 was paid, the act had provided that up to 75 percent could be paid on these larger claims. Additional war damage payments are therefore looked on by the Filipinos as the fulfillment of a moral obligation, already recognized by our Congress, to provide assistance because of war damage sustained in the defense of the interests of the United States and the Philippines. The Philippine Government and people sincerely feel that the failure of the United States to appropriate additional war damage compensation has defeated a legitimate expectation of assistance from the United States to a firm ally which was severely damaged in the mutual war effort. The Department of State considers that settlement of this claim would remove any basis for the Philippine belief that the United States has not fulfilled its promises to the Philippines.

The executive branch believes that rebuilding, replacement, or repair of war damaged private property in the Philippines is no longer practicable. Moreover, in view of the time which has elapsed since the original claims were approved, and since the United States-Philippine War Damage Commission went out of existence on March 31, 1951, it is not considered practicable for the U.S. Government to assume any responsibility for the payment of the balance of approved individual private property claims. It is proposed, therefore, that settlement be made directly with the Philippine Government, whereupon the U.S. Government would consider itself divested of any responsibility for payment to private claimants.

Under the Romulo-Snyder Agreement of 1950, the United States converted into a loan to the Philippine Government the residual balance of certain funds advanced to the Philippines but not returned as previously agreed. The agreement provided that the exact amount of the loan should be determined by the results of an audit by the Philippine-Ryukyus command of the U.S. Army and that repayment of principal and interest should be made in 10 annual installments, the last of which would be due on May 31, 1960. An audit of April 1951 and a reconciliation of audit of December 1952 set the figure due the United States at approximately $37.5 million, which figure the Philippine Government, pointing to alleged inaccuracies and discrepancies in the figures of the audits, has been unwilling to accept. After making the first four annual payments, the Philippines defaulted and has made no further payments, there remaining some $24 million to be paid by May 31 of this year. Consultations between representatives of the two governments concerning the exact amount due and payable as of that date are now in progress. It is the final figure resulting from these discussions which, according to the presently proposed legislation, would be deducted from the amount to be paid to the Government of the Philippines.

The draft legislation was prepared by the Department of State in consultation with the Department of the Treasury. It is based on a full and careful consideration of the problems involved. Prompt and favorable action resulting in the payment of the compensation would strengthen the ties of friendship between the United States and the Philippines.

The Bureau of the Budget advises that enactment of the proposed legislation would be in accord with the program of the President.

I respectfully request that early consideration be given to the proposed legislation which is transmitted herewith. A similar communication is being sent to the Speaker of the House of Representatives.

Sincerely yours,

DOUGLAS DILLON,
Acting Secretary.

Enclosure: A draft bill to authorize a payment to the Government of the Philippines.

ABOLITION OF FEDERAL FARM MORTGAGE CORPORATION

Mr. WILLIAMS of Delaware. Mr. President, one of the hardest things to accomplish in Washington is the abolishment of a Federal agency once it gets started. That is true even though the agency may well have outlived its useful purpose.

Today I am sending to the desk a bill the purpose of which is to abolish a depression-born agency and one whose services have not been used during the past 15 years. This agency, however, still retains all of its previously conferred powers, including the powers to borrow up to $2 billion and to pledge the credit of the U.S. Government for payment.

The agency to which I refer is the Federal Farm Mortgage Corporation, which was established by an act of Congress on January 31, 1934, primarily for the purpose of enabling the Land Bank Commissioner to make, on behalf of the Corporation, second mortgage loans as well as first mortgage loans on properties on which the lending authority of the Federal land banks was restricted.

This Corporation, in which the Government held all the capital stock, was authorized, subject to the approval of the Secretary of the Treasury, to issue and have outstanding at any one time $2 billion in federally guaranteed bonds, and it could make collateral loans to the Federal land banks as well as purchase the bonds of those banks.

I am not questioning that this Corporation served a necessary function during the depression years; but, with the outbreak of World War II and its accompanying appreciation in Federal income and property values, the services of this agency no longer are necessary, and since the end of World War II it has no longer functioned as a lending agency.

In fact, the authority of the Commissioner to make mortgage loans expired on July 1, 1947, except for refinancing existing loans.

On June 30, 1955, all loans and certain other assets of the Corporation were sold by the Corporation to the Federal land banks.

On September 7, 1957, all their mineral reservations remaining unsold were transferred to the Secretary of the Interior in accordance with provisions of legislation enacted in September 1950.

In September 1957 the Government's investment in the capital stock of the Corporation was fully retired.

The Corporation, however, was not abolished; it still retained its authority, subject to the approval of the Secretary of the Treasury, to issue and have outstanding at any one time federally guaranteed bonds in an aggregate amount not exceeding $2 billion. They still have authority to make collateral loans in the Federal land banks and to purchase their bonds. This authority is not being used, but it is still there.

As of June 30, 1959, the only assets of the Corporation were certain notes receivable from Federal land banks in the amount of $5,602,214. These notes represent the balance due from the sale of the loans and other assets of the Corporation, and they are payable by the representative banks in annual installments.

Collecting these annual payments on notes from the Federal land banks and then transferring the proceeds to the Federal Treasury are the only duties left for this Corporation to perform, but these payments could just as easily be made direct to the Treasury.

I repeat, the Federal Farm Mortgage Corporation during the depression served a useful function. It was started at a time when the Federal land banks were not in a strong financial position, and its purpose was to support these banks by providing additional capital for loans to the farmers during the depression of the 1930's. The Federal land banks are now, however, all in a strong financial position, and everyone agrees that there is no need for any funds or any support from this Corporation.

Although this agency has not made any loans since the depression years and even though the authority of the Commissioner to make mortgage loans expired on July 1, 1947, except for refinancing existing loans, we find that since 1950 the following sums were appropriated to cover their administration expenses:

1951	$1,128,836
1952	989,810
1953	834,731
1954	691,945
1955	572,539

Appropriations were suspended in 1955, during which year all loans and other assets of the Corporation were sold to the Federal land banks; however, during each of the ensuing years authority has been extended in the annual appropriation bills for the corporation to make such expenditures from collected funds as were necessary to continue the liquidation of its assets. These expenditures, however, have been substantially lower, and last year they were reduced to about $5,000. But why this expenditure? Why keep a useless agency alive when it is not needed?

No agency of the Government having the power to borrow and pledge the credit of the U.S. Government in the amount of $2 billion should be allowed to lie around waiting until some bureaucrat with a fanciful imagination decides to revive it.

Congress should not allow this dormant Corporation with its $2 billion borrowing authority—and power to pledge the credit of the United States for repayment—to continue in existence, and it is for this reason that I am today introducing this bill calling for its immediate abolishment.

In conclusion, I ask unanimous consent to have printed at this point in the RECORD a comment in support of the bill made by the Comptroller General in his annual report to the Congress under date of January 15, 1960. I may say this is only one of two of his annual recommendations to the Congress in that connection.

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

The Federal Farm Mortgage Corporation has been inactive, except for the liquidation of its loans and the program of the sale of its mineral reservations, since July 1, 1947, when its authority to make mortgage loans expired. Effective September 7, 1957, mineral reservations remaining unsold were transferred to the Secretary of the Interior in accordance with the provisions of legislation enacted in September 1950 (7 U.S.C. 1035). The Government's investment in the capital stock of the Corporation was retired during September 1957. The Corporation has authority, subject to the approval of the Secretary of the Treasury and limitations in appropriation acts, to issue and have outstanding at any one time federally guaranteed bonds in an aggregate amount not exceeding $2 billion, to make collateral loans to the Federal land banks and to purchase their bonds. In our audit reports of previous years, we recommended that the Congress take legislative action to terminate the corporate existence of Federal Farm Mortgage Corporation and to transfer its remaining assets, consisting of cash and notes receivable from the Federal land banks, to the Treasury Department. We again are making the same recommendation.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3241) to abolish the Federal Farm Mortgage Corporation, and for other purposes, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF TITLE 2 OF SOCIAL SECURITY ACT

Mr. ANDERSON. Mr. President, I introduce, for appropriate reference, a bill to amend title II of the Social Security Act to increase to $2,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under that title.

Under existing law a person between the ages of 65 and 72 has to meet a retirement test. If he earns more than $1,200 a year he is penalized by receiving an amount of retirement benefits reduced proportionately according to his earnings. After the age of 72 there is no limitation on earnings. I have received a great deal of correspondence from citizens between the ages of 65 and 72 who cannot possibly maintain an adequate standard of living on $1,200 plus their social security benefits. Everyone is familiar with the inflationary pressures which have especially forced hardships on people with fixed incomes or pensions. Rising costs for food, rent, and medical care have been particularly harsh on our elderly citizens.

Many social security recipients are able and willing to work, and employment is available for them. Most of these folks are not crowding others off of the labor market. They are performing services which are needed in the economy, and they certainly need the additional income.

The limitation of $1,200 was enacted in 1954, 6 years ago. I have raised that figure to $2,000 based on the premise that a worker will work at least 50 weeks a year, 40 hours a week at $1 an hour which is the minimum wage in interstate commerce. Mr. President, who will deny our citizens the right to at least earn the minimum wage in their golden years before penalizing them for earning more?

Mr. President, our social security system has worked remarkably well since its creation over 20 years ago. It has paid its own way and in addition has accumulated over $20 billion in the trust fund. Our people have been willing to recognize the facts of life; that is, if we are to get benefits, these benefits must be paid for by premiums in the form of taxes. Therefore, I propose to have this additional benefit pay its own way by increasing taxes the necessary amount. I have been advised by the actuaries in the Social Security Administration that in order to pay for this new benefit it will be necessary to raise the taxes only one-quarter of 1 percent. This, of course, will be shared equally by the employer and the employee. Provision is made for an appropriate increase in the tax of a self-employed person who has coverage. If my bill is enacted, the social security program will be improved and also continued on a sound financial basis.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3242) to amend title II of the Social Security Act to increase to $2,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. ANDERSON was received, read twice by its title, and referred to the Committee on Finance.

ELECTION BY CERTAIN TAXPAYERS WITH RESPECT TO PREPAID SUBSCRIPTION INCOME

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to permit certain taxpayers who use the cash receipts and disbursements method of accounting to make an election with respect to prepaid subscription income under section 455 of the Internal Revenue Code of 1954. I ask unanimous consent that a short explanation of the bill be printed as a part of my remarks.

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

The bill (S. 3243) to permit certain taxpayers who use the cash receipts and disbursements method of accounting to make an election with respect to prepaid subscription income under section 455 of the Internal Revenue Code of 1954, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

The explanation presented by Mr. HARTKE is as follows:

EXPLANATION BY SENATOR HARTKE

This bill will permit certain taxpayers who use the cash basis method of accounting to treat income from subscriptions to newspapers, magazines, and other periodicals in the manner presently provided by section 455 of the Internal Revenue Code of 1954.

Section 455 was added to the 1954 code by the Technical Amendments Act of 1958 to permit prepaid subscription income to be taken into account for tax purposes ratably over the period of the subscriptions. Prepaid subscription income is the income from a subscription to a newspaper, magazine, or other periodical where the period of the subscription extends beyond the close of the taxable year in which the income is received. The provisions of section 455 are elective with the taxpayer. However, as the section now stands an election may be made only by a taxpayer who uses an accrual method of accounting in the trade or business in which he receives prepaid subscription income.

The proposed bill will permit a taxpayer who uses the cash receipts and disbursements method of accounting in the trade or business in which he receives prepaid subscription income to make the same election, if the taxpayer is under a binding contractual obligation to refund to subscribers the pro rata portion of the amount paid for a subscription if the subscriber decides for any reason to cancel his subscription.

The proposed addition to section 455 of the 1954 code would not be retroactive but would apply only to the current and future taxable years.

TAXABLE STATUS OF SALES OF CERTAIN ELECTRONIC TUBES

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill relating to the taxable status of sales prior to September 1, 1955, of tubes for use in the production of certain component parts of television receiving sets. I ask unanimous consent that a short explanation of the bill, prepared by me, be printed in the RECORD.

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

The bill (S. 3244) relating to the taxable status of sales prior to September 1, 1955, of tubes for use in the production of certain component parts of television receiving sets, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

The explanatory statement presented by Mr. HARTKE is as follows:

EXPLANATION OF S. 3244 BY SENATOR HARTKE

This bill is intended to validate certain procedures which were used by some manufacturers of component parts of the television receiving sets in applying the provisions of the Internal Revenue Codes of 1954 and 1939 which permit tax-free sales of taxable articles from one manufacturer to another manufacturer. Situations have arisen in which, unless this bill is enacted, tax will be paid twice upon the same taxable component part which ultimately was incorporated into another taxable article.

Some manufacturers of television tuners assumed that a tuner for a television receiving set, like a tuner for a radio receiving set, was an article taxable under the Internal Revenue Codes of 1954 and 1939. It was not until 1958 that the Internal Revenue Service published a ruling holding that television tuners did not come within the definition of a radio and television component and therefore were not taxable.

Under the procedure in effect from September 1, 1950 (when television receiving sets first were made subject to Federal excise tax), until September 1, 1955, a manufacturer of a television set, or a manufacturer of a taxable component part of a television set, could purchase tax free other taxable component parts which were to be used in the manufacture of the television set or of the other taxable component part. This procedure, in substance, is still followed today except that in 1955 the Internal Revenue Code of 1954 was amended so as to permit tax-free sales of taxable radio and television components for use in the manufacture of another article whether or not that other article is subject to Federal excise tax.

These manufacturers of television tuners followed the same procedure that they had with respect to radio tuners and purchased tubes (which are taxable items) tax-free for use in the manufacture of their television tuners and in turn sold the tuners tax-free to television set manufacturers, based upon their assumption that the tuners were themselves taxable articles. As a result of the Internal Revenue Service's ruling that television tuners are not, and were not, subject to tax, the manufacturers who used this procedure now find that they should have paid the tax and then recovered it from the television set manufacturers to whom they sold their tuners. The Internal Revenue Service has permitted the manufacturers of television receiving sets to deduct from the tax payable on sales of their sets the tax which had been paid on the tubes.

The Internal Revenue Service is now attempting to collect the tax which under the technically correct procedure should have been paid by the television tuner manufacturers when they purchased tubes and recovered by them from the television set manufacturers to whom they sold their tuners, even though the tax has in effect already been paid by the television set manufacturers when they sold the completed television sets into which they incorporated the tuners containing the tubes.

The proposed bill is not intended to overrule the position of the Internal Revenue Service that television tuners are not radio and television components subject to tax as such, but rather it is intended to validate the procedure used by these manufacturers of television tuners by treating these television tuners as having been subject to tax, in the case of those manufacturers who so treated them, during the period before September 1, 1955.

The provisions of the bill would also be applicable to manufacturers of any other article made to be incorporated into television receiving sets, where the manufacturer assumed that it was subject to tax in purchasing taxable component parts to be used in the article manufactured by him during the period before September 1, 1955.

EXTENSION OF TIME FOR FILING REPORT BY, AND CONTINUATION OF AUTHORITY OF, THE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN LABOR OR MANAGEMENT FIELD

Mr. McCLELLAN. Mr. President, on behalf of myself and Senators MUNDT, ERVIN, GOLDWATER, and CURTIS, I submit a resolution for appropriate reference.

Mr. President, I will state that the purpose of the resolution is to extend the life of the Senate Select Committee on Improper Activities in the Labor or Management Field until January 1962.

Mr. President, I previously stated that we were trying to wind up the affairs of this select committee, and that we would ask for the functions of the committee to be transferred to another committee, which we did. That seems to be objectionable to some, so I thought it best to submit the resolution. Then the Senate can determine which course will be the better course and to make the decision on the matter.

I therefore submit the resolution at this time.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield.

Mr. CASE of South Dakota. Would the resolution change the character of the committee in any respect?

Mr. McCLELLAN. None whatsoever.

Mr. CASE of South Dakota. Or the manner of appointment?

Mr. McCLELLAN. No.

Mr. CASE of South Dakota. It is purely a continuing resolution?

Mr. McCLELLAN. That is correct.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I am happy to yield.

Mr. JAVITS. I noticed the Senator said the Senate could make its choice as to the procedure it desired to follow. I assume the Senator would include in his statement the fact that the Committee on Government Operations will be meeting this week, and perhaps the committee will have a choice to make, since a motion is pending before the committee.

Mr. McCLELLAN. Indeed so. I am sure the Senator knows very well my position, and the problem.

Mr. JAVITS. I do.

Mr. McCLELLAN. We are reaching a deadline, Mr. President. That is the only reason for my taking this action today.

Mr. JAVITS. I thank the Senator.

Mr. McCLELLAN. I thank the Senators for their discussion.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 294) was referred to the Committee on Rules and Administration, as follows:

Resolved, That the time for filing a final report by the Select Committee on Improper Activities in the Labor or Management Field, established by S. Res. 74, Eighty-fifth Congress, agreed to January 29, 1957, as amended and supplemented, is hereby extended to January 31, 1961.

SEC. 2. For the purpose of enabling the select committee to complete its work and prepare such final report, it is hereby authorized to exercise, until such date, all of the duties, functions, and powers conferred upon it by S. Res. 74, Eighty-fifth Congress, as amended and supplemented.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $150,000 from April 1, 1960, through January 31, 1961, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMENDMENT OF MUTUAL SECURITY ACT OF 1954, AS AMENDED—AMENDMENTS

Mr. FULBRIGHT. Mr. President, the other day the Department of Defense released figures showing the value of military assistance furnished to each foreign country over the last 9 years. These country-by-country delivery figures had long been held secret. Controversy over them immediately arose.

The question was whether deliveries of military items to Latin America in the fiscal year 1960 would exceed the ceiling on such assistance which was put into the Mutual Security Act last year. The last sentence of section 105(b)(4) of the Mutual Security Act of 1954, as amended, provides as follows:

The aggregate amount of funds which may be obligated or reserved during the fiscal year 1960 for furnishing military assistance to American Republics shall not exceed the aggregate amount of funds obligated or reserved for such purpose during the fiscal year 1959.

The delivery figures as released by the Pentagon seemed to indicate a breach of this ceiling. It turned out however that the ceiling as presently written does not include sales of military equipment for cash or on credit terms.

The aim of the Committee on Foreign Relations in drafting this ceiling was stated in the committee report as follows:

The committee feels that military assistance to Latin America frequently stimulates arms races and encourages the diversion to military purposes of resources which are badly needed for economic development.

The administration had proposed to increase military aid to Latin America. The committee felt that the program for 1960 should not go above the program for 1959. In pursuit of this objective it does not matter whether military equipment is furnished by grant, sale, or loan. It is the delivery of the weapons which causes the trouble. The ceiling on military aid to Latin America ought to include the furnishing of equipment and materials no matter what the financial basis may be.

Mr. President, I therefore introduce an amendment to the pending mutual security bill which will include sales and credit transactions in the ceilings on military aid to Latin America and will extend the ceiling indefinitely. If this amendment is adopted the result will be that the value of military equipment and materials furnished thereafter will not exceed the value furnished in the fiscal year 1959.

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

The PRESIDENT pro tempore. The amendment will be received, printed and referred to the Committee on Foreign Relations; and, without objection, the amendment will be printed in the RECORD.

The amendment was referred to the Committee on Foreign Relations, as follows:

On page 1, strike out lines 7 through 10 and insert:

"SEC. 101. Section 105 (b) (4) of the Mutual Security Act of 1954, as amended, which relates to conditions applicable to military assistance to Latin America, is amended by striking out the last sentence and substituting the following: 'The value of equipment and materials delivered to American Republics, pursuant to any authority contained in this chapter, in any fiscal year beginning with the fiscal year 1961, shall not exceed the value so delivered in the fiscal year 1959.' "

Mr. FULBRIGHT. Mr. President, I share the widespread concern that the multiplicity of U.S. agencies engaged in foreign aid and sales of U.S. agricultural commodities abroad tends to be self-defeating. Foreign countries have so many agencies to deal with that they are frequently confused. The achievement of U.S. objectives is interfered with.

I realize that there is nothing which can be done about the fact that there are international agencies, private agencies and U.S. Government agencies in the field. These three categories are bound to exist.

We can do something, however, about the U.S. Government agencies in the economic field. The principal ones are the Department of Agriculture, concerned with sales and barter arrangements for surplus agricultural commodities; the International Cooperation Administration, administering the point 4 program, defense support, and other grant economic assistance; and the Development Loan Fund, engaged in making loans for economic development in the less developed countries. Obviously there must be coordination among these agencies if they are all to do their job without getting in each other's way. I think it is too bad myself that in the field of economic development technicians are handled by one agency and capital requirements are handled by another agency.

Mr. President, this is a complex problem. I have no detailed reorganization plan to present. In the last year of office of a President who cannot succeed himself I doubt that anything would happen even if I had a detailed plan to present.

I am sure however that the next President of the United States ought to review the sprawling organizations which have been created in the foreign economic policy field. To this end it would be useful if the groundwork could be laid by starting a study of the problem now. The results might then be available to lay before the new President.

Mr. President, I introduce an amendment which is designed to get such a study underway now so that the next President will be able to move on this matter soon after he takes office. My amendment calls for recommendations by the President to the Congress when he sends to the Congress the fiscal year 1962 program.

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

The PRESIDENT pro tempore. The amendment will be received, printed, and referred to the Committee on Foreign Relations; and, without objection, the amendment will be printed in the RECORD.

The amendment was referred to the Committee on Foreign Relations, as follows:

On page 11, after line 9, insert the following:

"SEC. 605. The President shall have a study made of the functions of, and the degree of coordination among, agencies engaged in foreign economic activities, including the Department of State, the International Cooperation Administration, the Development Loan Fund, the Export-Import Bank, and the Department of Agriculture, with a view to simplifying and rationalizing the formulation and implementation of United States foreign economic policies. The President shall include in his presentation to the Congress of the fiscal year 1962 mutual security program his findings and recommendations resulting from such study."

Mr. FULBRIGHT. Mr. President, as my colleagues well know, I am pleased by the fact that pursuant to the several international educational exchange programs now authorized by law, there are presently studying in the United States several thousand foreign students.

Many of us tend to overlook the fact that there are an additional 20,000 foreign students studying here who came entirely on their own. They pay their own way and make their own arrangements. They do not necessitate an attention by the Government.

It is obviously in the interest of United States foreign policy that these students should return to their own countries having had a satisfactory experience. They should, of course, have learned the academic subjects which they came to learn but it is also important that they return home having had a chance to know American life intimately. These students will become leaders when they return to their native land and their knowledge of and attitude toward American conditions will have important bearing on their attitude toward our country.

I feel, Mr. President, that we are missing some opportunities in this regard. In some cases I think we are actually neglecting a responsibility. The foreign students of which I speak are scattered all over the United States in colleges and universities. Some of these schools have made arrangements to guide and help the foreign students adjust to their new environment and make the most of their period of study here. Others, due to the difficult financial problems of many institutions of higher learning today, have not been able to devote the necessary resources to this kind of extracurricular counseling. Assistance is needed in many instances both in the category of students who come here under Government sponsorship and in the category of students who are here on their own. Many students need help in finding suitable places to live, in supplementing quickly their knowledge of English, and in participating in activities which will enlarge their horizons. To do this counseling job, however, takes a lot of time and some money.

My thought is that it is in the national interest to authorize a small program of Federal assistance to colleges and universities in the United States on a matching basis to enlarge existing programs of counseling and orientation, and to start such programs where there are none.

It is my suggestion that there be added to the responsibilities of the Secretary of State under the Smith-Mundt Act, that is, the United States Information and Educational Exchange Act of 1948, the responsibility for cooperation with colleges and universities in setting up orientation courses and counseling services.

I do not know how much such a program would cost. I should think it would be in the neighborhood of $1 million annually but this question would be left to the Appropriations Committee which would review the specific programs presented to it and finance the program at is deems best.

I think the colleges and universities should contribute an equal amount toward any program established so that we could be sure that they were fully exerting themselves. The Secretary of State should not make a grant except on the basis of detailed programs submitted to him. I also think there should be a limit on grants of not more than $100 per foreign student enrolled in the institution so that the assistance remains in reasonable bounds.

I have in mind that the participating colleges would carry out their programs partly by using their own faculties and partly by making subcontracts with community organizations. I think it essential that the foreign students be benefited always through the colleges and universities rather than directly by handing the student a check.

Mr. President, I remind the Senate that an amendment to the Smith-Mundt Act, somewhat along the lines I have been describing, was sponsored by the Department of State in the 84th Congress and that this provision was included in S. 3638 when it passed the Senate.

Mr. President, in order to move toward the objectives which I have been describing, I introduce an amendment to the Smith-Mundt Act which would authorize the Secretary of State to carry out, with matching contributions from colleges and universities, a program of orientation and counseling of students from other countries who are in the United States.

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

The PRESIDENT pro tempore. The amendment will be received, printed, and referred to the Committee on Foreign Relations; and, without objection, the amendment will be printed in the RECORD.

The amendment was referred to the Committee on Foreign Relations, as follows:

On page 11, after line 9, insert the following:

"SEC. 605. Title II of the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431), which relates to interchange of persons, knowledge, and skills, is amended by adding the following:

"'ASSISTANCE TO STUDENTS FROM OTHER COUNTRIES

"'SEC. 204. (a) With respect to students from other countries attending colleges or universities in the United States, under the provisions of this Act or under any other Government, institution, or individual program which furthers the purposes of this Act, the Secretary is authorized to provide for counseling, orientation, supplementary English language training, and such other assistance as will help them to have a fruitful experience here consistent with the objectives of section 2.

"'(b) Grants which are made to colleges and universities under this section shall be made in the discretion of the Secretary on the basis of specific programs submitted to him.

"'(c) Institutions receiving such grants shall be obliged to contribute an equal amount to such program. No grant to an institution shall exceed $100 per foreign student enrolled in the institution during the period of the grant. No part of such grant shall be payable to a foreign student.'"

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1960 — AMENDMENT TO MEET DEFICIENCY IN PUBLIC LAW 874 SCHOOL FUNDS

Mr. COOPER. Mr. President, I send to the desk an amendment to the second supplemental appropriation bill for fiscal year 1960, H.R. 10743, which I ask to have printed.

Mr. President, I wish to join with my colleague the Senator from California [Mr. KUCHEL] in urging an amendment to the second supplemental appropriations bill, H.R. 10743, which is pending on the Senate Calendar, and which contains funds vitally needed to carry on a variety of Federal activities.

One item in this bill is of signal importance to every State. That is the amount for the Office of Education, Department of Health, Education, and Welfare, to discharge our commitment under the provisions of Public Law 874, which provides aid to federally affected school districts. The Senate Committee on Appropriations accepted the figure of $8,330,000 which had been added by the House, and which was thought to be the additional amount required to pay the full Public Law 874 entitlements.

However, since that time it has been discovered from a review of assistance applications that the shortage for school year 1960 will actually amount to $22,343,000. In other words, if the Federal Government is to keep its promises to these school districts, an additional $14 million will be needed to provide full payment of all entitlements under existing Federal law.

In the 85th Congress, the Congress extended the law providing this assistance.

Our legal responsibility to assure facilities to educate the children of federally connected personnel in "impacted" school districts is undeniable.

Even a small decrease in payments will affect the education of these children. I have long been a supporter of Federal aid to education, and I am fearful that failure to meet our full obligations under Public Law 874 will critically impair, if not jeopardize, the entire program. We must assure that the children of Kentucky and the Nation whose education is dependent in any part upon payment of these funds are not deprived of the educational facilities to which we have agreed they are entitled. At a time when scientific and technological advances demand greater educational efforts for the future of our country, there should be no question about the funding of a program designed to meet the needs of school districts adversely affected by Federal activities.

I offer an amendment to H.R. 10743 which will meet the anticipated deficiency in Public Law 874 funds for fiscal year 1960. I urge the support of my colleagues in approving the $22,343,000 needed to meet in full the entitlements under this program.

Mr. President, I wish to say that I called the distinguished senior Senator from Alabama [Mr. HILL] before submitting this amendment. Because he is the chairman of the appropriations subcommittee which has jurisdiction over this matter, I thought it would be proper for him to submit the amendment.

I was not able to reach Senator HILL, and so I present it. But when the Senator from Alabama returns I will, of course, defer to him—because it is in the field of his subcommittee, and I know of his deep interest in the field of education, and of his friendship and support for legislation relating to federally affected areas.

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

Mr. COOPER. Mr. President, I ask also that I be given unanimous consent to have printed in the RECORD a list of school districts in the State of Kentucky which would be affected by this legislation.

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

Entitlements under Public Law 874, as amended, State of Kentucky, fiscal year 1959 and estimated fiscal year 1960

Project No.	Applicant	Entitlements	
		Fiscal year 1959 [1]	Fiscal year 1960
1	West Point Independent School District	$10,147.15	[2] $13,221.00
2	Berea Independent School District	6,436.63	[3] 6,900.00
3	Richmond City School District	12,343.18	[3] 13,200.00
4	LaRue County School District, Hodgenville	23,323.50	[3] 24,950.00
5	Hardin County School District, Elizabethtown	150,169.77	[2] 151,803.00
6	Christian County School District, Hopkinsville		[2] 42,700.00

See footnotes at end of table.

Entitlements under Public Law 874, as amended, State of Kentucky, fiscal year 1959 and estimated fiscal year 1960—Con.

Project No.	Applicant	Entitlements	
		Fiscal year 1959 [1]	Fiscal year 1960
7	Madison County Board of Education, Richmond	$24,837.80	[3] $26,600.00
8	Meade County School District, Brandenburg	59,428.11	[3] 63,600.00
9	Bullitt County Board of Education, Shepherdsville	7,799.68	[3] 8,350.00
10	Fayette County Board of Education, Lexington	85,301.79	[3] 93,000.00
12	Clark County Board of Education, Winchester	13,479.05	[3] 16,731.00
13	Elizabethtown Independent School District	51,568.73	[3] 52,300.00
15	Rockcastle County School District, Mount Vernon	6,966.70	[3] 7,450.00
16	Hopkinsville Independent School District	33,518.27	[2] 42,132.00
18	Wayne County School District, Monticello	894.81	[3] 950.00
19	Russell County School District, Jamestown	8,475.22	[3] 9,075.00
21	Pembroke Independent School District	8,831.38	[3] 9,450.00
24	Lexington Independent School District	51,851.25	[3] 55,500.00
25	Mount Vernon Independent Board of Education	3,483.35	[3] 3,725.00
26	Murray Independent School District	2,513.37	[3] 2,700.00
28	Paducah Independent School District.	53,562.45	[3] 57,350.00
29	McCraken County Board of Education, Paducah		
30	Mayfield Independent School District	4,019.79	[3] 4,300.00
31	Marshall County School District, Benton		
33	Benton Independent School District	4,533.21	[3] 5,538.77
34	Ballard County School District, Wickliffe	14,763.40	[3] 18,783.00
35	Lyon County School District, Eddyville	7,408.27	[3] 7,900.00
36	Graves County Board of Education, Mayfield	6,983.04	[3] 7,475.00
38	Dawson Springs Independent School District	7,572.50	[3] 7,182.12
40	Winchester Independent School District	8,178.30	[3] 9,630.00
201	Carlisle County Board of Education, Bardwell	3,585.47	[3] 4,114.54
204	Livingston County Board of Education, Smithland		
207	Ravenna Independent School District	1,211.60	[3] 1,387.46
208	Estill County School District, Irvine	6,285.18	[3] 7,508.58
210	Bourbon County School District, Paris	7,760.50	[3] 8,300.00
211	Georgetown Independent School District	5,073.58	[3] 5,430.00
404	Paris Independent School District	6,285.18	[3] 7,153.52
405	Breckinridge County School District, Hardinsburg	19,385.60	[3] 20,750.00
501	Mount Sterling Independent School District	2,726.10	[3] 2,366.00
502	Edmonson County School District, Brownsville	13,954.67	[3] 14,925.00
503	Trimble County School District, Bedford	1,060.15	[3] 1,130.00
504	Grayson County School District, Leitchfield	11,813.10	[3] 12,650.00
505	Leitchfield Independent School District	4,265.51	[3] 4,560.00
506	Jefferson County Board of Education, Louisville	238,238.72	[3] 255,147.00
601	Carrollton Independent School District	2,574.65	[3] 2,750.00
602	Greenup County Board of Education, Greenup	7,648.23	[3] 4,121.00
801	Greenup Independent School District	1,893.13	[3] 2,285.00
802	Hart County School District, Munfordville	7,807.80	[3] 8,535.00

See footnotes at end of table.

Entitlements under Public Law 874, as amended, State of Kentucky, fiscal year 1959 and estimated fiscal year 1960—Con.

Project No.	Applicant	Entitlements	
		Fiscal year 1959 [1]	Fiscal year 1960
803	Montgomery County School District, Mount Sterling	$4,694.95	[3] $5,000.00
804	Gallatin County School District, Warsaw	3,256.18	[3] 3,500.00
901	Carlisle City School District	1,741.68	[3] 2,754.00
902	Todd County Board of Education, Elkton	2,000.05	[3] 2,137.01
	Total	1,021,652.73	1,139,000.00

[1] Payments prorated at 95 percent of amounts shown.
[2] Entitlement initial processing.
[3] Estimated entitlement.

EXTENSION OF SUGAR ACT OF 1948—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 16, 1960, the names of Senators ALLOTT, CHURCH, FONG, YOUNG of North Dakota, and DWORSHAK were added as additional cosponsors of the bill (S. 3210) to amend and extend the provisions of the Sugar Act of 1948, as amended, introduced by Mr. BENNETT on March 16, 1960.

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. WILEY:

Address on national defense, delivered by him over Wisconsin radio stations.

COMMITTEE RESOLUTIONS—PAY OF COMMITTEE STAFFS

Mr. MAGNUSON. Mr. President, while the majority leader and the minority leader are on the floor, let me say that the Senator from Michigan has just now reminded me of a matter about which I was going to ask them: Apparently this week we shall have some time in which to handle some pressing matters other than the unfinished business. I wonder whether it will be possible to take up, by unanimous consent—and perhaps we could discuss this matter with the Senator from Georgia and with other Senators—three or four resolutions which are on the calendar, and which involve the pay of three or four large committee staffs which have not been paid since the first of March. That situation creates real problems for the staffs. None of the staff members is overpaid; certainly that is true of all of those on my committee staff. They receive their pay on a monthly basis; and, under these circumstances, they find themselves in a difficult position. I do not want any of them to have to go to loan sharks and borrow money, in order to tide themselves over.

So it seems to me that we should be able to make some reasonable arrangement by means of which the Senate could adopt those three or four resolu-

tions. I do not believe there will be any opposition to them.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. JOHNSON of Texas. I have discussed this matter with the minority leader and with other Senators who are vitally interested in the pending civil rights bill. I hope that during the latter part of the week we may be able to work out a schedule which will permit us to deal with the measures in which the Senator from Washington is interested. As recently as the last 30 minutes I have discussed that subject with various Senators. I am not able to give any commitment at this time, but we are definitely working on that subject.

Mr. MAGNUSON. I thank the Senator from Texas. I shall greatly appreciate his doing the best he can in that respect.

Mr. JOHNSON of Texas. I will do so; and I am glad to note that the Senator from Washington is, as usual, continuing to work in the interest of those who need assistance.

REVIEW BY THE LATE SENATOR NEUBERGER OF THE BOOK "THE SPLENDID MISERY"

Mr. MANSFIELD. Mr. President, one of the last writings of the beloved junior Senator from Oregon, Mr. Richard L. Neuberger, before he died recently was a review of a penetrating, significant, and fascinating book on the Presidency, "The Splendid Misery," written by Mr. Jack Bell, the chief political writer for the Associated Press.

As one who has read the book and has enjoyed it, I wish to say it is based on fact and on close personal observation. I am sure that already it has been read by most, if not all, the Members of the Senate.

Mr. President, because I believe every American ought to read this book, I ask unanimous consent that there be printed in the body of the RECORD Mr. Neuberger's review of "The Splendid Misery" as it appeared in the March 20 edition of the New York Times.

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

THE ADDRESS IS 1600 PENNSYLVANIA AVENUE

(Review of "The Splendid Misery," the story of the Presidency and power politics at close range, by Jack Bell)

(By Richard L. Neuberger)

The most successful book about Washington, D.C., in recent years has been Allen Drury's novel, "Advise and Consent," the theme of which is that ours is predominantly a Government of men rather than laws. Mr. Drury showed that men—with all their foibles, scandals, ambitions, hates and also their occasional capacity for greatness—shape the destiny of the U.S. Senate in particular and our national political life in general.

What Mr. Drury did with fiction for the Senate, a veteran correspondent of the Associated Press in Washington has now accomplished with facts and shrewd personal observations for the White House. Like Mr. Drury, Jack Bell has spent many hours in the press galleries which peer down on the Senate and House. Unlike the author of "Advise and Consent," Mr. Bell is captivated far less by Congress than he is by 1600 Pennsylvania Avenue and by the personal characteristics of its recent occupants, especially Dwight D. Eisenhower. Mr. Bell has seen the President's performance at close range, and this book is both a measured and fascinating appraisal of the kind of Chief Executive we have had during these past 7 years.

Mr. Bell believes that the destiny of America is forged at the White House and not on Capitol Hill. He tells us that there has been "no epoch of true national advancement that did not have as its commanding figure a strong Chief Executive. Where the President was timid or ineffective, the people suffered. Where Congress was able to command, there was reaction, stultification, and often near disaster." Mr. Bell discerns only the President as speaking for all the Nation. Congress, by contrast, is a babble of many tongues, most of them anchored to local special interests. This book is a mirror of the amazing Eisenhower years, during which an essentially weak and inarticulate President has retained a vast popularity with the public.

Those prominent Democrats who berate Mr. Eisenhower for not stopping the Russian rocket tests in the Pacific or for his meetings with Premier Nikita Khrushchev might do well to read "The Splendid Misery." Despite his obvious feeling that President Eisenhower often abdicates to others many responsibilities which should be his alone, Jack Bell believes that the hero-general has an enormous appeal to Americans "as a man of peace." It is this shining image that has survived such domestic political disasters as the Sherman Adams fiasco and the continuing loss of congressional seats to the Democrats.

Despite this, the author is convinced that Americans sense the need for a strong President. He writes that "fundamentally the people want a President with the integrity of Washington, the guts of Jackson, the unwavering purpose of Lincoln, the energy of Theodore Roosevelt and the flexibility of Franklin Roosevelt." He makes no secret of his conviction that President Eisenhower has fallen considerably short of these qualities. Mr. Bell, who has been an intimate observer of most of the major political events of our era and is now chief political writer for the Associated Press, gives us a ringside seat at General Eisenhower's so-called "surrender" to Senator Robert A. Taft and the conservatives on fiscal matters during the campaign of 1952. The national hero here appears as a political babe-in-the-woods who "was surrendering at the outset some of the vital weapons the President would need in his arsenal in the conflict between the Executive and Congress."

The warp and woof of Washington is controversy—political controversy. The author is plainly disenchanted with a President who eschews the normal combat of politics. He refers to Mr. Eisenhower's "Buchanan position" in the flaming Little Rock school-integration situation, when he kept hands off until conditions practically disintegrated. He shows the President as detaching himself completely from the historic Supreme Court verdicts in the school cases, and he is candidly amazed by a President who told one press conference that his own "personal convictions, no matter how strong," should not be the decisive factor in reorganizing the Defense Department. Obviously, the author wonders what would have been our national fate if Jefferson or Lincoln or F.D.R., for example, had thus isolated themselves midway between heaven and earth, like Mohammed's coffin.

Although most of Mr. Bell's book is devoted to the presidency as a contemporary institution, he does provide some vivid background chapters which show that the great and historic Presidents have all been powerful Presidents, who made Congress knuckle under to their views. The story of the Lincoln administration is particularly pertinent in this respect. The author demonstrates that the patron saint of the Republican Party was a President who did not hesitate to flout the Constitution itself when he thought dictatorial action was essential to the survival of the American Union.

A captious reader may challenge one of Mr. Bell's basic themes. Do Americans really yearn for a strong and decisive President? As "The Splendid Misery" reaches booksellers' shelves, every survey shows the President to be at the crest of his popularity. I have just been home to my native State of Oregon. If the Constitution and his wishes allowed it, I am certain that Dwight D. Eisenhower could carry Oregon for a third consecutive time by an overwhelming majority. Are the other 49 States so different?

INTERVIEW WITH THE GOVERNOR OF PUERTO RICO—ARTICLE FROM U.S. NEWS & WORLD REPORT

Mr. MANSFIELD. Mr. President, in reading the U.S. News & World Report, I came across an interview which a staff member of that magazine had with the Governor of Puerto Rico, the Honorable Luis Muñoz-Marín.

Governor Marín, who is 62 years of age, became Puerto Rico's first popularly elected Governor in 1948, and he has twice been reelected to that office. At his birth in 1898, Puerto Rico was Spanish-held, and his father was Prime Minister. Governor Marín was educated in the United States, and was a youthful advocate of independence for the island of Puerto Rico. But later he developed the idea of commonwealth status, as an associated free state, which was achieved by Puerto Rico in 1952. Today, Governor Marín is widely recognized as a leading statesman, and has much influence among officials in the United States and in Latin American countries. In view of recent developments in the Caribbean and the status of our relations with Latin America, I urge my colleagues, to read this most interesting and worthwhile interview. It is a primer which will not only benefit us but enhance our knowledge of an area of vital importance.

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

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

"WE'VE COME A LONG WAY" IN A PEACEFUL REVOLUTION

(Interview With Puerto Rico's Gov. Luis Muñoz-Marín)

Question. Governor Muñoz, would you say that a revolution is taking place here in Puerto Rico?

Answer. Yes—a peaceful revolution.

Question. What kind of results are you getting?

Answer. To begin with, our net income in the last 4 or 5 years has increased at the average rate of 6 percent a year. That's about twice the U.S. average.

Question. Are people getting the benefit of that expansion?

Answer. More and more of them are, though we still have a big problem in unemployment. Our income per capita has gone up more than four times and is now second in Latin America, I believe, only to Venezuela.

Question. Were you able to do this with natural resources—oil or metals, for instance?

Answer. No, no. We have no resources except land and people. We have no oil, no iron, no metals of any kind, that we know of.

Question. Where does your investment money come from, then? From the States or locally?

Answer. About half and half. Much of our local investment is government disbursements for public works. From the States, we have been getting new venture capital in industry and business of all kinds—

Question. From private investors?

Answer. Yes.

Question. Are you encouraging this inflow of United States capital?

Answer. By every means: information and advice to businessmen coming here, tax exemptions. We help them locate skilled workers and train unskilled ones.

Question. Is this program paying off, do you feel?

Answer. All you have to do is look at our *industrial* growth, at the jobs people are getting in factories and commerce. Of course, we're a long way from U.S. averages, but we've come a long way, too.

Question. What about the average person here? Is he getting a better way of life?

Answer. Too many people are still poor, though less so than a few years back. But we also have a growing middle class. It's bigger than in most Latin-American countries.

Question. Don't some people say that Fidel Castro is waging a "real" revolution in Cuba— that yours isn't a "real" revolution?

Answer. Castro has done two good things and one bad one: He overthrew an armed dictatorship, and in that he did a great job. The other good thing is that he is trying to carry out a social revolution that had been long overdue in Cuba. The bad one is his completely gratuitous attacks against the United States. These attacks have no rational justification. The United States is not trying to prevent the social revolution in Cuba.

Question. Do you feel yourself hampered by the United States in your peaceful revolution here?

Answer. No, of course not.

Question. Yet it is sometimes said that Puerto Rico is a victim of U.S. "dollar imperialism"—

Answer. That's just Communist propaganda, or the talk of anti-Americans. You'll always hear from those quarters that the United States should give Puerto Rico its independence, or that it's "tyrannizing" us, and so forth.

Question. Do you feel you are accomplishing as much as if you had resorted to harsh measures?

Answer. Oh, much more, I think—the violent kind of revolution couldn't have lasted very long here. It's not in the nature of our people.

Question. And has outside capital from the States helped your revolution?

Answer. It has. A developing country must have outside capital unless it's just going to tighten its belt to the point where it's always on the verge of violent revolution.

Question. Would you describe the changes here in Puerto Rico as deep-seated?

Answer. Yes. There was a tremendous hopelessness here before 1940—terrible poverty. Part of our revolution was to put hope in people, give them the feeling that they could achieve a better way of life through hard work.

Question. Do they feel hopeful now?

Answer. They have that feeling now, and they have the feeling that something of importance is happening here.

Question. In what ways do you see that?

Answer. For one thing, the spirit of feudalism has been abolished completely. It used to be prevalent. You had big, corporate landownership spilling over into political power. Much more than half of the Puerto Rican workers 20 years ago were agregados—"squatters" living on somebody else's land subject to the landowner's will. When the landowner had a day's work for them, they worked. If not, they didn't work.

Question. What did you do about that?

Answer. One of the first measures the Popular Democratic Party took after winning the elections in 1940 was to draft a law providing a piece of land for agregados. Then we started creating rural communities where it's easy to get kids to the school, easy to bring good water from the aqueduct, easy for the doctors to visit, easy for the newspapers to reach, and so on.

Question. Was this a land-reform program?

Answer. It was part of our land program. We also limited the holdings of corporate landowners to 500 acres, as well as making land available to the agregados.

Question. Anything over 500 acres was taken away?

Answer. Not "taken away." We bought this land with money at market prices—not the way Mr. Castro is "buying" land, without money. We had to do it gradually.

Question. Has your land reform been successful?

Answer. When the land law was approved, there were about 100,000 families of agregados. We have distributed land to about 50,000 of them. There are 15,000 still living as agregados—those who probably don't care to make a change, who may be satisfied with the landowner they live with.

Question. What about the remaining 35,000 or so families—what has happened to them?

Answer. Our growing economy, the new jobs opening up, take care of many of them. They find jobs in their community, or they come to the city. They become garage owners, factory workers, and so on. Three of them have become legislators.

I'd like to mention that in the rural communities we have what we call "mutual-aid housing" where the Government provides the materials and supervision, and the families cooperate in building very modest but good homes, instead of the shacks they lived in before. They pay back the cost of the materials over a period of years. A house like this costs something like $350.

Question. You don't give it to them outright?

Answer. No. They appreciate it more if they have to make some contribution besides their labor. Also, the Government gets the money back—slowly, but it gets it back—and with that money it does the same things for others.

Question. What about your education problem? Is that being solved?

Answer. Yes, from the standpoint of reducing illiteracy—it's now down to about 16 percent. Practically every child of grammar-school age is going to school, and we have a special program for adult education in night schools.

Question. Do you have political stability here?

Answer. Puerto Rico is as democratic as any place in the Western Hemisphere, not excluding the United States.

You know, people—not all, but many—used to sell their votes for $2 or $3—they didn't know it was wrong. At the very start, the Popular Democratic Party carried out an educational campaign to tell them why they shouldn't sell their votes, and they caught the idea very quickly. People don't sell their votes any more, and I think I can say that we have a completely honest Government.

Question. How long has your revolution been going on?

Answer. Since 1940, when we had our first election success. Actually, though, it was only after the Second World War that we were able to push ahead fast.

Question. Has it been entirely peaceful?

Answer. Absolutely.

Question. Why do you suppose that is?

Answer. One thing we've gotten from the States over our long period of association is the habit of orderly government and of law. That doesn't mean that Puerto Ricans were lawless before. But Hispanic political habits are unstable as far as living and working together is concerned. Peoples of Hispanic origin have a great love for individual freedom, but usually are not adept enough at organizing it politically.

Question. Have you picked up other American ways of doing things?

Answer. Our people, for some reason, are more energetic than in most other tropical countries around this part of the world. This may be another of the good contagions from the States.

Question. Just what is your feeling about free enterprise? Is it a good thing for other countries as well as the United States?

Answer. We're entirely undoctrinaire about that. When we began to industrialize, the government started five factories and we ran them. We had no other way of doing it at the time—very few persons would risk it at that time. Afterward, we sold the five factories—to a prominent political opponent, by the way—and used the money for stimulating private investment.

Now we still invest government funds in enterprises to help them get started, but we don't operate them directly. We leave that part of it to private companies.

Question. In some cases, then, you prefer public ownership?

Answer. We feel that the social interest of the community should be the motivation in each instance. We don't believe that private enterprise is a sacred cow. But we do believe that it is a highly efficient cow.

Question. Do you find opposition to this from the United States?

Answer. I think that is one of the lessons to be learned in other countries about the spirit of the United States. No one has ever interfered with us. The late Senator Robert A. Taft went so far as to help us get a priority for some scarce materials for one of our government factories during World War II. He wrote a letter to a Government agency saying that he wouldn't approve of such a factory in Ohio, but he saw the need for it here—and you couldn't suspect him of being socialistic.

Question. Do you feel, then, that Latin American countries can carry out big social changes with the help of the United States?

Answer. Surely.

Question. What about Castro's charge that America is trying to undermine his revolution in Cuba?

Answer. I think it is completely unfounded. The United States, as a people, are not opposed to social changes that other peoples feel they need. There would not be such strong feeling in Congress toward Castro if he were carrying on his revolution without needlessly attacking the United States.

Question. Would you say he has any grounds for his charges of interference by the U.S. Government?

Answer. Of course not. They're exercising great forbearance in Washington. I approve completely of President Eisenhower's position stated last January.

Question. What causes Castro's outbursts, then?

Answer. Why Castro does this, I don't know. He doesn't need the United States as a "whipping boy." After he overthrew Batista, he had the support of 90 percent of the Cubans, so he didn't have to undertake those tactics to develop support.

CUBA: RIPE FOR REDS

Question. Is there something else he gains by it?

Answer. It doesn't do him any good, and he's going to have a difficult time preventing the Communists from taking propaganda advantage of it.

Question. Do you think the Communists might seize power there?

Answer. No. And there is no alternative to Castro in Cuba today that we know of, except the old-line politicians, and they are thoroughly repudiated by the Cuban people.

The Communists are not strong in numbers, but certainly they are engaged in their well-known tactics of using the situation for all it's worth.

Question. What if the Communists did take over? What would happen then?

Answer. If a real Communist government were established in a Latin-American country, I am certain that practically all the other countries would cooperate in some effective form to isolate it.

Question. Do you think Castro has the support he had a year ago?

Answer. No; but he's got a great majority of Cubans still with him.

Question. Are you worried by developments in the Dominican Republic, right next door to you? There seems to be unrest against Trujillo——

Answer. The whole situation in Cuba and the Dominican Republic is explosive. There do not seem to be any mutual invasion plans at the moment, however.

Question. Would either man resort to an adventure in order to take people's minds off troubles at home?

Answer. It's possible.

Question. Looking ahead, do you feel that Castro really typifies people coming to the top all across Latin America?

Answer. I wouldn't say that. I believe there are men of more mature statesmanship coming up in Latin America. People like José Figueres, ex-President of Costa Rica, and Rómulo Betancourt, President of Venezuela. If Fidel Castro had attained to the wisdom, experience, and maturity of Betancourt when he overthrew Batista, a much better job could have been done in agrarian reform and other changes—and in a spirit of understanding and friendship with the United States.

Question. Are there many men such as Betancourt?

Answer. There are such men in every country. There are some very good men in the Cuban Government, but they do not wield the influence in the present situation.

Question. Just why is it that the United States seems to be so unpopular in parts of Latin America at this time?

Answer. The Latin-American countries are growing. They want to grow very fast. This is the revolution of growing expectations that you hear about all over the world.

Latin Americans have felt that the United States aids other parts of the world and doesn't aid them in their own development sufficiently. However, the recent Eisenhower trip seems to show that the United States is not nearly as unpopular in Latin America as represented.

A GUIDE FOR U.S. POLICY

Question. What is needed to counteract dislike of the United States?

Answer. First, I would say, be as helpful as possible in economic and technical assistance.

In giving economic aid, make a big effort to give it—as much as is practical—on terms that the individual countries and their public opinion prefer. This isn't always possible, but you can make a genuine try at helping them to do it the way they think best.

Question. What else is needed?

Answer. Then, I would say, maintain an attitude of aloofness toward dictators and friendliness toward democratic forces. For instance, give signs that Betancourt, or Figueres, is your kind of man—and Trujillo is not.

Question. Hasn't that been done in the past?

Answer. Not clearly enough until recently.

Question. Do Latin Americans coming here see Puerto Rico as an example of a peaceful revolution—of what can be done with U.S. cooperation?

Answer. As you know, the International Cooperation Administration is bringing people here from all the developing areas of the world to see what Puerto Rico is doing. There have been 10,000 of them so far, and half of them are from Latin American countries.

Question. What seems to be their opinion of it?

Answer. They seem to like what they see. Occasionally, of course, you get an indoctrinated anti-American, but I would say this is probably one of the best ways of replying to anti-American propaganda—bring them here, and let them see for themselves.

Question. Do you think your kind of revolution here in Puerto Rico can be carried out in other countries, too?

Answer. Generally, yes—though each country has its own problems to meet.

Question. What about Puerto Rico itself—is there a strong body of anti-American feeling here?

Answer. No. There's an Independence Party. It is peaceful and is getting smaller and smaller. I think our elections next autumn will show that at least 92 or 94 percent of the people are for permanent union with the United States.

Question. Does that mean they favor statehood?

Answer. No, no. I'm firmly convinced that most of them want to continue our Commonwealth status as an "associated free state." Federated statehood would be economically impossible. Of course, there's a political faction here that favors statehood, but their leaders either don't know economics or choose to pretend they don't.

Question. Do you think Puerto Rico, some day, will become a State?

Answer. My position is that Puerto Rico has to catch up in its standard of living with the poorest State before we can consider the question of statehood. We're a long way from that. Our economists figure it won't be until 1992 or 1995. But I believe in Commonwealth as a good status in itself, a creative contribution by Puerto Rico to the U.S. Federal system.

WITH GROWTH, PROBLEMS

Question. Are new problems arising as Puerto Rico develops?

Answer. Of course, our progress from agriculture to industry is bringing many benefits—higher wages, a better living standard, better health. But it also brings the difficulties inherent in such growth. More wives have jobs, more children are alone at home, or in the streets. We haven't a gang situation here as you have in big cities of the United States, but we're beginning to have some problems of that kind as our own cities grow.

Question. What do you see as the biggest job ahead for your government?

Answer. The first thing, as I see it, is to improve the quality of our education to the utmost—comparable in every way with levels in the States and in democratic European countries.

Also, we want Puerto Ricans to be as well rounded as possible. We don't want only a good economy; we want a good civilization—in fact, a good economy is only a means to a good civilization. And by "civilization," I mean the moral, spiritual, and esthetic values that allow people to live with full satisfaction.

Question. Is there any worry here that Puerto Rico will become completely Americanized?

Answer. No; I don't think that will ever happen to anybody—Puerto Rico or any other country.

This is an old country, four centuries. It gets a lot of things from the United States, including many good ones and some not so good. This is part of what happens in an interdependent world, in any case.

Question. Generally, are you satisfied with what Puerto Rico's revolution has accomplished?

Answer. I'm never satisfied. But I'm very proud of what Puerto Rico has been able to do.

RETIREMENT OF REPRESENTATIVE REES OF KANSAS

Mr. DOUGLAS. Mr. President——

Mr. CARLSON. Mr. President——

Mr. COOPER. Mr. President——

The PRESIDENT pro tempore. The Senator from Illinois.

Mr. DOUGLAS. Mr. President, I appreciate the courtesy of the Chair in recognizing me; but I entered the Chamber after the Senator from Kentucky [Mr. COOPER] and the Senator from Kansas [Mr. CARLSON], who already have addressed the Chair. So I shall be glad to waive the Chair's recognition of me until they have completed the statements they wish to make.

Mr. CARLSON. Mr. President, the distinguished Senator from Illinois is most courteous and gentlemanly, as he always is. I wish he had spoken when he was recognized.

At this time my remarks will be brief.

Mr President, one of the outstanding Members of the House of Representatives will be missing in the next session of Congress. Congressman ED REES is voluntarily retiring after 24 years of outstanding service in that body. During these 24 years, Mr. REES has represented a district containing about one-fourth of the population of our State. He has been an able and dedicated public servant; and both the State of Kansas and the Nation as a whole will feel the loss of his services.

During these many years he has kept in close contact with his district, as is evidenced by the fact that the people, year after year, returned him to this post. No one ever questioned ED REES' sincerity, his honesty and integrity.

Thousands upon thousands of people in his district have been helped by his personal attention to their problems. His outstanding service as a member and chairman of the House Post Office and Civil Service Committee during his entire congressional service will be missed by millions of Federal workers. Under his leadership many programs for the benefit of our Federal workers were enacted into law.

A very excellent editorial entitled "End of an Era; ED REES Retires" was published on March 9 in the Wichita Beacon. I ask unanimous consent that the editorial be printed in the RECORD, in connection with these remarks.

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

END OF AN ERA; ED REES RETIRES

There is a time to quit. Rare indeed is the politician who knows when that time has arrived.

Representative ED REES wisely chose that time with precision. He has served the Fourth District conscientiously and well as Congressman for almost a quarter of a century. He recognized that he had a tough battle ahead, with reelection far from certain. At 73, a man doesn't enjoy fights as much as he used to.

The Fourth District is not nearly so Republican as it once was. The Democrats won a smashing victory in Sedgwick County. REES himself won by a narrow margin over an extraordinarily weak and inadequate Democratic nominee.

Whoever the Republicans choose to succeed REES will have to work fantastically hard if he is to win the election.

REES as a Congressman has often been undervalued by his constituents. This is because he is not the dramatic kind of legislator. He doesn't go in for fancy oratory, and he has a tendency to avoid controversial positions.

In most respects he has been a good, even outstanding Congressman. ED REES is a man who can be depended upon to help the folks back home. His door is never closed to his friends—and practically everybody who knows him is his friend. He is prompt in correspondence. And uncounted thousands of Kansans have been helped in big ways and small by REES.

He will, we feel sure, continue to play his quiet, influential role after his retirement. But an era ends when he becomes a former Congressman.

SIGNIFICANCE IN CURRENT FALL IN INTEREST RATE ON GOVERNMENT BONDS

Mr. DOUGLAS. Mr. President, the price of Government bonds continues to rise and the yields, or true interest rates, continue to fall.

Ever since late spring, the administration, Secretary Anderson, the Federal Reserve, and the big New York bankers have been demanding that the 4¼ percent ceiling on bonds of over 5 years duration be removed. The relatively high interest rates then prevailing were said to be permanent and that unless the ceiling was eliminated, the Treasury would be forced to refinance the maturing long-term bonds with short-term obligations at interest rates as high as 4.70 or 5 percent.

There was, however, a group of Democrats in both House and Senate who objected to this. We said first, that the policies of the Federal Reserve, the Treasury, and the administration were themselves contributing powerfully toward creating the high interest rates, and if reversed, interest rates would go down, whereas if the ceiling were removed, the interest rates would be artificially boosted and tremendous added costs would be saddled upon the American people; second, that it was probable, if the politically inspired scare talk of inflation coming from the administration ceased, that the rise in the interest rate would cease and might well decline.

We therefore opposed raising or lifting the ceiling. We warned that to do this and for the Treasury, as it announced, then to refund 20 billions of noncallable bonds at interest rates which would probably be 5 percent, would be to saddle the taxpayers for a generation with excessive interest charges of over $100 million a year and a total of billions as well as driving up all other interest rates and hence crippling homebuilding, small business, and public investment in schools, roads, water and sewer systems, and so forth.

Yet the administration and Treasury persisted. Last October, they issued a 4-year-and-10-months note at a 5 percent rate, despite our warnings that this rate was too high, and only last week they again demanded a removal of the 4¼ percent ceiling. Due to the determined stand of the liberal wing of the Democratic Party in both the House and Senate, it now appears that congressional approval to raise the interest ceiling will not be granted.

It is interesting, therefore, that in the last few weeks, the prices of Government bonds and obligations have been rising, while the yields and true interest rates have been correspondingly falling.

I ask unanimous consent that tables from the financial section of the New York Times for Saturday, March 19, be printed in the RECORD at this point in my remarks.

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

[From the New York Times, Saturday, Mar. 19, 1960]

U.S. Government and agency bonds, Friday, Mar. 18, 1950

TREASURY BONDS

Maturities	Outstanding millions	Rate	3:30 p.m. Bid	3:30 p.m. Asked	Change in bid	Yield
1960, November	3,806	2⅛	99.6	99.8	+0.3	3.30
1965-60, December	1,485	[1] 2¾	98.4	98.12	+.4	3.06
1961, September	2,239	2¾	98.14	98.18	+.12	3.77
1961, November	11,177	2½	97.22	97.26	+.12	3.88
1962-59, June	5,267	2¼	96.8	96.12	+.10	3.97
1967-62, June	2,112	2½	89.28	90.4	+.12	4.10
1962-59, December	3,456	2¼	95.14	95.18	+.10	3.98
1963, August	6,755	2½	95.0	95.4	+.10	4.09
1968-63, December	2,820	2½	87.24	88.0	+.12	4.16
1964, February	3,854	3	96.10	96.14	+.12	4.00
1969-64, June	3,745	2½	87.0	87.8	+.12	4.05
1969-64, December	3,819	2½	86.14	86.22	+.12	4.18
1965, February	6,896	2⅜	93.14	93.18	+.10	4.09
1970-65, March	4,700	2½	86.2	86.10	+.14	4.20
1971-66, March	2,948	2½	85.26	86.2	+.12	4.10
1966, August	1,484	3	94.16	94.20	+.10	3.97
1972-67, June	1,840	2½	85.22	85.30	+.12	3.97
1972-67, September	2,716	2½	85.10	85.18	+.12	3.99
1972-67, December	3,715	2½	85.22	85.30	+.12	3.92
1969, October	1,276	4	99.14	99.22	+.20	4.05
1974, November	654	3⅞	97.14	97.22	+.18	4.09
1983-78, June	1,604	3¼	87.26	88.2	+.08	4.04
1980, February	884	4	98.28	99.4	+.14	4.06
1985, May	1,135	3¼	87.6	87.14	+.10	4.05
1990, February	1,727	3½	90.6	90.14	+.08	4.05
1995, February	2,741	3	85.24	86.0	+.18	3.71

[1] Exempt from normal income tax.

TREASURY NOTES

Maturity	Outstanding millions	Rate	Bid	Asked	Yield
April 1960	57	1½	99.29		
May 1960	2,406	3½	100.1	100.3	2.84
Do	2,738	3¼	100.0	100.2	2.80
August 1960	9,561	4¾	100.15	100.17	3.40
October 1960	278	1½	99.0	99.4	3.25
April 1961	144	1½	98.0	98.8	3.25
May 1961	4,078	3⅝	99.28	100.0	3.62
August 1961	2,136	4	100.2	100.6	3.60
October 1961	322	1½	96.16	96.24	3.71
February 1962	647	3⅝	99.16	99.20	3.82
Do	1,434	3	100.10	100.14	3.79
April 1962	551	1½	95.8	95.16	3.83
August 1962	160	4	99.28	100.8	3.89
October 1962	590	1½	94.0	94.8	3.92
November 1962	1,143	3¾	99.4	99.8	4.05
February 1963	3,971	2⅝	96.2	96.6	4.08
April 1963	533	1½	93.4	93.12	3.84
May 1963	1,743	4	100.2	100.6	3.98
October 1963	506	1½	92.4	92.12	3.82
November 1963	3,012	4⅞	102.24	102.28	4.02
April 1964	302	1½	90.22	90.30	3.97
May 1964	4,928	4¾	102.16	102.20	4.05
August 1964	2,307	5	103.20	103.24	4.05
October 1964	295	1½	89.22	89.30	3.94
November 1964	4,188	4⅞	102.24	102.28	4.17

CERTIFICATES OF INDEBTEDNESS

May 1960	1,289	4	100.4	100.6	2.72
November 1960	7,037	4¾	100.25	100.27	3.40
February 1961	6,935	4⅞	101.1	101.3	3.62

Mr. DOUGLAS. Mr. President, certain facts in connection with these tables should be noted:

First. On no bond issue of over 5 years' duration was the yield or true interest rate above 4.20 percent, and on only two above 4.10 percent.

Second. On 11 bond issues, the true interest rate was less than 4 percent; on 1 as low as 3.06 percent and on another 3.30 percent.

Third. The average yield or true interest rate for the 26 outstanding bond issues was 3.96 percent, or a full quarter of a percent under the 4.25 percent ceiling which the administration is still demanding that we raise.

Fourth. So far as the short-time Treasury bills are concerned, no yield was above 3.56 percent, while the general average was markedly below this.

Fifth. Some Treasury bills have a yield as low as 2.74 percent.

Sixth. The certificates had yields of from 2.72 percent to 3.62 percent.

Seventh. The $2.3 billion of the so-called "fabulous 5s" which the administration insisted upon issuing are selling at a premium of 3¼ percent, with a true interest rate of only 4.05 percent. The other issues totaling $9 billion, which the Treasury issued at 4¾ and 4⅞ percent are selling at premiums of 2.16 percent and 2.24 percent, respectively, with yields of only 4.05 and 4.17 percent. The wealthy investors who were able to get hold of these high interest rate issues have thus made a killing to date of hundreds of millions of dollars. The experience lends strength to our demand upon the Treasury that they put up their bonds for auction, and hence get a competitive price and a competitive interest rate instead of their present method of a fixed price of par and an excessive and noncompetitive interest rate.

Of course, present bond levels may not be final and a conclusive verdict should not be handed down. The evidence as of today indicates, however, that we were right and the administration and Treasury, the Federal Reserve and the big New York bankers were wrong.

It is quite possible that future generations may rise up and call the Democratic liberals blessed for having saved them from billions of dollars of excessive interest charges.

If the Treasury and the Reserve would only adopt the further recommendations which we have made to them, we believe the interest rates would be still further lowered.

It will be interesting to see what the administration, the Reserve, the financial community, and the financial writers will say in the light of these developments and facts.

I can think of no other act where so few have saved so much for so many in so short a time.

FIRST ANNIVERSARY OF HAWAII—STATEHOOD BILL'S PASSAGE

Mr. FONG. Mr. President, a little over a year ago, the Hawaii statehood bill passed both Houses of Congress. At this time, I recall, there was great jubilation among the citizens of Hawaii.

I ask unanimous consent that an editorial appearing in the Honolulu Star-Bulletin on March 12 attesting to Hawaii's performance as a State be printed in the body of the RECORD.

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

HAPPY DAY IN THE STATEHOOD STORY

One year ago, March 12, 1959, the Hawaii statehood bill cleared the last hurdle in Congress, the House of Representatives, on final vote.

On March 11, the U.S. Senate had passed the Hawaii statehood bill by 76 to 15.

Its success in the House was already assured. But the action of the Senate made it doubly certain and added to its speed.

So a year ago today, the statehood bill passed the House by a vote of 323 to 89.

Hawaii did not immediately achieve statehood. The congressional bill provided for a referendum through the voters of the then Territory.

The vote was taken at the primary election prior to setting up the statehood organization. For Hawaii, and really for the Nation, that referendum was a triumph for the principles of American democracy. Statehood carried by a vote of proportionately 17.6 to 1. More than 139,000 Hawaii voters happily cast their ballots for it.

The next step was the formal proclamation by President Eisenhower announcing Hawaii as a State. This was done at a historic ceremony at the White House on August 21, 1959.

Although 5 months elapsed between the conclusive action by Congress and the actual entry of Hawaii as a State, we have generally reckoned here that Hawaii achieved statehood when the legislation passed Congress. Thus, today is the anniversary of that passage.

The process of transition from a long established territory to a State government has been and still is complex.

It has extremely complicated problems of organization of departments and subdepartments of appointments to fill more than 500 State posts, including those on many commissions; and the readjustment of thousands of office holders to new relationships if not to individual duties.

All this is going forward. True, there have been plenty of hitches—and these have been accentuated by the inevitable rivalry between Democrats and Republicans for political advantage.

Immediately, much of this rivalry seems petty, childish—not only immature but costly. And much of it can be so characterized.

But in a larger sense it is this very rivalry between two great political parties, and the process of orderly agreement on the results of these rivalaries, that gives to the American democracy its inherent stability.

Hawaii is now a full partner in these national processes of government; and, indeed, in the experiences of trial and error.

No fairminded and careful observer, we believe, would feel now that the long fight—more than 40 years, to get statehood for Hawaii was a fundamental error.

As these complicated processes of transition are worked out, our full partnership in the Union of States will become more and more obvious and valuable.

TARIFF COMMISSION REJECTS GLOVE INDUSTRY PETITION

Mr. KEATING. Mr. President, the economy of the Gloversville-Johnstown area in my State has been seriously depressed for quite some time. Economic activity is down. Employment is down. Workers and their families have been badly hurt as jobs become increasingly more scarce and as their incomes decrease.

The source of these difficulties is the decline in the manufacture of gloves, which has for generations been the basic industry in this area. Seventy percent of the people in the Gloversville-Johnstown area make gloves—leather dress gloves. Seventy percent.

Imports of leather dress gloves have increased rapidly in recent years and have, in my opinion, been the chief cause of the economic ills faced by this community. Imported leather dress gloves now represent 63.8 percent of the domestic market. Eight years ago, imports represented 29 percent—less than half of the present figure.

Mr. President, the representatives and member firms of the leather glove industry did what they are supposed to do. They petitioned to the Tariff Commission for relief under the escape-clause provisions of the Trade Agreements Act. This is an expensive process for so small an industry.

Today the Tariff Commission handed down its ruling. I quote:

> The Commission found that such (women's and children's leather) gloves are not being imported into the United States in such increased quantities, either actual or relative (to domestic production), as to cause or threaten serious injury to the domestic industry producing like or directly competitive products.
>
> The Commission therefore made no recommendation to the President for the modification or withdrawal of the concessions applicable to such gloves.

Mr. President, I testified at the hearings on behalf of the glove industry. I have never before presented testimony before the Tariff Commission; but I felt that this situation was critical. I said at that time that—

> In my mind the evidence is very impressive. An analysis of the depressed conditions in the Gloversville area and of the concentrated and highly competitive nature of the leather dress glove industry demonstrates clearly that there is a real and apparent injury to American manufacturers and that there is a definite need for relief for the firms and workers affected.

I have been in Gloversville. I have seen the empty plants. I have talked to bankrupt glove makers. I have met with the workers whom they displaced. When do we grant relief to such industries, Mr. President? Are we supposed to wait until people faint in bread lines?

I think the Tariff Commission is completely and terribly wrong. When does injury occur, if not in the case of the glove industry, when imported gloves have increased from 29 percent to 63.8 percent of the market in 8 years?

Mr. President, on behalf of the people of Gloversville, I must express my sincere regret that the Tariff Commission did not see fit to help the American glove industry. I can well appreciate the exasperation and despair of the glovemakers and their workers as they watch the market for American made

gloves dwindle to the point where now well over half of the leather gloves sold in this country are made overseas.

Mr. President, there is a real need for action on the part of this Government to strike a better and fairer balance between our domestic and international economic policies.

The United States can and should assist its free world allies in every way possible. At the same time, we have an obligation to see to it that the entire burden of increased American foreign trade is not borne by a limited number of American industries—who, like the glove makers, suffer very greatly as a result.

I have always supported America's reciprocal trade program. I do not say that we should reverse this policy altogether. We must, however, be willing to revise and update this policy so that it will be in accord with the changed international economic conditions of the 1960's.

Mr. President——

The PRESIDENT pro tempore. The Senator from New York.

NEW YORK CALLS FOR FEDERAL EAVESDROPPING LEGISLATION

Mr. KEATING. Mr. President, in recent weeks attention has been centered on a serious problem confronting law enforcement in New York State.

New York has one of the most carefully conceived, up-to-date laws in the country regulating wiretapping and all other forms of electronic eavesdropping. This law is designed both to protect the private citizen from unauthorized snooping and to enable legitimate law enforcement authorities to utilize scientific methods of crime detection. Unfortunately, the operation of this law has been disrupted by the Federal Government's failure to enact necessary enabling legislation.

Prompt consideration should be given to this problem by Congress. What is needed primarily is a Federal law making it clear that the States can enact reasonable eavesdropping provisions without violating the Federal Communications Act. I believe that we also need a comprehensive Federal statute similar to that enacted in New York to fully regulate this complex and very important subject. Both of these objectives are contained in a bill, S. 1292, which I introduced in the last session of Congress, which is now pending before the Committee on the Judiciary.

Only 1 week ago the New York State Joint Legislative Committee on Privacy of Communications issued another in its series of landmark reports on eavesdropping and wiretapping. In a statement accompanying this report, the distinguished chairman of the joint committee, Assemblyman Anthony P. Savarese, Jr., made a strong plea for congressional action, pointing out that—

> Unless Congress acts, New York seems almost certain to be stripped of its court-regulated system of wiretapping, a major weapon against organized crime which has had full public approval.

In addition to the Savarese committee report, I have received within recent weeks letters from a number of New York citizens joining in the request for Federal legislation. I have also received a resolution from the board of directors of the Grand Jury Association of New York County and a letter from Edward G. Dillon, Esq., the counsel and executive director of the New York State Sheriff's Association, with the same request.

The Washington Evening Star, in an editorial on March 19, 1960, taking cognizance of this growing interest in obtaining Federal action, has also concluded that—

> It would be a very good thing if this matter could be settled once and for all.

Reviewing the situation confronting New York law enforcement, the editorial calls upon Congress "to clarify its intent in the 1934 statute without waiting until a major breakdown in law enforcement compels it to act."

The dean of the New York Law School, Daniel Gutman, Esq., in a letter to the editor published in this morning's New York Times, also points out the necessity for prompt congressional clarification of the present law. Dean Gutman's letter says:

> The people should be made acquainted with the problem involved, its significance in terms of public safety and law enforcement, and the ready solution that can be provided by Congress.

Mr. President, I hope that these statements will be heeded by Congress and that we will not adjourn before relieving this critical law enforcement problem in New York.

Mr. President, I request that the statement by Chairman Savarese, the resolution of the grand jury association, the letter from Mr. Dillon, the editorial in the Washington Evening Star, and Dean Gutman's letter to the editor of the New York Times be printed in the RECORD at this point.

There being no objection, the statement, resolution, letter, editorial, and letter to the editor were ordered to be printed in the RECORD, as follows:

STATEMENT OF NEW YORK STATE JOINT LEGISLATIVE COMMITTEE ON PRIVACY OF COMMUNICATIONS AND LICENSURE OF PRIVATE INVESTIGATORS

"Recent court events have multiplied what was already a serious Federal threat and challenge to the police power of New York and other States in the area of law enforcement wiretapping," Assemblyman Anthony P. Savarese, Jr., said today, in issuing a report of the joint legislative committee on privacy of communications and licensure of private investigators.

"Unless Congress acts, New York seems almost certain to be stripped of its court-regulated system of wiretapping, a major weapon against organized crime which has had full public approval," said Chairman Savarese. "This report urges both the Governor and the attorney to do their utmost in the support of our district attorneys to defend this important part of our State's sovereignty. That warning is far more urgent today than it was when the report was sent to the printer months ago."

Recently the Federal court of appeals, in an opinion by Judge Harold R. Medina, temporarily enjoined the Bronx district attorney from introducing wiretap evidence, on the ground that such disclosure is a Federal crime. The question of a permanent stay was argued this week before the full court of appeals, under presiding Justice J. Edward Lumbard. But whatever it decides, the decision is headed for the Supreme Court, which has already stated that such disclosure is a crime and that Congress "did not mean to allow" the law enforcement wiretapping authorized by the New York State constitution 21 years ago.

The crux of the matter lies not in any court decision, but in the intent of Congress, which has never adequately expressed itself on wiretapping. The Supreme Court has erected a vast superstructure of opinion law on a "sleeper" of 31 obscure words in the Federal Communications Act of 1934, which were obviously never intended as definite legislation on wiretapping.

"What this adds up to," commented Assemblyman Savarese in releasing the report, "is that for a quarter century the Congress has abdicated its duty and made the Supreme Court take over its legislative powers in this area.

"Congress never debated or even mentioned wiretapping when it passed the act of 1934—20,000 words regulating the telegraph, telephone, and radio industries. Yet a brief, obscure, and undebated clause in that act—truly a needle in a legislative haystack—has become the sole basis for a vast amount of law as declared in Supreme Court opinions. The clause, merely forbidding the interception and divulgence of messages, is a cryptic, Delphic utterance; and the Supreme Court has labored industriously to define its meaning. Doubtless the learned Justices felt they were on the side of the angels when they declared on this basis years ago that law enforcement wiretapping was unethical and immoral. But how many angels does the Congress expect to stand on the point of a needle?

"If Congress really intended to deal with the complex subject of wiretapping in the 1934 act, it did so in an inadequate, slipshod, half-baked way. I do not believe for a minute that Congress intends now to supersede the police power of our 50 States. This would break down our entire structure of criminal law. But Congress should clarify its intent, in its own words, instead of putting this legislative burden on the Supreme Court."

The pertinent 31-word clause, in section 605 of the Federal Communications Act, is as follows:

"No person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person."

Assemblyman Savarese discusses the legal aspect of the Federal Communications Act and the Court opinions in an article in the March 1960 issue of the American Bar Association Journal.

NOTE.—After this release had been prepared, news was published that Attorney General Louis J. Lefkowitch had filed a brief in support of New York's wiretapping law, with the U.S. circuit court of appeals in the case referred to above.

RESOLUTION OF BOARD OF DIRECTORS OF GRAND JURY ASSOCIATION OF NEW YORK COUNTY, INC., MARCH 10, 1960, RELATING TO THE NEED FOR FEDERAL LEGISLATION PERMITTING WIRETAPPING BY STATE LAW ENFORCEMENT OFFICIALS UNDER COURT ORDER

Whereas Grand Jury Association of New York County, Inc., for 46 years has devoted its efforts toward effective means to combat crime; and

Whereas official New York State and Federal crime records show a spiraling rate of racketeering and public corruption in New York and elsewhere endangering the health, safety, and welfare of the community; and

Whereas this association believes that one of the most effective instruments to combat

organized crime and corruption is the use under court order of telephone wiretapping by official law enforcement officers; and

Whereas for many years New York State has had a model wiretapping statute permitting telephone interception by law enforcement officers under court order; and

Whereas recent Supreme Court and other Federal court decisions deny the right of State law enforcement officials to combat crime by wiretapping and have suggested that such officials should themselves be prosecuted for violating the Federal Communications Act; and

Whereas on March 7, 1960, General Sessions Judge Irwin D. Davidson announced that he no longer would grant permission to the district attorney or the police to tap telephone wires for any purpose terming such approval on his part "an illegal act at the present time" and prior thereto, Mr. Justice Samuel Hofstadter, of the New York Supreme Court, refused to sanction wiretapping by police officials; and

Whereas this association agrees wholeheartedly with District Attorney Frank S. Hogan that such decisions deal a crippling blow to law enforcement; and

Whereas for the past 2 years, in anticipation of this stalemate, the association has strongly favored clear and effective Federal legislation protecting State rights in this regard: Now, therefore, be it

Resolved, That Grand Jury Association of New York County strongly urges the public and all concerned to take notice that a law enforcement crisis exists which necessitates immediate enactment of Federal legislation restoring to New York State its original powers to sanction the legal interception by law enforcement officials, under court order, of telephone communications involving organized crime.

NEW YORK STATE SHERIFFS' ASSOCIATION,
Albany, N.Y., March 16, 1960.

Hon. KENNETH B. KEATING,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Section 605 of the Federal Communications Act, as presently constituted, makes it a Federal offense to offer, in the trial of an action in this State, evidence here legally obtained by wiretapping. This is a condition which should not be permitted to continue. It strikes at effective law enforcement and nullifies, in many cases, the efforts of prosecutors to keep crime within reasonable bounds.

This association, which includes within its membership every sheriff in this State, urges you to do all within your power to cause said section 605 to be amended so that evidence, legally obtained by wiretapping in any State, may be used without violating a Federal statute.

Very truly yours,

EDWARD G. DILLON.

[From the Washington Star, Mar. 19, 1960]

WIRETAP SHOWDOWN?

It looks as though the prolonged and often highly emotional debate over the controlled use of wiretaps in certain criminal investigations may be headed for a showdown. And it would be a very good thing if this matter could be settled once and for all.

The controversy grows out of language in the Federal Communications Act of 1934 which makes it a misdemeanor to "intercept and divulge" wire communications without the consent of the sender. Did Congress intend this to apply to wiretaps by properly authorized and supervised law-enforcement agencies? We doubt it very much. Nevertheless, the Supreme Court has interpreted this statute to forbid use of wiretap evidence or evidence developed from wiretap leads in Federal courts. And there is a mounting tendency in New York State to follow this reasoning.

New York law permits wiretaps under court supervision. More and more, however, State judges have been refusing to issue wiretap permits, holding that Federal law forbids them. New York District Attorney Frank S. Hogan, certainly a responsible man, says this will cripple his efforts to investigate organized crime, racketeering and corruption in office. The Grand Jury Association of New York calls it "a crisis in law enforcement." And a New York legislative committee, warning of a "breakdown in our entire structure of criminal law enforcement," has urgently called upon Congress to clarify the meaning of its 1934 wiretap statute.

The choice, it seems to us, comes down to this: Wiretaps and wiretap evidence, obtained in serious criminal cases under strict court supervision, should be expressly authorized. Or the use of this investigative technique should be specifically forbidden, thereby setting aside the telephone system as a kind of privileged sanctuary for criminal operations. We do not think the latter will come about, for public opinion will not stand for it. But Congress should move to clarify its intent in the 1934 statute without waiting until a major breakdown in law enforcement compels it to act.

[From the New York Times, Mar. 21, 1960]

TAPPING WIRES FOR EVIDENCE

To the EDITOR OF THE NEW YORK TIMES:

The controversy regarding evidence obtained by wiretapping pursuant to court order has a real basis in law.

The decision of the U.S. Supreme Court in the Benanti case lends itself to the interpretation that wiretapping may not be legalized under any circumstances by State laws.

It is difficult to reconcile the numerous opinions on this subject with any degree of consistency. The Court of Appeals of the State of New York, constituting the highest legal authority in the State, has held that such evidence is admissible. This is fortunate for the people of the State.

Were it otherwise, we would be faced with two alternatives: law enforcement agencies would be crippled in their fight against organized crime, or obliged to resort to devious methods of circumventing the law in order to run down and detect evidence of organized crime.

The controversy, however, will continue to the delight, among others, of all criminal elements of our society. Section 605 of the Federal Communications Act is the statute upon which those lawyers and jurists rely who contend that under no circumstances can evidence obtained by wiretapping be admitted and that any order permitting wiretapping is invalid in the State courts as it is in the Federal courts.

A simple amendment providing for an exception in States which have authorized the issuance of permissive orders would resolve this question properly, while leaving other related areas open for further consideration.

The people should be made acquainted with the problem involved, its significance in terms of public safety and law enforcement and the ready solution that can be provided by Congress.

DANIEL GUTMAN,
Dean, New York Law School.

NEW YORK, *March 11, 1960.*

ANNIVERSARY OF FOUNDING OF BOYS' TOWN IN ITALY

Mr. KEATING. Mr. President, March 19 marked the anniversary of the founding of the Boys' Town movement in Italy by Msgr. John Patrick Carroll-Abbing. Moved by the tragic plight of the war-orphaned and war-ravaged young children of Naples, Italy, in 1944, this fine man created an organization patterned on the famous Boys' Town of the United States. This splendid work of Christian charity and human salvage has now developed into national representation, and includes 9 Boys' Towns, a Girls' Town, and some 30 other institutions providing total care for more than 2,500 youngsters, and day care for an additional 5,000. The entire organization has been financed not only by Catholics, but also by people of all creeds throughout the world, and notably by the citizens of the United States.

Monsignor Carroll-Abbing, who has lived in Italy for 30 years, and has a distinguished record in the Vatican service, has aimed not only to provide food, shelter, and medical care for these thousands of homeless children, but also to train them in a trade, and, above all, in the principles of Christian living and democracy. The young citizens of Italy's Boys' Towns are encouraged to assume direct responsibility in every sector of their daily lives. A mayor is elected by secret ballot after a campaign in which each candidate must illustrate his program. The mayor and his four assistants or commissioners preside over the daily meetings of the popular assembly and are responsible to their fellow citizens.

The trust shown in the boys, the understanding guidance by teachers and counselors and the practical training in democratic living have turned thousands of problem children into good members of the outside community. Monsignor Carroll-Abbing is especially proud that the boys who have emigrated to the United States have shown outstanding ability to fit into the American way of life.

In a world where the dignity of the individual is so often consciously debased, and where opportunity remains a gift denied as a result of political, social, and economic circumstances, the work of Monsignor Carroll-Abbing and his associates stands as a magnificent example of the spirit of man's noble role as his brother's keeper.

LAW OF THE SEAS

Mr. MAGNUSON. Mr. President, last week I discussed on the floor of the Senate the vital importance of the meeting now in progress in Geneva on the law of the seas. I pointed out to the Senate at that time the security importance to the United States of the decisions made there; and second, the direct effect upon the fishing industry of the United States of adopting a 3-mile, 6-mile, or 12-mile limitation for territorial waters. This effect would be reflected in both the fish and shellfish industries.

I stated at that time that I would submit some figures relative to the effect of a 6-mile limitation and a 12-mile limitation upon the fisheries industry in our area. Since that time the State fisheries commissioner, Milo Moore, who at one time was an adviser to the Senate Committee on Interstate and Foreign Commerce in connection with fisheries matters, because of the great importance

of this meeting to the State of Washington, was sent to Geneva to be an official observer. The Senate Committee on Interstate and Foreign Commerce made him its observer also, because of his background, at no cost to us, which made the situation much better for us, because it would have required a considerable expenditure to send an observer over there in connection with this important matter.

In Geneva the representatives of 89 nations are now assembled. They are attempting to discard the longtime 3-mile limitation, and adopt a uniform global limitation somewhere between 6 and 12 miles. Last week I pointed out to the Senate the importance of such action to our security.

A 12-mile fishery zone would seal off from American fishermen important grounds on the west coast of Vancouver Island. Together with Canadian fishermen, they have fished that area for many years. The same situation applies to many other areas, in the gulf, and in many fishery banks all over the United States.

Not only would fishermen be hurt, but distributors, jobbers, wholesalers, processors, retailers, and many others who depend upon fisheries for a living would be affected.

I have figures showing the effect in this area alone should the State Department capitulate to Soviet demands for a 12-mile territorial limit, which would not only be disastrous to our security, but would also have a great economic effect on us.

Figures on bottom fish for our area alone show that American trawlers took 50,237,493 pounds of bottom fish off British Columbia last year, of which more than 12 percent were netted between 3 and 6 miles offshore. More than 15 percent were taken between 3 and 12 miles.

With respect to chinook salmon, about one-fifth of all Washington State chinook landings were made last year within 12 miles of the Canadian shore.

With respect to silver salmon, 14 percent of the State's silver landings were made within 12 miles of Canada.

With respect to pink salmon, 28 percent of Washington's pink catch was made in the 12-mile zone off Canada.

American fishermen harvested 1,600,000 pounds of chinooks, 1,500,000 pounds of silvers, and 750,000 pounds of pinks in all waters off Canada last year.

The fishermen received about 50 cents a pound for chinooks, 35 cents a pound for silvers, and 25 cents for pinks. Bottom fish brought the fishermen only an average of 8 cents a pound. There is quite a difference between what the producer and the catcher of fish receives, and what one must pay for fillets in grocery stores in the District of Columbia.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that I may have 2 additional minutes.

The PRESIDENT pro tempore. Without objection, the Senator may proceed.

Mr. MAGNUSON. More than half of Washington's trawlers work the disputed area steadily. There is no season. They are there all the time. At times three-fourths of the trawler fleet is in the waters which would be affected by the decision in Geneva.

The State of Washington alone—I do not have the figures for Oregon—has some 1,400 major salmon-trolling vessels. A large percentage of these ships fish the waters off Vancouver Island most of the time.

Milo Moore, the State fisheries director, values the State's commercial salmon-trolling industry at $3 million annually for the small group of fishermen who are there steadily.

Canada has a problem relating to Canadian fishermen in the exclusive 12-mile Canadian zone. Salmon from both nations intermix in the area. Those which may be coming to spawn in Puget Sound and in the beautiful inland rivers along the coast are intermixed with Canadian salmon. We do not have very much scientific data, but we know that they intermix.

That poses the same problem we have with the Japanese, when the Asian and the North American salmon intermix somewhere in the northern Pacific. We have a particular area staked out, and we are doing some research, but we do not know a great deal about the problem. The Japanese catch a great many immature North American salmon which are on their way back to American streams and American waters. The salmon also intermix off the Vancouver Island coast, and off Queen Charlotte Island.

So the importance of the Geneva conference is just as great as I mentioned last week. I hope our fine relations with Canada, which have existed since the beginnings of the two nations, and even before, will not be damaged in any way by the raging controversy in Geneva, and that the Canadians will not willingly give in to the proposal of Russia and her satellite nations, whose representatives comprise more than a third of the 89 representatives. A two-thirds vote is required. Each nation has a vote. A small nation like San Marino has the same vote as the United States, Norway, or Canada. I hope the free nations will not give in to the Russian proposal, because it would not only affect our security, but make territorial waters out of 114 strategic straits in the world, including the strait of Gibraltar and the English Channel. It would have the effect which I have indicated in our area, not only on our fishing industry, but on our security.

I hope the Canadians will stay with us on the 3-mile limit, for good reasons of their own, as well as for the security of the free world. I am sure we shall be able to get together on a treaty with Canada so that Canadian and American fishermen may fish these historic waters as they have done for many years in the past.

MUTUAL SECURITY AID TO CUBA

Mr. BRIDGES. Mr. President, although I have consistently supported foreign aid since its inception as the Marshall plan, I have equally consistently called for objectivity in approach and selectivity in administration. Never was it more necessary to apply the sanity of that concept. What possible iota of mutual security could there be at this time in aid to the Castro regime in Cuba, yet the International Cooperation Administration asserts that it has not only programed for fiscal 1961, but intends to carry out that program of aid to the tune of $350,000.

Mr. President, is this another example of bureaucracy gone astray, or one hand not knowing what the other is doing? The Department of State is supposed to set the policy for ICA, yet we find ICA proposing further aid to a regime from which, Secretary of State Herter has just said, we may have to break off relations. Regardless of diplomatic policy, is it good judgment to continue aid to a regime which has branded every kindly and helpful act of ours as an attempt at capitalistic enslavement?

Mr. President, never has my patience been so sorely tried, nor my support of a program been subject to more soul searching. The complete unrealism of the proposal cannot be better stated than in the editorial appearing in the Washington Daily News of Thursday, March 17, 1960. I ask unanimous consent that this editorial be printed in the RECORD.

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

[From the Washington Daily News, Mar. 17, 1960]

NOW WE'RE AIDING CASTRO

We remarked, a few days back, that International Cooperation Administration (ICA) showed signs it was paying some attention to criticism and trying to tighten up its operation of foreign aid.

We hereby take it all back.

For its operations next year, ICA is asking Congress for $4 billion, which is $900 million more than this year.

And included in this amount is—of all things—$350,000 to continue foreign aid to Cuba. A big chunk of this would be used in the development of a modern civil service and personnel system for Cuba.

All this blandly ignores violent events of the last year or so, including Fidel Castro's sweeping replacement of civil servants with bearded amateurs who have been yammering about U.S. subsidies as a part of a devious, capitalist plot.

Aside from that unwanted radio equipment, left to decay on the Vietnam wharves, we can think of few more careless ways to waste money.

Foreign aid, as we have affirmed over and over, is essential to free world defense and progress. But its aims can't be accomplished merely by throwing money around, and this Cuban proposal indicates a confirmed habit.

Two study missions, one from the Senate and one from the House, recently have reported on extensive investigations prompted by articles on Vietnam, written by our reporter, A. N. Colegrove. These should be used by Congress in an effort to carve some of the fat off of foreign aid.

The lavish squandering of money, even if we had it to spare, does not advance the foreign aid cause. On the other hand it does harm by making us look foolish—as, we suspect, to the Cubans in this instance.

THE LOYALTY OATH IN NATIONAL DEFENSE EDUCATION ACT

Mr. BRIDGES. Mr. President, I am very much interested in the matter of

loyalty oaths because, while they are obviously not foolproof, they do nevertheless serve a useful purpose. While they may not prevent a person from committing a subversive act, they do furnish a basis for perjury, and let us not forget that it was on perjury alone that Alger Hiss was meted out his just deserts.

It seems to me that the objection to the loyalty oath of the National Defense Education Act has been waged with more fanaticism than reason. If those professors who have been so vigorously opposing the loyalty oath in that act had spent the same time in an increased teaching output, they would have performed a greater service to their country.

The opposition becomes even more curious when one reflects that the loyalty oath of the National Defense Education Act was lifted verbatim from the earlier National Science Foundation Act. To that act there has not been, nor is there now, any great opposition; in fact, none to my knowledge. Wherein lies the difference? It lies, to my mind, simply in the fact that in the National Science Foundation Act the advances of funds are made directly to the students themselves. Under the National Defense Education Act, the funds are allotted to the colleges which, in turn, make loans to the students.

The difference which I have outlined bears out, I believe, what has been my contention all along, that the colleges which have objected to the oath as an abridgment of academic freedom have not considered an even greater freedom, that of the freedom of choice of the individual student, and indeed those colleges, few in number, 12 out of 1,368, have actually denied to their students a freedom of choice by refusing funds under the National Defense Education Act.

Furthermore, the latest evidence is that it is not so much a college policy matter as the matter of an organization which apparently is supersensitive. I refer to the American Association of University Professors. This was brought out in just the last few days when the chapter of that organization at the State university in my neighboring State of Vermont went on record as opposed to the oath, while the able and illustrious president of that university, Hon. John T. Fey, the former Clerk of the U.S. Supreme Court, said that he saw no objection to the oath whatsoever.

Since education and the quality of education are unquestionably of the utmost importance in the struggle for survival of this country and the whole free world, I can only wish that the educators address themselves as completely as possible to the matter of education and let the legislators address themselves to matters of legislation. The mere mention of the word "education" in a piece of legislation should not give rise to the cry of "Man the ramparts and fire in all directions."

THE "DOLE" SYSTEM IN THE SHIPMENT OF HOUSEHOLD GOODS OF MILITARY PERSONNEL

Mr. BRIDGES. Mr. President, many of my colleagues are aware that I have been concerned for some time over the method being used by the Department of Defense in the shipping of household goods of military personnel. For a number of years now a system of rotation and equitable distribution has been in effect. Under this system any carrier, regardless of qualifications, can request that his name be placed on a rotation list by the transportation officer of a military establishment. When his name comes to the top of the list the transportation officer awards him the next shipment of household goods. The transportation officer also is required to keep an accurate record of all shipments and periodically he must balance out the tonnage to insure that one carrier does not get more than the others on the rotation list.

Mr. President, I think it is obvious that such a "dole" system is contrary to the free enterprise system that has made our country what it is today. I think it is also obvious that the Government is not getting the quality of service it is paying for. What incentive is there for a carrier to perform high quality service when his efforts cannot result in receiving any more business than he will get automatically by providing a barely satisfactory service? And where else in Government procurement is there a system that guarantees an equal share of Government business just for the asking?

But apart from the fact that this system of rotation is contrary to our free enterprise system and the principles of good business, the matter that disturbs me most is that under such a method the serviceman and his wife have absolutely nothing to say about what mover is to handle their household goods, which in many cases may represent most, if not all, of their earthly possessions. Every civilian employee of the Federal Government—including the Department of Defense—has the right to select the carrier he wants to move his household goods when the Government transfers him. Only the man in uniform is denied this right.

Believing that it was extremely unfair to military personnel to deny them the same opportunity as all other Government employees, last April I met with Secretary McElroy and a group of household goods movers who felt that the method being used could be improved and that the individual being moved should have something to say about who moves him. As a result of the meeting, Secretary McElroy issued instructions that a determination be made as to the best way of shipping household goods of military personnel. Consequently, last June a committee, consisting of representatives from the Army, Navy, Marine Corps, Air Force, and the Department of Defense, was formed and spent 4 months full time studying the matter.

Mr. President, I would like to point out some of the findings of that committee:

First. The system of rotation has condoned barely satisfactory service.

Second. Maintaining the records required by rotation involved approximately a half man-year per installation.

Third. Of the military personnel interviewed, 59 percent wanted the opportunity to veto or select the carrier.

Fourth. Thirty-three percent of the military personnel interviewed rated the most recent movements of their household goods as unsatisfactory.

Is it any wonder that on December 8, 1959, Secretary Gates signed a new directive emphasizing quality of service and giving consideration to the wishes of the military personnel in the selection of the carrier? I think it is obvious to all that such action was in the best interest of the Government and of our men in uniform.

However, apparently it was not in the best interest of one segment of the household goods moving industry. No sooner had the Defense Department issued the new directive than the movers who prefer a "dole" system to going out and competing for military traffic the way they have to compete for other Government and commercial traffic started complaining bitterly that the new policy would put them out of business.

Mr. President, I have been amazed at the argument these movers have presented to certain Members of Congress and the staffs of congressional committees. They insist that they are "entitled" to an equal share of shipments of household goods from military installations without respect to the wishes of the individuals being moved: I would like to quote from the official transcript of a meeting called by the Department of Defense to discuss the new directive with the moving van industry. One of the group's spokesmen stated:

> If this provision, the provision for indication of owner's preference and the solicitation of owner's preference were removed, I think we could possibly live with it.

At the same meeting a spokesman for another segment of the moving industry stated:

> We feel simply that the member of the military should be allowed the prerogative of choosing the person with whom he is going to entrust his worldly possessions.

I must say that I am in agreement with this view.

I was disturbed, Mr. President, on January 13 when I received from the Department of Defense an announcement that the new policy directive was being suspended until July 1, 1960. The result, as I understand it, is that the Department of Defense is again studying the whole matter together with congressional committees, other Government agencies, and the moving van industry. What will come out of this latest go-round is anybody's guess, but I sincerely hope the Department of Defense will put into proper perspective the highly important necessity of guarding the legitimate interests of our uniformed personnel.

For the benefit of those of my colleagues who may not be aware, yet, of how our military personnel feel concerning who moves them, I ask unanimous consent that a series of news stories and editorials dealing with this subject be printed in the RECORD at the conclusion of my remarks.

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

[From Army Times, Jan. 16, 1960]

DELAY GRANTED—GOODS MOVE ORDER GIVEN JULY DATE—GERMANE CITES MANY COMPLAINTS FROM SERVICEMEN

(By Jack Vincent)

WASHINGTON.—The top Department of Defense (DOD) transportation official said this week that he would recommend that the effective date for a new policy on movement of uncrated household goods of military families be delayed from March 8 to July 1.

Dr. Gayton Germane, Director of Transportation Policy for DOD, made the statement at a noisy open meeting at the Pentagon on the new directive which would give the military a modified free choice of movers on PCS's.

Under the new plan, servicemen could veto use of a moving firm assigned by a transportation officer if that moving company had given him unsatisfactory service in the past.

Dr. Germane's recommendation, it was believed, is almost certain to be approved by Secretary of Defense Thomas S. Gates, Jr.

So delay in start of the program was almost certain.

In making the recommendation for delay, DOD officials were bowing, at least temporarily, to the unusually vocal protests of small or independent movers who expressed fears of being driven out of business.

Dr. Germane apparently hoped the delay would give time to pacify the small movers.

He earlier had reported at the Pentagon meeting that nearly one-third of military families surveyed reported that they had received flat-out unsatisfactory service from transfer firms in moving their household goods.

However, a spokesman for Senator SAM ERVIN, Democrat, of North Carolina, who is threatening a congressional investigation of DOD policies on household goods moves, said that the legislator's office has yet to receive a single complaint about poor service from a soldier at Fort Bragg or a marine at Camp Lejeune, both in North Carolina.

The Pentagon meeting immediately became a sounding board for congressional demands that the new plan be held up or rescinded. If not, it was threatened, either the Small Business Committees or the Armed Services Committees of the Congress would hold probes to call DOD to account.

Thus, the DOD action taken December 8 in an announced drive to provide better quality of service in moving household goods of the military may become an election-year political football.

At stake is some $200 million a year the military spends to move the household effects of its servicemen.

At issue was whether to—

Adopt the new system which would allow a serviceman to veto shipments of his goods by a mover which had given him poor or unsatisfactory service in the past.

Keep the present system of rotating shipments of goods among movers who register with the transportation officer regardless of the wishes of servicemen.

At odds were segments of the transportation industry which now are split up into two groups as follows:

The movers committee for equitable distribution of Government traffic, which claims to represent between 2,000 and 3,000 small moving companies.

A group the small movers call the Big 4 composed of Allied Van Lines, North American Van Lines, Aero-Mayflower Transit Co., and United Van Lines and some 4,000 of their independent local agents scattered across the country.

It was brought out that the Small Business Administration (SBA) had opposed the new moving policy, although the SBA official in DOD had gone along. Spokesmen for the Big 4 denied they were big business and said they had fewer than 500 direct employees—the dividing line between big and little business.

DOD officials called the meeting in an attempt to work out and explain its new policy. But they remained to hear hoots of derision from the small movers. The small movers also gave an ovation to Representative JAMES ROOSEVELT, Democrat, of California, a member of the House Small Business Committee, when he demanded that the new system be either postponed or completely dropped.

The new policy would continue the present rotation system, allowing transportation officers to assign movers. However, it would be mandatory for a TO to select another firm for the servicemen if the latter said he had received bad service from the original selection in the past.

More than a score of Congressmen and Senators or their representatives attended the meeting, which was held in the 275-seat capacity theater-auditorium at the Pentagon.

Flanked by many aids, Dr. Germane presented the Defense Department's position. The hearing room was crowded but not overflowing. It was apparent that there were more small movers than big companies present.

Dr. Germane explained that the main intent of the new directive was to provide better quality of service for members of the military. He said a DOD team had made a survey in the field and it had found that 33 percent of the military and 28 percent of the civilians working for the military had rated movement of household goods as unsatisfactory.

"That is nearly one-third," he continued. "That's a pretty harsh proportion. You can all see that changes were required."

Dr. Germane said that complaints revolved around excessive damage to furniture, delay in pickup, failure to unpack, and failure to reassemble furniture which had been taken apart for shipment.

"It adds up to a serious problem for us," he declared. "It's our responsibility to see that members of the military receive satisfactory and quality service."

He maintained the new plan was fair to all, and that small operators would get more business if they furnished quality service. He said he did not think that the role of advertising would influence traffic.

At that, the small movers hooted in derision. The small movers have charged that the big four through newspaper advertising could attract most of the business and drive the small operators to the wall.

Dr. Germane stated:

"Any carrier with top quality service will get more traffic. Those who provide poor service will get less. You might call this the stick."

A small operator in the meeting room protested in sotto voce which many could hear that:

"It's a club."

Dr. Germane said the new policy gives people a positive incentive to furnish top quality moving service to military families.

Later Dr. Germane told Army Times exclusively that his office had received communications from a total of 764 persons about the proposed change. He said that 646 were in favor of it, 115 against, that 2 had mixed reactions, and that 1 was neutral.

Small movers had protested that DOD made the change without keeping a promise that they would first be consulted on the proposal. Dr. Germane said he had to apologize to them because a DOD statement to them had said just that. But the DOD, he said, had meant to say that the small movers would be consulted on regulations implementing the change, once policy had been decided.

Representative ROOSEVELT indicated that the new policy would go into effect over his dead body. He declared that because of the misunderstanding over the promise of prior consultation the only fair and decent thing to do is to cancel the order and start over from scratch.

The Congressman pointed out that the small movers had support from the Democrats and Republicans alike. He pointed out that there had been a conference with the Big 4 before issuance of the policy and asked if there was any attempt to get further views, such as those of small movers.

"No," answered Dr. Germane. "They knew we were here."

Again there were shouts of derision from the small movers.

It was John Spain, executive assistant to Senator ERVIN, of North Carolina, who made the statement for the lawmaker that there was not one single complaint about moving service from servicemen at Fort Bragg and Camp Lejeune.

Spain charged that DOD put Congressmen behind the 8 ball by saying small movers would be consulted before issuance of the directive.

Senator ERVIN, he reported, demanded that action be deferred 6 months from the proposed March 8 starting date.

"If not," Spain said, "he's going to investigate how and why you reached your decision. There are rumors that the Big 4 are back of this. Of course I don't believe it. I haven't had a single soldier or marine to criticize the quality of service."

Spain said that the fact that one-third of the military surveyed had complained of unsatisfactory service was "not alarming to me"

Main presentation for the small movers committee was made by Russell E. Garrett, its chairman. He charged that the Big 4 control more than 50 percent of all military moving.

Earlier, Dr. Germane reported that under the rotation system the Big 4 got only 29 percent of all military moving.

Garrett insisted it was 50 percent. He also alleged that the big movers were trying the trick of smear by innuendo by charging the small ones were fly-by-nights. He said the so-called fly-by-nights would be found among the agents of the Big 4.

He asserted that the new policy would drive many into bankruptcy and leave the country without adequate transportation in events of emergencies. He added:

"Most of these carriers have heavy debt commitments incurred in order to meet their obligations under your previous policy. You are abandoning them. You are throwing them to the wolves."

[From Army Times, Feb. 13, 1960]

CHANGE THE RULES

Response to our invitation to readers to voice an opinion on how movers of their household goods should be selected has been gratifying—and the mass opinion expressed has been practically unanimous. In the 4 weeks since the survey was opened, hundreds of service people have written in. All but one was emphatically in favor of a change in the present rules, which give the service family practically no choice in what firm moves them on a PCS transfer.

In other words, all but one would favor changes in the rules such as were proposed by the Defense Department some weeks ago, only to be deferred to July 1 by protests from small movers and some Congressmen. (The inference was clear in many letters received by this paper that the Defense Department did itself little good in service people's eyes by backing down on the issue.)

Much resentment also centered on the fact that while many moving firms apparently think they have a right to the money re-

sulting from handling a service family's personal possessions, the serviceman himself cannot refuse their services, even though he may have firsthand knowledge of their unacceptability.

In a nutshell: Why should any serviceman have any less right than any other citizen to deny to any ill-equipped carrier with a poor reputation the privilege of moving his personal property?

This attitude makes complete sense to us. An unsatisfactory movement of a soldier's possessions by a carrier should not be tolerated by the military any more than it would be in the case of a civilian being moved by his employer or with his own funds.

A failure to show continued ability to move household goods in a proper manner should be cause for disbarring a carrier from consideration for such work until he can meet the standards.

The claim is made that the present system is democratic and nondiscriminative. It is said that large-scale advertising by the Big 4 van associations will grab all the military business.

We doubt that. Word-of-mouth is still the best kind of advertising and it can't be bought. The old Army grapevine still functions and the word of a good move would be worth large sums in advertising dollars.

On the other hand, why should a soldier undergo financial hardship in the loss of possessions and nonpayment of just claims, merely in order to keep noncompetitive carriers in business? By that we mean the many—though not all—firms which spring up around an Army post, are added to the list in the transportation office, but have neither the equipment nor experience to handle the jobs they get. If these people are unable to survive business competition, perhaps they should find another calling.

Perhaps this excerpt from a reader's letter will sum up the attitude of the majority: "It has happened that the same company has moved us each time and without so much as a glass being broken. I would, of course, if the choice were mine, choose this company again. My choice would be based on past service, not advertising."

In coming weeks, the Department of Defense and others concerned in the matter will be holding meetings looking toward a final decision on goods moves. Army Times hopes to have a representative at these sessions, prepared to put on the record news stories, editorials, and letters dealing with this subject. Of course, no correspondent's name will be used if he does not want it made public.

[From Air Force Times, Feb. 6, 1960]

GOODS HAULERS

ILLINOIS.—After having read the article in AF Times about moving household goods I must say I agree with the people who said they received poor service. I've made eight PCS moves in the past 8 years and on my last two moves there was more damage than on the other six combined.

It seems to me a plan could be devised whereby the transportation officer at the point of origin could be given a copy of the manifest to certify that the household effects were loaded on such and such a date, weighed so much, how much it would cost to move them, destination, etc. This copy could then be given to the serviceman who was moving and when the goods were delivered to his address he could get the money to pay the movers in the same manner he obtains travel pay and dislocation allowances for his dependents.

The smaller companies claim the larger ones will get all the business if the individual is to get a choice. That may be true to a certain extent, but I believe that if good service is rendered the word will get around as it does now about the bad service.

MASTER.

MIDWEST.—I am writing in response to an article and a more recent editorial both in regard to the shipment of household goods of military personnel; and suggested remedies to what Dr. Gayton Germane, Defense Transportation Policy Director terms "flat out unsatisfactory service from transfer firms."

First, let's take a look at the proposed system, which would allow a member to veto a shipment of his goods by a mover which had given him poor or unsatisfactory service in the past. The glaring unjustice to this system is that the member must have been stung before exercising this veto. No provision is made for the member making his first move, nor, for the person who through experiences of friends has knowledge of unsatisfactory moves. It has long been my belief that the person making his first move, one with the bare basic entitlement to such move, is entitled to every bit of consideration and fine service as one accorded the maximum weight allowance applicable under law.

Now for a look at the present system, commonly known as the rotation system. Under this system, carriers and their agents file a service tender with the military installation, and if accepted become eligible for traffic on a rotational basis. This service tender outlines in explicit language the conditions under which the carrier accepts such traffic, including the type and condition of equipment to be used, packing requirements, pick up, dispatch and delivery deadlines, the type and condition of warehouses used for intransit storage, and delivery into residence and unpacking requirements. Forms have been devised for use with each shipment, on which to record all aspects of that shipment. It will be noted, nothing in the proposed "new" system changes this, it only adds the conditional veto prerogative of the member.

Basically, then, this is a sound system and should work, but when fully one-third of the members as reported, report "flat out poor service," something drastic must be wrong which needs correcting. This entails frequent and rigid inspections of carriers' facilities and equipment as well as close observation of pickups and deliveries of goods. This obviously is not being done.

NONCOM.

[From Army Times, Jan. 30, 1960]

READER OPINION ON MOVING SYSTEM

RACINE, WIS.—By all means, use the new system. In conjunction with the new policy, let's have a centrally located sounding board where we can write in about good or raw deals so that another won't get stuck by the same outfit, in case we should.

M. Sgt. HENRY E. O'NEIL, Jr.

FORT STEWART, GA.—It seems a pity to me that a group of fly-by-night moving companies can dictate to the U.S. Government on how and who will ship the household goods of military personnel. In some cases, up to four companies are represented in one building.

All that is required to move military household goods is to submit a service tender to the transportation officer, get it approved and then wait for the business to roll in. At the present time, the transportation officer distributes the weight equally to all carriers that have service tenders on file, and the individual being moved has no say as to who will move him.

Military personnel should be entitled to choose the carrier that will transport their goods. It's a shame that they are forced to accept the same unsatisfactory service from the same unsatisfactory carrier that moved their goods on the last PCS move.

Sfc. JOHN A. CARTWRIGHT,
Transportation Office.

FORT CAMPBELL.—I wonder if these independent movers ever considered giving superior service to offset the great advertising power of the Big 4. Can it be that they say to themselves: "What difference does it make if our service is below par? We have a contract with the Government."

(Name withheld.)

[From Navy Times, Feb. 6, 1960]

TIMES' POLL SHOWS READERS WANT TO PICK MOVING FIRM

WASHINGTON.—A serviceman should be able to choose the firm he wants to move his household goods.

That's the overwhelming opinion of our readers who responded to our "It's My Move" ballot printed 2 weeks ago.

For those who may have missed it, we're reprinting the coupon ballot with this story. We'd like your vote and comments if you have any.

Defense was going to issue a directive giving military families more say as to which transfer company will move their goods. It was originally going to take effect March 8. But it was postponed until July 1 after a heated Pentagon meeting among Defense officials, a group of "independent" small movers and Congressmen.

The postponement is supposed to give those concerned some time to hold conferences and, perhaps, draw up an entirely new directive.

No one, however, had asked service families how they felt about the matter. So Navy Times suggested to its readers that they let themselves be heard via our ballot. Our sister publication, Army Times, is also surveying its readers and a sampling of opinion among its readers show they're also overwhelmingly in favor of a change.

Dr. Gayton E. Germane, Defense Department Director of Transportation Policy, who acted as chairman at the Pentagon meeting, said that although the battle is raging over the so-called free choice clause in the directive, the most significant change is the emphasis on the quality of service rendered by the carrier.

Germane said he does not believe that small movers, who have provided top quality service at competitive rates in the past, will lose any business.

The small "independent" movers, who have formed the movers committee for equitable distribution of Government traffic, charge that the change from the rotation system, under which movers are assigned as their names come to the top of the list, would drive them out of business. They say the Big 4, as they have labeled Allied Van Lines, United Van Lines, North American Van Lines, and the Aero-Mayflower Transit Co., could wield so much advertising power that their small businesses would not be able to compete.

Navy Times has received almost as many letters telling of unsatisfactory service given by large moving companies as by the small ones. It is not a matter of eliminating the small mover. What service families want is the right to pick their mover.

One reader writes: "It has so happened that the same company moved us each time and without so much as a glass broken. I would choose this company again if the choice were mine. My choice would be based on past service, not advertising."

"I feel the independent companies will not lose a nickel under the new system because I have found them to be more reliable than the larger companies," writes another reader,

"but I should like the new system to be approved in order that I might have the opportunity to select the company to move me if the van company chosen by the transportation officer is one which gave me poor service in the past."

Another writes: "Under the new system the only movers who will suffer are those who have already demonstrated their incompetence, and I fail to see anything unjust in this. If the new system is going to force any mover 'to the wall' through loss of business from the services, then he is no more than a parasite who deserves the fate."

Still other comments:

"The small companies have no kick. All they have to do is put quality into their work and stop trying to pocket money for doing as little as possible on the present rotative system."

"As a matter of fact, they could go a little further and give the serviceman his choice completely."

"It's our dollars as well as other U.S. citizens, so why shouldn't we have the privilege of choosing our mover? Our choice of a reputable moving firm is our best insurance."

"The expense of repairing and replacing household goods could be avoided if companies cared enough for their business through the Defense Department to offer better service and more efficient employees."

"For the consolation of the small movers, my best moves were by them."

"This new system should have been put in practice years ago."

"In one overseas move and three stateside moves, we have had excellent packing and satisfactory transport of our household goods. I have no complaints with the old system."

A study made by the Defense Department which led to the writing of the new directive, showed that nearly one third of the service families questioned had received "unsatisfactory" service in the past.

Under the proposed system, qualified carriers would have records on file at each shipping installation, showing the quality of service they give. Servicemen would then be able to check those records before making arrangements for moving. Traffic would still be distributed among the lowest-cost originating carriers, but primary consideration would be given to quality service.

It is impossible to forecast what changes, if any, will be made in the directive by July 1 when it is scheduled to go into effect. Whether the conferences between Defense officials and the movers will include representatives of both groups at the same time, has not been announced.

Ella Roller, press representative for the movers committee, told Navy Times that the "independents" have asked for at least a couple weeks' time before coming back to Washington to attend conferences.

"They are ready, willing and able to cooperate with the Department of Defense in any way," Miss Roller said, "and are most hopeful of a mutually beneficial arrangement."

A spokesman for the Big 4 said no conference has been called but that, "we will be ready to sit down and discuss the situation with the Defense Department, either in a separate session or together with representatives of the small movers." He added that the original directive was not as strongly worded in reference to owner selection as the group had hoped it would be.

Readers who wish to express their opinions on the subject may do so by writing to: "Move," Navy Times, 2020 M St. NW., Washington 6, D.C.

Your name will be withheld upon request.

IT'S MY MOVE

Circle No. 1 or 2 below. (Send comments on separate sheet, if you wish.)

1. I prefer that the old system of moving household goods be kept in force.

2. I think the new system proposed by the Defense Department would be preferable.

Check here — if you wish your name withheld.

Name _____

Address _____

[From Army Times, Jan. 30, 1960]

SURVEY RESULTS: MOVE PICK FAVORED

(By Carol Arndt)

WASHINGTON.—A sampling of opinion among Army Times readers last week indicated that an overwhelming demand exists for changes in the method of selecting commercial movers of service household goods.

Asked a direct question by Army Times—"Do you prefer the 'old' way of selecting haulers of your goods on PCS moves, or the new method proposed by the Defense Department?"—those who answered almost unanimously favored the latter.

Of the nearly 200 who replied via a clip-out coupon printed in Army Times, only one person favored the "old" method.

The "old" way, of course, is still in force. Defense's directive giving military families more to say as to which transfer company will move their goods was originally scheduled to take effect on March 8. It was later postponed to July 1 following a heated Pentagon meeting among Defense officials, a group of "independent" small movers, and Congressmen.

The postponement is intended to give all concerned time to hold conferences and, perhaps, to draw up an entirely new directive.

No one, however, had asked service families how they felt about the matter. Army Times suggested to its readers last week that they write in, stating their feelings on the subject.

Dr. Gayton E. Germane, Defense Department Director of Transportation Policy, who acted as chairman at the Pentagon meeting, said that although the battle is raging over the so-called free choice clause in the directive, the most significant change is the emphasis on the quality of service rendered by the carrier.

Germane said he does not believe that small movers who have provided top quality service at competitive rates in the past will lose any business.

The small "independent" movers who have formed the "movers committee for equitable distribution of Government traffic," charge that the change from the rotation system, under which movers are assigned as their names come to the top of the list, would drive them out of business.

They say the Big 4, as they have labeled Allied Van Lines, United Van Lines, North American Van Lines, and the Aero-Mayflower Transit Co., could wield so much advertising power that their small businesses would not be able to compete.

Army Times has received almost as many letters telling of unsatisfactory service given by large moving companies as by the small ones. It is not a matter of eliminating the small mover. What service families want is the right to pick their mover.

A reader stationed in Europe writes: "It has so happened that the same company moved us each time and without so much as a glass broken. I would choose this company again if the choice were mine. My choice would be based on past service, not advertising."

"I feel the independent companies will not lose a nickel under the new system because I have found them to be more reliable than the larger companies," writes a reader stationed at the U.S. Army Ordnance Depot, Pueblo, Colo., "but I should like the new system to be approved in order that I might have the opportunity to select the company to move me if the van company chosen by the transportation officer is one which gave me poor service in the past."

Another writes: "Under the new system, the only movers who will suffer are those who have already demonstrated their incompetence, and I fail to see anything unjust in this. If the new system is going to force any mover 'to the wall' through loss of business from the services, then he is no more than a parasite who deserves the fate."

Still other comments:

"The small companies have no kick * * * all they have to do is put quality into their work and stop trying to pocket money for doing as little as possible on the present rotative system."

"As a matter of fact, they could go a little further and give the serviceman his choice completely."

"It's our dollars as well as other U.S. citizens', so why shouldn't we have the privilege of choosing our mover? Our choice of a reputable moving firm is our best insurance."

"The expense of repairing and replacing household goods could be avoided if companies cared enough for their business through the Defense Department to offer better service and more efficient employees."

"For the consolation of the small movers, my best moves were by them."

"This new system should have been put in practice years ago."

"In one overseas move and three stateside moves, we have had excellent packing and satisfactory transport of our household goods. I have no complaints with the old system."

The study made by the DOD, which led to the writing of the new directive, showed that nearly one-third of the service families questioned had received unsatisfactory service in the past.

Under the new system qualified carriers would have records on file at each shipping installation, showing the quality of service they give. Servicemen would then be able to check those records before making arrangements for moving. Traffic would still be distributed among the lowest-cost originating carriers, but primary consideration would be given to quality service.

It is impossible to forecast what changes, if any, will be made in the directive by July 1, when it is scheduled to go into effect. Whether the conferences between DOD officials and the movers will include representatives of both groups at the same time, has not been announced.

Readers who wish to express their opinions on the subject may do so by writing to: "MOVE," Army Times, 2020 M Street NW., Washington 6, D.C.

Your name will be withheld upon request.

[From Army Times, Jan. 16, 1960]

DATELINE: WASHINGTON

(By Carol Arndt)

(After this column was written, Gayton E. Germane, Defense Department Director of Transportation Policy, announced he will recommend that the effective date of the directive on transportation be delayed from March 8 to July 1—Editor.)

The "household goods hauling hassle" took on the shape of a hot battle this week when the movers, who annually transport about 644,100 shipments of uncrated household goods for military and civilian families, met with top members of the Department of Defense to talk about the Department's new directive on the subject of transportation.

The directive was designed to give servicemen more say-so about who will haul their household goods on a PCS move. It goes into effect on March 8, and will do away with the rotation system under which the transportation officers simply assign the next mover on the roster to handle a serviceman's move. Under this new directive, a family that has found a certain moving

company gives unsatisfactory service (based on previous experience with that company) may ask that another company be assigned to handle the job.

Although this sounds fair to most, a number of "independent" movers are objecting violently and shouting "foul." About 2,000 of them have joined forces to form "The Movers Committee for Equitable Distribution of Government Traffic." They are afraid the Big 4—Allied Van Lines, United Van Lines, North American Van Lines and Mayflower Transit Co.—will wield so much advertising power that their small businesses will not be able to compete.

At the meeting, for which the 275-seat theater conference room in the Pentagon was packed, Defense Department Director of Transportation Policy Gayton E. Germane explained that "the directive's emphasis is on raising the standard of service" and that this will be used as "the stick" to fulfill the obligation to military families.

Gen. I. Sewell Morris, director of the Military Traffic Management Agency, said, "What we want is to get a buck's worth of service for every buck spent."

Under the new system, qualified carriers will have records showing the quality of the service they give on file at each shipping installation. These records will be made available to owners when they want to see them before arranging for a move. It is the belief of the Department of Defense that, with this emphasis on service, small and medium-sized carriers who provide top quality service at competitive rates may receive even more business than in the past.

Members of the Movers Committee for Equitable Distribution of Government Traffic say this is not so. And, as a result of the battling that has been going on between the DOD and the independent movers for a couple of weeks, Senator GEORGE SMATHERS, Democrat, of Florida, said his Subcommittee on Surface Transportation of the Senate Interstate and Foreign Commerce Committee was looking into the directive. He said there might be public hearings. Other Congressmen, including Senator RICHARD RUSSELL, Democrat, of Georgia, chairman of the Senate Armed Service Committee, have gotten into the act, too.

And that's not all. Now service wives, who have definite ideas about how their household goods should be handled, are beginning to voice their opinions. The following letter is reprinted in the hope that other wives will express their feelings in this matter:

"Dear Mrs. Arndt: Read with interest and mounting dismay of the interest of Senators SMATHERS and RUSSELL in the recent Department of Defense directive re option for families on choice of packer.

"Realizing that the various trucking interests are hoping to downshout the Department on this matter, I wonder if through your column a write-in campaign might be organized to inform the Senators of the trials and tribulations of those most vitally concerned in this argument—the service families.

"Couldn't you suggest to post women's clubs through your column that the individual members be encouraged to take pen in hand and inform these men by virtue of personal experience of the reasonableness of this directive?

"Each woman could relate disagreeable or favorable experiences, delays in shipment, improper handling, etc., that make dealing with the fly-by-night operators that prey on moving contracts, so onerous.

"I, for one, am writing these gentlemen today. I hope others will join me. This is the only lobby we have. Let's make use of the mails.

"Sincerely,

"JUDITH BARNETT,
"(Mrs. Walter L.)."

[From Army Times, Jan 16, 1960]

IT'S YOUR MOVE

The Defense Department's announced intention to change the rules of governing movement of service household goods came under sharp attack this week. And no wonder: at stake is a payroll variously estimated to be $70 million to nearly $200 million a year. Additionally, scores of small trucking firms are certain they will go under with the loss of Government contracts.

That's why an open meeting called by Defense officials at the Pentagon this week was jammed with members of "The Movers Committee" (for equitable distribution of Government traffic), all protesting any change in policy. The committee was formed by the independent small movers, who have also enlisted the aid of a number of Congressmen. Some of the latter have demanded that the Defense Department rescind the directive which started the controversy and was scheduled to go into effect on March 8. Gayton E. Germane, Defense's Director of Transportation Policy, say's he'll recommend the effective date of the directive on transportation be delayed until July 1. Others have threatened full-scale investigations. On hand, too, to uphold the Defense people in their stand were spokesmen for four organizations representing other movers who believe that the new system would provide economies and better service.

How it all came out is detailed in our front page story this week.

In previous weeks, Army Times has reported the events leading up to the argument. Briefly, the nub of the controversy is this:

Small movers wish to keep the system of allotting contracts for the shipment of service members' household goods which has been in effect for years. It is based on a rotation system by which each eligible mover regularly comes to the head of the list and is entitled to the next moving job without regard to the member's wishes

Large movers favor the new Defense plan, which would allow service members to veto the use of the company asigned them by a transportation officer, if they had had bad service from that company in the past.

What concerns Army Times in all this is the fact, that, while nearly every brother and his sister in business or politics is taking sides in the argument, an odd silence has prevailed within the military ranks.

Yet the whole matter revolves around the service family's property and, ultimately, its pocketbook.

It occurs to us that readers have not gone deeply enough into the subject to realize its full potential for them. If so, we urge them to read the stories in Army Times and elsewhere. It may also be that no effective way has been provided readers wishing to record their sentiments. In that case, the coupon below may be a convenience.

If you wish your opinion recorded—and reported—fill out the coupon, paste it on a postcard, and mail to:

"Move," Army Times, 2020 M Street NW., Washington 6, D.C. Your name will be withheld upon request.

IT'S MY MOVE

Circle No. 1 or 2 below. (Send comments on separate sheet, if you wish.)

1. I prefer that the old system of moving household goods be kept in force.

2. I think the new system proposed by the Defense Department would be preferable.

Check here — if you wish your name withheld.

Name _____

Address _____

[From Army Times, Feb. 13, 1960]

BY DEFENSE: MOVING STUDY GROUP FORMED

WASHINGTON.—As controversy continues on the new Defense policy on movement of uncrated household goods of military families, DOD has set up an industry advisory committee designed to inform and advise Department policymakers on the problems involved in the method of selecting commercial movers for PCS moves.

The committee, which was chartered this week, will hold its first meeting Monday at the Pentagon. Five industry representatives have been invited to serve as members with one member representing the following divisions of the moving industry: Independent small carriers, the so-called Big 4, regulated freight forwarders, unregulated freight forwarders and the Movers Conference of America (the movers' trade association).

Each representative has also been invited to designate a minimum of two and a maximum of three members to serve on subcommittees which may be needed.

In an exclusive interview with Army Times, a principal spokesman of DOD gave assurances that the committee will be used solely to secure information necessary to working out the best policy and that DOD will work out the policy on the basis of two primary issues—"to provide top quality service to military families and secure the best price for the Government in doing the job."

The DOD spokesman emphasized that all policy decisions will be made by the Government. The committee chairman will be a Government official (probably Dr. Gayton Germane, Director of Transportation Policy for DOD) and an attorney from the Office of General Counsel will be present at the meeting.

He also explained that the committee is only one of several groups concerned who are being consulted on settlement of the policy. Representatives of all of the services met with Dr. Germane this week and advice will be sought continuously from these service representatives, as well as Members of Congress who have become involved in the problem.

Monday's meeting should prove to be quieter than the crowded, noisy meeting held several weeks ago at the Pentagon, at which Dr. Germane bowed to congressional and small mover pressure by postponing the effective date of the new policy which would give service families more choice of movers on PCS's.

[From Navy Times, Feb. 20, 1960]

HOUSEHOLD GOODS BATTLE STILL RAGES

WASHINGTON.—The battle over who should move a service family's household goods is still in a deadlock.

Not even a series of secret meetings this week in the Pentagon could break loose an agreement between large moving companies referred to as the "Big Four" and small independent movers who have formed the Movers' Committee for the Equitable Distribution of Military Traffic.

The Big 4 proposed at the closed-door hearing that military families be given free choice and that the Defense Department set up the standards to assure quality service.

The so-called small movers again insisted that the present mandatory rotation system be kept intact.

And through it all service families continued to flood Navy Times with mail expressing their views on the matter. And they're still overwhelmingly in favor of a change in the present system.

At last count, we had received 237 of our ballots, printed a few issues ago, asking for comments. Of these, 228 were in favor of the proposed new system; 9 favored the present no-choice system.

The whole thing started when the Defense Department was about to issue a directive giving a military man a chance to turn down a mover on the rotation list if that company had given him bad service before. But small movers protested and got some Congressmen to back them up. So the directive has been indefinitely pigeonholed.

Of the ballots received this week, 88 were received from 1 activity alone, NAS, Cecil Field, Fla., where someone had mimeographed our ballot and passed them out. Of these, eight favored the present system, and until they came in we had received only one other vote for the present system.

The current series of behind-closed-doors meetings in the Pentagon may be opened up to the public so service families will be given a chance to testify.

Conducting the meetings was a Defense Industry Advisory Committee composed of one representative of the small movers, one from the "Big Four," one from regulated freight forwarders, one from the unregulated forwarders, and one from the Movers' Conference of America.

The first meeting went rather smoothly and, according to a spokesman, "an atmosphere of cooperation and good intentions prevailed."

However, that was because only the question of quality of service was brought up and everybody had to agree that servicemen should be given the best quality of moving.

On the second day the question of free choice came up, and then the fat was in the fire. There were no noisy debates, because the "Big Four" merely stated their desire for free choice and then sat back and listened and refused to argue.

The independents also stood on their desire for no change, charging that free choice would hurt their business and alleging that the "Big Four" would use an advertising campaign to get all military business.

[From Army Times, February 20, 1960]

CARE IN MOVING

The fact that one carrier offers straight-goods while another does not is good reason through service to a shipper of household for a service family on transfer orders to prefer using it. And this is probably one of the central reasons independent moving firms are so vociferously not in favor of the Defense Department proposal to give the service shipper a choice in who is to handle his goods: They're not equipped to do a complete job.

Many of the abuses causing great concern among service families probably stem from that. Under the present system of rotating carriers on a list, many irresponsible agents are content to do just a passable job. Since they are not connected with other carriers, and knowing that they will probably never see the same customer again, they give no thought that the goods may be interlined and interchanged any number of times before the shipment is completed. Of course, the less handling there is, the less is the possibility of damage or loss.

In addition, consider the inconvenience of such interlining.

When goods have to be put into permanent storage, one agency does the packing. But when it is moved out, the rotation system takes over and another carrier loads the goods for transit shipment. The original agent is relieved of all responsibility once the goods leave his warehouse. The shipping carrier does not carry liability on the packed items because they were packed by another agent. And he does not have to unpack them at their destination for the same reason. A claim submitted on this type of shipment is a waste of time.

We trust all of this is taken under consideration by those in Defense now studying the practicality of putting the new HHG directive into effect on July 1. Meanwhile, it is possible for service people on notice of transfer to do something in their own behalf to mitigate future loss or damage to their possessions. This was indicated to us recently by a former Army officer who now works for a moving agent in Florida and so is familiar with both sides of the street.

Pointing out that service families normally are authorized 90 days of storage in transit, he suggested that visits to the various agents in town would be illuminating. A person having any regard for his furniture has a natural interest in where it is going to be stored, how it will be packed and crated. If the workmen themselves are unkempt and discourteous that will probably reflect the corporate policy. Anything in this area which appears to be below standard should be reported to the post transportation officer, who can do something about it.

Again, the matter of insurance is important to the shipper. The Government releases HHG to the carrier at its lowest valuation of 30 cents per pound per article. Should the shipment be destroyed, the service family can claim only for that amount—and that does not mean 30 cents a pound for the whole load, but 30 cents per pound per article. The conscientious householder ought to look around his home and think about that—and then not make a move without added insurance.

A fair and realistic evaluation of household goods should run to a dollar or $1.25 per pound. Twenty-five or thirty dollars will insure five rooms of furniture for a full year. This will not seem too much should one ever have occasion to replace his goods.

[From the Air Force Times, Feb. 20, 1960]

CHANGE THE RULES

Servicemen—of all services, ranks, and grades—have spoken their mind, in letters to the Times newspapers, on the issue of who shall move their household goods: (1) A mover of his choice, or (2) the carrier whose name pops up at the top of the transportation officer's list when the individual's move comes up.

The second system, now in operation, gives service families practically no choice of movers. Defense had recently proposed modifying these rules to give individuals considerable choice. But when protests from "small" moving companies and some Congressmen poured in, action to launch the change was postponed.

USAF men writing Air Force Times stand foursquare for free choice. So do readers of Army Times and Navy Times; both of those newspapers have been flooded with protests over the present system.

The reasons? Poor service.

The servicemen's urgent plea for a change makes sense to us.

We were impressed particularly with a letter from a noncom who works in a career field tied with the moving business. A "passenger and household goods specialist," his letter pretty well sums up the case of service people generally for a "free choice."

"Having worked in this career field for the past 10 years," he says, "I have many times cussed and many times been cussed because of policies currently existing whereby a member on PCS move has to take pot-luck on who will move his household goods.

"I have seen rational men become irrational and women sit down amongst their busted furniture and cry, and wonder why they cannot have their personal and sometimes priceless furniture entrusted to a mover of their choice whom they know will give quality service.

"I think the proposed policy, whereby a member will have some choice of carrier, considering carrier's record of performance, transportation equipment, reliability, should be implemented.

"For the carriers who are complaining that the proposed policy would bankrupt them, I think the only thing sought in the new directive is quality service. * * * Carriers willing to compete and provide quality service, will have a chance to better themselves rather than go bankrupt."

In the coming weeks, the Defense Department and others concerned in the matter will be holding meetings looking toward a final decision on goods moved.

The fact that Defense has already delayed any change suggests that opponents of free choice are making headway. We hope that is not the case.

MOVING SERVICE

TARHEEL STATE.—I think a book could be written of the instances of mishandling of our furniture and household furnishings by both large and small transfer companies.

I can only say cheers for our leaders who want to let each family select its own moving company when a PCS move comes around. I am sure the quality of our moves and the individual's satisfaction would improve 1,000 percent.

W.F.P.

WASHINGTON, D.C.—No doubt about it; let us choose who will move our household goods.

K.S.S.

TEXAS.—Emphatically yes. Give the military family a choice of movers and you'll see some real service. I've moved 32 times in 17 years. Under the present system there is no advantage to the mover to handle your property carefully. AF families should not have to do business with lines that stack furniture on tables, fail to wrap mattresses, squash mother's best hat in a carton, and fail to meet agreed delivery dates.

CAPTAIN.

[From Navy Times, Feb. 27, 1960]

BATTLE OVER MOVING GOODS STILL IN BIND

WASHINGTON.—The Navy has a poster that it distributes to its activities.

"Moving Can Be a Pleasure," it proclaims boldly. "No Work, No Muss. Follow These Simple Directions and Leave the Work to Us."

It probably brings a humorless smile to a good many Navy men.

Because if our reader opinion survey on household goods moving is any indication of service thinking, there haven't been many who'd be willing to give their testimonial to the poster.

But it's not the fault of the Navy.

The Navy does try to make every move as pleasurable as a move can be.

But it's hamstrung by the Defense Department's policy of having to give the moving jobs to the lowest cost carriers on a rotation system, with the owners of the goods having little, if any, say in the matter.

The result in too many cases is the service family suffers.

Defense was about to change the system. A proposed directive would have given a serviceman a chance to turn down a mover on the rotation list if that company had given him bad service before.

But the small moving companies protested and got some Congressmen to back them up. The result: The proposed directive was canceled, and a series of secret Pentagon meetings was started between large moving companies, commonly called the Big Four, and small independent movers.

At last report, the meetings were still deadlocked, with the Big 4 saying, in effect: "Change the system, give a man his choice of movers," and the small companies insisting that the present system be kept, or the Big 4 would use an advertising campaign to get all the military business.

And meanwhile service families have to continue taking the moving company given

them when they change duty stations, whether they like it or not.

And a whopping majority don't like it.

A few issues ago, we ran a ballot for the use of our readers to indicate a choice between the present and the proposed systems. It's been a one-sided response. To date we've received 264 replies, of which only 10 believed that the present system should be kept in force.

Our sister publication, Army Times, also ran the ballot. And the response from Army men has been the same. A total of 350 replies has been received by that office, of which only 1 favored the present system.

[From Air Force Times, Feb. 27, 1960]

WANTS FREE CHOICE

OVERSEAS.—I'm in favor of allowing the serviceman some choice in who will move his household goods. In recent years I had two companies give me excellent service, but another company (I was unlucky enough to have it move me twice in a row) cost me over $300 in repairs and an unwarranted overweight charge of $99.24. They packed my goods in 31 barrels and charged me and Uncle Sam by the cubic foot. I should have had around 15 barrels.

STAFF.

[From Army, Navy, Air Force Journal, Jan. 16, 1960]

FAMILY GOODS FIGHT HEADS FOR CAPITOL

The fight over how much say military families will have about who transports their household goods will move from the Pentagon to Capitol Hill.

At issue is $200 million of military moving business per year.

The Defense Department, seeking to improve the quality of moving services provided military families and eager to stimulate competition among moving van companies, issued a new policy statement on December 8.

That policy called for elimination of the automatic rotation system previously employed in the hiring of carriers and provided greater opportunity for individual service families to choose the company they wanted to carry their household goods.

A storm of protest resulted from owners of moving van companies who contended that the new policy would give too great an advantage to larger carriers.

A 2-day hearing was held at the Pentagon this week. It resulted in a decision by Defense officials to suspend implementation of the new policy until July 1. During the interim, new policies will be worked out, which, hopefully, will be less controversial.

The moving van companies which favor the "free choice" provision, and also those who oppose it, have powerful support on Capitol Hill, and there is no question that the issue will be debated in forthcoming congressional hearings.

Opposition to the December "free choice" policy statement culminated at special Pentagon meetings January 11 and 12 between Defense Department officials and industry representatives.

During the sessions, Representative JAMES ROOSEVELT, Democrat, of California, championed the cause of the dissatisfied movers. He called for withdrawal or postponement of the effective date of the December 8, directive.

Congressman ROOSEVELT's demand was followed by similar requests, conveyed in messages to the meeting, by Senators E. L. (BOB) BARTLETT, Democrat, Alaska, and SAM J. ERVIN, JR., Democrat, North Carolina.

Senator ERVIN, a member of the Senate Armed Services Committee, threatened to request a special congressional investigation if the Defense Department policy were not rescinded or suspended.

A powerful congressional supporter of the changes, who did not appear at the meeting, is Senator STYLES BRIDGES, Republican, New Hampshire. The ranking Republican member of the Appropriations Committee, he advocated complete free choice of movers for all service families.

Under the Defense Department proposal, service families would be given a choice of movers, provided the one they pick is among the lowest cost, high quality firms available, and provided also that the Government could maintain a suitable number of carriers for peak traffic periods.

Defense Department officials stressed at the Pentagon briefings this week that this did not mean complete free choice of movers on the part of military families. The final choice of a carrier would be left with local transportation officers, whose primary duty would be to distribute household goods shipments with regard to the quality of service rendered by local movers.

Some movers expressed fears that the new policy would drive them out of business.

It was claimed by some at the meeting that four big moving concerns receive 50 percent of all Government moving business. Defense Department statistics show that these four received approximately 29 percent of all Government business during the first 6 months of 1959.

Yielding to pressure from the local opponents of "free choice" for service families, Defense Department Director of Transportation Policy, Dr. Gayton B. Germane, announced at the close of meetings January 12 that the December 8 moving directive would be suspended until July 1.

Before new regulations are implemented, Dr. Germane said, Defense Department officials and moving-industry leaders will get together to discuss what the new directive should contain and what the implementing regulations should be.

[From Army, Navy, Air Force Journal, Jan. 16, 1960]

MEMO—EXCLUSIVE G-2 REPORTS TO READERS OF THE JOURNAL, THE NATION'S ONLY WEEKLY PUBLICATION COVERING THE TOTAL DEFENSE ESTABLISHMENT

The Pentagon has had its squabbles, but few have been as boisterous as the 2-day sessions this week at which Defense Department officials discussed with industry representatives new rules—subsequently delayed—providing for "free choice" by service families in the designation of movers to handle their household goods. The Pentagon sessions frequently seemed more like a high school ruckus than a serious attempt to formulate rules for the shipment of household goods that would be beneficial to service families, the Government, and the movers themselves. Opponents of "free choice" were under no restraint to stop the laughing—and many times jeering—which they carried on during Defense Department explanations of what it needs in the field of movement of household goods.

A fact which opponents of free choice unsuccessfully tried to bury during the meeting was that 33 percent of military families who recently were transferred complained of unsatisfactory moving service. The point received added emphasis from Col. Earl C. Hedlund, Air Force Director of Transportation Policy. He stressed that under the regulations calling for automatic rotation of contracts, the services could not obtain quality service in the moving field.

[From Army, Navy, Air Force Journal, Feb. 20, 1960]

DEFENSE OFFICIALS—MOVING VAN LEADERS PLAN SERIES OF PENTAGON MEETINGS

Defense and industry leaders will meet again February 29 to plan better moving service for military families.

At their first meetings, February 15–17, the industry advisory committee reached agreement that military families deserve "top quality" service in the moving field. They will meet an average of once every 2 weeks until they complete their studies on the problem.

Deadline for submitting a new DOD policy on the shipment of family household goods is July 1.

Defense Department officials had proposed a new "free choice" household goods policy late last year, but were forced to suspend it until July following strong protests at a meeting with industry representatives at the Pentagon in January.

The suspended policy would have given military families a greater say in determining the firm to move their household goods, and would have required local transportation officers to give preference to those moving companies which provided the highest quality of service at reasonable cost.

The policy evoked strong protests from congressional sources, small movers, and industry associations.

Defense Department officials report "substantial progress" at their meetings with industry representatives this week, but say that they do not know at this stage whether the results of their work will result in a policy similar to that announced last year or whether it will be entirely new.

The Pentagon officials say they are certain they can work out a policy which will satisfy "the fundamental requirement of giving military families the best quality service possible while representing the natural interests of the industry itself."

Need for better service in the shipment of household goods for military families was pointed up in a recent Defense Department study which showed that one-third of all military families were dissatisfied with the way their household goods shipments were handled.

Chairman of the defense-industry committee is Dr. Gayton Germane, Director of Defense Department Transportation Policy.

Members are: Ernest Wheaton, president of the Movers Conference of America; Russell Garrett, Movers Committee for the Equitable Distribution of Government Traffic; Griswold Holman, president of the George G. Holman Co., Rutherford, N.J., representing the so-called Big 4 (Allied, North American, Mayflower, and United Van Lines); F. N. Melius, Freight Forwarders Institute; and Ralph W. Johnson, Vanpac Carriers, Richmond, Calif.

THE GREAT SALT LAKE NATIONAL PARK

Mr. MOSS. Mr. President, one of the most needed bills before the Congress is the "save our shorelines" bill, or the "SOS" bill, as it is commonly called.

It has been my happy opportunity to conduct hearings for the Interior and Insular Affairs Committee on two scenic seacoast areas which, in my estimation, should be preserved—Cape Cod in Massachusetts and Padre Island in Texas. Next month I am scheduled to go to Kentfield, Calif., to conduct a hearing on the Point Reyes National Seashore Park. Support for safeguarding our scenic shorelines is growing at a gallop throughout the country.

Recently I introduced a bill to establish in my own State of Utah a Great Salt Lake National Park to save a part of its shoreline for the wonder and enjoyment of our people. I have asked Chairman MURRAY to authorize hearings in Salt Lake City on my bill after the adjournment of Congress so that local problems in relation to the lake can be aired, and the way cleared to preserve,

before it is too late, a stretch of this barren and characteristic shoreline of America's unique inland sea.

I ask unanimous consent to have printed in the RECORD an editorial on the Great Salt Lake National Park which appeared on March 18 in the Salt Lake Tribune.

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

[From the Salt Lake Tribune, Mar. 18, 1960]

INCLUDE SALT LAKE SHORE IN PARK SYSTEM

"Our Fourth Shore" is the title of a National Park Service report dealing with park and recreational potentialities on the U.S. side of the Great Lakes.

This and two previous reports on remaining shoreline on the Atlantic, gulf, and Pacific coasts are the result of extensive studies made by the Park Service but financed privately.

They all emphasize how America's recreational shorelines are being taken over at an alarming rate by commercial, industrial, and speculative enterprises. As a result, support is gaining for several "save our shorelines" bills in Congress.

The report lists 66 individual waterfront areas in 8 Great Lakes States which, although now privately owned, the Park Service considers important for recreation and other public benefits. Five areas were singled out for national park status and the other 61 for more local emphasis.

"Our Fourth Shore" should give the shoreline park movement a needed filip.

We hope that neither the National Park Service nor Congress will overlook the potentialities of the Great Salt Lake when they get down to the business of setting up a new system of seashore national parks. This world-famous inland dead sea has significant values worthy of preservation and interpretation, as the National Park Service has said.

Senator Moss, of Utah, is sponsoring a bill for the creation of a Great Salt Lake National Park. Out of congressional hearings on the bill he hopes a plan will emerge for developing part of the lake and shoreline for public use. Senator Moss has explained that it was never contemplated that more than a section of shoreline would be set aside for national park purposes. Hence, a national park or national monument on a stretch of shoreline—that of Antelope Island, for example—would not interfere with commercial exploitation of the lake elsewhere.

The Senator made a special point when he emphasized that he sought to improve the economic value of the lake, rather than impair it, but that he was "unalterably opposed to the present program of using it principally as a sewage dumping ground."

This growing country needs the national shoreline park system, and prompt action will be needed to keep remaining suitable shorelines from being despoiled by the bulldozer. We heartily endorse the theme of "The Fourth Shore" and hope, meanwhile, that a fifth shore, that of part of the Great Salt Lake, will be added.

APPROPRIATIONS FOR THE COUNSELING AND RESEARCH GRANTS PROGRAM OF THE SMALL BUSINESS ADMINISTRATION

Mr. MOSS. Mr. President, I rise in support of the amendment to H.R. 10234 which I have cosponsored with the distinguished Senator from Alabama and others of my colleagues.

The amendment to H.R. 10234, the Commerce appropriations bill, would provide funds for continuation of the Small Business Administration counseling and research grants program that was initiated under the Small Business Investment Act of 1958. The fiscal year 1961 SBA budget, as approved by the Bureau of the Budget and submitted by the President, would bring the research program to a halt before any of its fruits are available for analysis by the Congress or the executive branch. I believe that it is not only unfair but also penny wise and pound foolish to judge against this program before its contributions to small businesses can be measured.

Because the program was new, SBA was unable to make the first grants, those for fiscal year 1959, until June 1959. It is expected, however, that the grants for fiscal year 1960 will be made in April. In the fall of this year the results of the first projects completed will be turned over to SBA.

Until some of the completed studies are available for analysis by SBA and the Congress, it is not possible to judge accurately their usefulness and the value of the program under which they are being made.

If the small business research in other States is progressing as it is in the State of Utah, I can assure Senators that the results of these grants will be highly beneficial to small business.

The research grant in my State was made to the bureau of economic and business research of the University of Utah. It has been my privilege to know something of the scope of the project planned by the bureau and to know some of the able people who will work on it with Dean Clyde Randall of the college of business and Dr. Osmond L. Harline, the project director. Dr. Harline is also the director of the bureau of economic and business research and is editor of the Utah Economic and Business Review.

A preliminary report from Dr. Harline to SBA indicates that the project is on schedule and is being conducted efficiently and enthusiastically by the faculty and student personnel engaged in the work.

The Utah project is divided into two parts. In part I, the bureau will study the use of informational aids by small business.

The Dun & Bradstreet reports on business failures ascribe a large proportion of the failures to bad management. If the reports are correct, then it is vitally necessary that every possible technique be employed for increasing managerial ability. The results of the study of small business informational aids should provide an expert evaluation of the available aids, the extent to which they are now used, and methods by which their effective use may be expanded.

The second part of the project under way at the University of Utah concerns the use of Government-sponsored financial assistance programs for small business.

All Senators have probably received complaints from small businessmen who were denied loans by SBA. On the other hand, we have all observed the beneficial results of SBA loans to small firms. Therefore, our impressions of SBA may be based on the experiences of only a few applicants for loans. In my opinion it will be very beneficial to have the results of an independent, impartial SBA loan program analysis based on large numbers of loans throughout an area of the Nation.

Mr. President, our country has in recent decades become increasingly conscious of the problems of small business. Within the past few years, there has also been an increasing flow of literature on small business. However, there has been very little basic research on the myriad of small business problems that we have begun to acknowledge as existing in our society.

The research grants program will, if continued as I am convinced that it should be, provide much of the needed fundamental research into these problems.

I hope that the Senate will adopt the amendment to provide funds for the continuation of these grants. It would be tragically shortsighted, in my opinion, to cut short a program that was conceived and originally funded as a needed long-term project to last 10 years or longer.

THE COST OF STORING AGRICULTURAL COMMODITIES

Mr. CASE of South Dakota. Mr. President, the cost of storing our agricultural commodities has been placed at $1.7 million a day—that is more than $1,000 a minute. In the welter of the farm surplus debate has come an investigation of profiteering and chiseling by elevators and warehouses.

I have no sympathy for the crooks and chiselers who have abused the Government storage programs. There are bad kernels in the bin—but I want to say a word for storage on the farm and in the country elevator. Farm storage or nearby is best. The grain is there if needed and it has not added shipping charges. So, I believe in storage as near to the place of production as feasible.

I have received many letters from country elevator operators—most of them family businesses in our South Dakota communities. These are people who have erected storage facilities at the urging of the Commodity Credit Corporation to relieve storage problems caused by bumper-to-bumper crops.

Many of them borrowed to build storage facilities, on which they pay local property taxes. They have assumed the risk of shrinkage and spoilage on grain placed in their elevators.

The last Uniform Grain Storage Agreement was negotiated in 1956. Costs have risen since that time. One operator writes that these costs are up 25 percent since the last agreement was promulgated. A nationwide survey by CCC shows storage costs have varied from 5 to 21 cents per bushel, but, as we understand it, all types of facilities have been receiving the same flat bushel rates.

Storage payments are not gifts—either to the farmer who seals grain in a bin built for that purpose or to a local elevator. The man who stores is responsible for the grain—if it is lost or destroyed he must in effect replace the grain, not just repay the loan value. To

condition grain properly requires regular checking, moving, fumigating, and aerating.

Investigations have revealed unreasonably large profits by some of the large terminal warehouses, but this is not a true picture for the average small elevator man or farmer. Many of them have found they were losing money on storage when shrinkage and spoilage were accounted for.

We are increasingly concerned about the severe economic problems of our small family-operated farms. We ought to be concerned about the problems of businessmen in our rural communities.

Statistics on a nationwide basis inundate the economic problems of the small elevators and the farmer who rents storage space to the Commodity Credit Corporation. It is like the fellow who drowned in a river that averaged only 3 feet deep. He is knocked down and swamped before he gets his head up to speak.

The South Dakota skyline would be a lonesome sight without the country elevator.

So, let us remember that generalizations as to huge profits in the terminal grain storage industry do not necessarily mean that the man who stores grain in the country or in local elevators is sharing them.

I ask unanimous consent to have printed in the RECORD at this point a list of the grain stored under price support on farms in South Dakota, and CCC-owned grain stored in elevators in South Dakota; also letters dealing with this subject.

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

CCC-owned grain stored in elevators in South Dakota

Wheat	bushels	23,000,000
Corn	do	20,800,000
Oats	do	1,800,000
Barley	do	1,700,000
Rye	do	780,000
Other	do	500,000

Quantity of grain under price support in South Dakota—Sealed and stored on farms

Corn	bushels	17,400,000
Wheat	do	14,800,000
Oats	do	15,000,000
Barley	do	2,800,000
Grain sorghums	cwt	250,000
Rye	bushels	1,100,000
Flax	do	600,000
Soybeans	do	250,000

CCC binsite stocks

Corn		40,763,722
Wheat		7,919,092
Oats		321,199
Rye		107,675
Barley		779,040
Soybeans		2,434
Grain sorghums	cwt	73,220

PETERSON ELEVATOR,
Fedora, S. Dak., March 5, 1960.

Senator FRANCIS CASE,
Washington, D.C.

DEAR SIR: Seems as if some of the politicians have gone overboard on the so-called high profits made by elevator operators. (The farmer gets the same rate on the farm.) I would like to acquaint you with my situation.

I have a capacity of 105,000 bushels here. And have only 48,000 bushels of stored grain on hand now which is less than half full.

Last May I put up a metal storage bin of 60,000-bushel capacity and this building has in it now a little over 28,000 bushels. I was led to believe that the storage was needed and that I would get it filled which never happened.

By the time I pay taxes, insurance, and other expenses on my operation it is hardly a break-even deal, now.

I will still have the same expenses if there is nothing in my storage buildings. Will that make the headlines? No they will say the damn fool should have known better.

We are held responsible for the condition of this grain and that is quite a responsibility and requires constant attention to avoid loss.

I was led to believe that there was a local need for this storage and now I am being let down. I was hoping that I would get my investment back over a period of years and now that does not seem possible.

This is my situation and would like you to know that this Government storage is not all roses.

Yours truly,

ABE PETERSON,
Owner and Operator.

ROBERTS ELEVATOR CO.,
Cresbard, S. Dak., March 5, 1960.

Senator FRANCIS CASE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CASE: Knowing you are a Senator from west river and knowing you are also a good Senator, I write in asking that you help an east river constituent in your work on Capitol Hill.

Senator SYMINGTON said in a speech at Peoria, Ill., that "warehousemen make unusually high profits from the grain-storage program." His statement would have been correct if he would have said some warehousemen and not inferred that the whole grain trade was in the throes of seeing which bank would accept more of their money for deposit. Some of us do not have trouble with a large bank account, but just the opposite—we have trouble meeting our bills.

I am a small operator as far as the grain storage business is concerned, having two frame houses and two flat houses for a total capacity of 175,000 bushels. I have yet to have a 50 percent fill of CCC inventory and I wouldn't have that if I had not been forced into the grain storage business. Forced may be a little strong but if it is, it is only because it meant that I either went into the storage business or get out of the grain business entirely.

When you see editorials such as appeared in the Daily Plainsman, January 28, 1960, and news items (?) such as appeared in the Aberdeen American News, February 27, 1960, you wonder why the grain trade even fights to stay alive. Admitted that some of it is political, even that should make the best men of the trade throw in the sponge. We do not, however. Most of this adverse publicity concerning the storage end of the grain trade is being used as a political football, and it is up to Senators like you to help out and put the issue in front of the people squarely and as it should be. If there is any doubt as to what the score is, read Cliff Andersen's last bulletin (which I am sure you receive), and go on from there.

Very truly yours,

ROYCE ROBERTS,
Manager.

YALE, S. DAK., *March 9, 1960.*

U.S. Senator FRANCIS CASE,
Washington, D.C.

DEAR SENATOR CASE: Much talk is going around about the warehouse storage that is not good or true. Some say that we, the warehousemen, are making huge profits on it and many other charges. When in truth, we erected storage facilities only when urged by the Commodity Credit Corporation and the demand called for it to relieve the storage problem caused by bumper crops and the unwillingness of CCC to shoulder additional storage responsibilities.

Now after we have erected large storage facilities at tremendous cost, have high handling costs, pay income tax on storage income, plus shrinkage and large capital investments, we want to continue this service to our grain farmers. Since the last uniform grain storage agreement was negotiated in 1956, the cost of operation of these facilities has increased rapidly but the CCC payments have remained the same.

Now as these attacks on the storage agreement with CCC are being made, we are asking you to defend our problems in this field as a large share of this storage is handled by farmers themselves through their cooperative country elevators.

In these days of soil bank land retirement and CCC on-the-farm storage and takeover, the country elevators are having a rough time making ends meet. We believe our Congressman needs to know how we feel on this issue. We want this storage service to continue as it is at present. Thanking you for the fine service you have rendered agriculture in the past, we hope you can see our side of this matter and fight for us. Thanking you again.

Very truly yours,

ADAM F. REINSCHMIDT,
President of Farmers Cooperative Elevator Co., Yale, S. Dak.

FARMERS ELEVATOR CO.,
Draper, S. Dak., March 7, 1960.

Senator FRANCIS CASE,
Washington, D.C.

DEAR SENATOR CASE: We feel that this adverse publicity regarding the storing of Government grain has been overly and unfairly played up in our news sources.

Nearly all elevators are having a hard time making expenses. Any drastic cut in our storing rates is going to put many country elevators in the red, as many are already working hard just to keep even.

All operating costs are working higher and higher and it is tougher every month to keep up with these ever-mounting costs.

We find many farmers unwilling to reseal their grain at these present rates, to earn storage on the farms. A rate reduction is going to force more farm deliveries and put additional space problems on the elevators. Reduced rates will discourage any additional storage space being built by farmers or elevator operators, and continued large crops will put the storage problem back in the hands of the Government and increased binsite building to take care of more surplus crops.

It seems like a 15- to 25-percent acreage cut is more likely to cure the storage costs, than a rate cut with additional production.

Yours truly,

M. F. PEIRCE,
Manager.

THE FARMERS COOPERATIVE CO.,
Brookings, S. Dak., March 8, 1960.

Senator FRANCIS CASE,
Senate Building,
Washington, D.C.

DEAR SENATOR CASE: Much has been said and written lately about revenues from storing commodity credit grain. I would very much like to be given the courtesy of expressing my views to you in this letter.

We are thankful for our storage revenues, but they are not a gift, nor are they too high for local elevators of our area. Approximately 7 cents a bushel per year net does not seem high when an elevator is responsible for $1 per bushel for corn, $2 for

wheat, and $2.80 for flax. The elevator, you see, is responsible for the cost of replacement of the grain, not the loan value.

At first we placed the grain in storage and settled back to collect the revenues. However, we found it necessary to put in a $4,000 temperature indicating system as our corn was heating and was being lowered in grade from No. 2 to sample grade. The difference between the two grades eliminated any possibility of making any profit on that particular grain.

We learn from experience, however, now the heat indicating system is in the bins, we fumigate regularly, we aerate the grain and run a good portion of our total stored grain over a mill to remove "fines." This experience helps us show a profit (approximately 7 cents per bushel) but the risk of potential loss is always with us. The shrinkage in storing grain, and particularly in conditioning grain, is always a balance factor between showing a profit or a loss. If one is fortunate in containing the shrinkage to a minimum then a profit will be attained. If shrinkage cannot be held to the minimum, then you discover you have no profit because you do not have the same number of bushels you took in for the account of commodity credit.

To briefly summarize: I do not believe there is any more efficient way of storing grain than in the local elevators. (I would like to know total cost of storage at CCC binsites including shrinkage and loss of grade.) (A 3-percent shrink on $3 per bushel of flax is a loss of 9 cents per bushel.)

Storing grain for commodity credit is compatible with cash grain merchandising in such a manner that both services are done for less because of the other.

Cash grain could not be merchandised for our farmers at an approximate (4 percent), yes, 4 percent, gross margin without CCC storage. Nor could a reasonable profit be shown on the storing service without the help from cash grain merchandising by reducing total fixed cost and distribution of manpower.

I urge you to use your influence to maintain the present storage rates so that local elevators will not have to greatly increase the grain merchandising service cost to our already cost-laden farmers.

Yours truly,

ARTHUR B. SOGN,
General Manager.

I have written a masters thesis on how grain elevators can exist while working on a 3- to 5-percent gross margin. If you are interested, I would be glad to send you one.

MIDLAND GRAIN & LUMBER CO.,
Midland, S. Dak., March 8, 1960.

Senator FRANCIS CASE,
Senate Office Building,
Washington, D.C.

DEAR SIR: We have a few thoughts on the grain storage controversy that we would like to call to your attention. Until a few years ago this company did not have a storage agreement and all CCC grain was on a handling only basis, grain was shipped to a designated terminal upon receipt and we operated with a small elevator on a cash grain basis.

CCC was continually short of storage room and requested this firm to enter into a storage contract. We did this and built storage facilities of modern style and furnished our community with the needed place to go and also delivery could be made at a time when the producer could conveniently deliver the grain due CCC. Prior to this it nearly always conflicted with the new harvest so that it was a matter that the farmer was hard put to remove last season's crop due CCC in time to clean his bins for the new crop.

The facilities that we have built are the things that have enabled us to stay in business as you well know that CCC has captured the main part of the grain production. In fact they are our biggest competitor. Also by the item that had we no storage we would now be completely out of business, the way it has turned out we handle this grain in South Dakota, pay the increased property taxes in South Dakota, hoping to make a profit which we then share with the Internal Revenue Department.

Storage rates have not been increased, all costs connected with the proper warehousing and storage of grain have increased, labor costs alone are up 25 percent since the time that we entered into a storage contract. To properly check and condition grain as a public warehouse calls for continuous checking, moving and at times several fumigations in a very short period of time. The charge per bushel per year is not high compared to the risks and responsibility the warehouseman has.

We have tried to keep up with our responsibilities to our local producers and the Government farm program and think that we have done a good enough job that the grain trade should not be castigated in the public press. In the light of any fair unbiased examination am sure that it would be found that a rate increase would be due.

Yours truly,

GUST A. LARSON.

MURDO ELEVATOR CO.,
Murdo, S. Dak., March 9, 1960.

Senator FRANCIS CASE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CASE: The grain storage industry has received a lot of adverse publicity from the Senate investigation of grain storage rates. The cost to the people has not become great because of excessive rates but because of the vast amount of grain that has to be taken care of. Overproduction cannot be laid at the door of the warehouseman.

Pressure to build storage facilities far in excess of normal needs has forced warehousemen to risk construction of costly buildings that can only serve the demands of a Government program that has been labeled as a temporary measure. In most cases, no guarantee has been given that these facilities would be filled and if filled that they would remain so. At this station in 1958 and 1959 an additional 160,000 bushels of capacity was erected that would be of no use to our normal grain buying operation when the program ends.

The Commodity Credit Corporation under its uniform grain storage agreement, has placed additional demands upon the warehouseman over and above those required by State law. In spite of this, grain storage rates have held remarkably steady.

Newspaper headlines have made much of the word "profit." The USDA grain storage survey covered direct operational costs and did not pretend to include costs of shrinkage, loss in quality, income taxes and return on investment. When all factors are included it will be shown that the grain industry has a relatively low rate of profit and that grain storage rates are not excessive in light of the responsibility taken and the service rendered.

Sincerely yours,

HAROLD PECK.

THE FARMERS CO-OPERATIVE ELEVATOR CO.,
Revillo, S. Dak., March 9, 1960.

Senator FRANCIS CASE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I am writing to you in regard to this storage, and our liability that we incur when we sign a uniform storage agreement with the CCC.

In 1953 we had 77,000 bushels of capacity here, in 1960 we have 300,000 bushels capacity here, in 1960 we have 100,000 empty.

In 1953 we were debt free and operated on our own capital, in 1960 we have a debt on new construction of nearly $70,000.

Why did we go from a sane operation to a very high-risk operation? The answer is pressure; first, from CCC to handle and receive grain on the takeover from farmers; second, from farmers who want to take out CCC loans in the warehouse. These are usually short-term and storage earnings are small, from August to January; third, from the Department of Health, Education, and Welfare.

Protecting grain from weather is not our only responsibility, it has to be protected from birds, vermin, and insects.

The CCC now allows farmers to keep grain on the farm for 3 years, paying them storage at the same rate we earn. Not 1 in 20 farmers takes care of the grain as it should be—turning and fumigating.

In the fall of 1957 the corn was delivered here with moisture of 15½ to 16 percent. Too high for safe storage. We dried it all at no expense to the producers; this was not done to induce farmers to deliver here, but for our own protection as we have to maintain the original grades at all times. This would be impossible if we did not replace about 5 percent of the corn with new corn each year. This is an added expense not taken into account in the storage rate.

In South Dakota we have a very good warehouse law. It requires every licensed warehouse to carry a bond payable to the State covering 100 percent of our outstanding storage liability.

The CCC does not give South Dakota warehouses any additional credits for this protection, yet it costs us $278 a year extra, taxes and insurance run $525 per month that are not taken into account by CCC in figuring their binsite costs. Storage rates have not been raised, they are the same as in 1956—all costs of plant operation have gone up each year.

In 1958 elevator supplies and repairs were $4,463.80; in 1959 elevator supplies and repairs were $5,105.06; so far in 1960 fiscal year they have passed $6,000.

We hope no drastic action will be taken to make it more difficult than it is at present to remain in compliance with the CCC and HEW.

Yours very truly,

ELMER BEHLINGS,
President.
ROBERT BORK,
Vice President.
RALPH STREET,
Secretary.

Mr. CASE of South Dakota. Mr. Floyd E. Lewis, vice president of the Tri-State Milling Co., of Rapid City, S. Dak., also wrote me at some length on this subject—and some other matters. Pertinent parts of Mr. Lewis' letter follow:

We had three of our country elevators in the cost survey conducted by CCC. The results were as follows on the cost of storing a bushel of wheat: 68-million-bushel elevator, 13.2 cents per bushel; 28-million-bushel elevator, 17.2 cents per bushel; 20-million-bushel elevator, 22.7 cents per bushel.

These cost figures do not include indirect costs such as quality, deterioration, shrinkage, and return on capital investment.

Many of our farmer customers are becoming quiet uneasy because of the figures this committee released. As you know they receive the same storage rate as the grain elevator operator. They feel like we do. They are not being paid too much for the risk and expense connected with storing grain.

In South Dakota there are 43,500,000 bushels of grain in farm storage, with 51 million bushels in commercial storage. The farmers in our State are about as big in the storage business as the commercial warehouses. They made investments in bins on the advice of the county committee, hoping the earnings would justify the investment.

We were amazed at the profit one individual claimed. He must have been one that rented air base property from the War Department for practically nothing then stored grain for CCC. This we could understand. He is not a recognized commercial warehouseman.

None of us mind an investigation but we do think you should gather all the facts and figures before arriving at conclusions.

Yours truly,

TRI-STATE MILLING CO.,
FLOYD E. LEWIS,
Vice President.

THE SITUATION IN CUBA

Mr. SMATHERS. Mr. President, last week it was my privilege and great opportunity to talk with the Secretary of State, Mr. Christian Herter, and the Assistant Secretary of State for Inter-American Affairs, Mr. Roy R. Rubottom, with respect to affairs in Latin America. At that time they advised me that they were seriously considering sending Ambassador Bonsal back to Cuba. I pleaded with them with every bit of persuasiveness I was able to muster not to make what I thought would be a tragic mistake in sending our Ambassador back to Cuba.

I endeavored to point out to them that it would be considered the rankest type of appeasement by people all over Latin America who oppose communism, and that it would be considered the rankest type of appeasement not only by the Latin American governments which oppose communism, but also by Latin American groups and Latin American individuals, particularly those people who had seen fit to defect from Castro's government.

I further went on to say that it would have at the same time the effect of giving strength and support to the Castro government, which is so strongly anti-American, because it would make it appear that at a time when Castro needs help—and he needs help today, and is obviously getting it from the Soviet Union—the Government of the United States was endorsing the actions of Castro, and would also have the effect of making it appear that we were supporting him and holding him up.

Furthermore, I pointed out that it would appear that we were once again doing business with dictators—because undeniably and unquestionably Fidel Castro is a dictator—and that once again, while we were ranting against dictatorships, we were, for all practical purposes, appearing to be, in fact, supporting a dictatorship.

I also tried to point out to them that it would accomplish no good, even though they might be in some instances so naive as to believe that the government of Castro is not beyond redemption and that there is still some opportunity to rescue it from the Communist movement.

Of course, they did not agree with me. I pointed out to them that these actions will result in a loss of prestige by the United States and in confusion among our Latin American friends as to where the United States really stands. They will result in discouragement for those who fight against communism and dictatorship. However, my views obviously did not have any effect upon the Secretary of State or upon the Assistant Secretary of State.

This morning, confirming my prophecy to some extent, the Miami Herald published an article entitled "Top Cuban Red Vows Economic War Upon United States." At the time Ambassador Bonsal was arriving in Havana, Cuba, Ernesto Guevara, who is the head of the economic warfare program in Cuba, attacked the United States, saying:

> Cuba's great friend is Soviet Russia.

The Miami Herald article states that Guevara repeated the statement several times.

Further, the article states:

> He vowed that all U.S. "monopolies" would be ousted from Cuba. He blasted the U.S. Export-Import Bank and other American credit institutions as "loan sharks."

So it went. He is quoted as saying:

> Cuba's economic war will be against the great North American power.

I could not help being reminded of the statement made by Mr. Khrushchev several months ago: "We will bury the United States."

Later, when he was asked to explain that statement, Khrushchev said he was talking about economic warfare. Now we find the puppet Cuban Government ready to declare—in fact, it has declared—economic warfare against the United States. Is it not ridiculous for the United States now to appease the present Cuban Government in the light of all that we have done in the past for the benefit of the Republic of Cuba?

Earlier today I returned to Washington and read a UPI article dated Havana only 8 hours after Ambassador Bonsal returned to Havana. The article, which is published in today's Washington Daily News, reads, in part:

> President Osvaldo Dorticos flatly accused the United States last night of "undeniable sabotage" and "criminal aerial attacks" against Cuba.

Dorticos was thunderously applauded by some 15,000 people, it is said, as he attacked the United States and said that never again did Cuba want to have any economic consort with the people of the United States.

Mr. President, I ask unanimous consent to have both articles printed at this point in the RECORD.

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

[From the Miami Herald]

TOP CUBAN RED VOWS ECONOMIC WAR UPON UNITED STATES

HAVANA, CUBA.—Leftwing extremist Ernesto (Che) Guevara, Cuba's economic czar, Sunday vowed to wage economic war against the United States and throw out all American monopolies in the country.

Guevara, Argentine-born lieutenant of Premier Fidel Castro and head of the Cuban National Bank, denounced the United States and defended a recent Cuban-Russian trade pact on a TV broadcast as U.S. Ambassador Philip W. Bonsal flew back to resume the Havana post he quit 2 months ago in protest against anti-American accusations by Castro and his government.

"Cuba's great friend is Soviet Russia," Guevara said. He repeated the statement several times.

Bonsal was bringing hope of improvement in United States-Cuban relations, now at their lowest ebb.

As Bonsal left New York for Havana he said his return to the capital he left January 23 was not appeasement of Castro's regime, but rather "evidence of our desire to continue discussions."

Guevara, an avowed Marxist who became head of the Cuban National Bank although he had no previous banking experience, called the trade treaty signed with Soviet First Deputy Premier Anastas Mikoyan in January "the best ever negotiated by Cuba." The treaty called for Russian purchase of Cuban sugar and exchange of other commodities.

Taking note of criticism of the pact in the United States, Guevara said, "It is none of the United States business what treaties we sign; but this treaty does not have the political implications the United States thinks it has."

He vowed that all U.S. monopolies would be ousted from Cuba. He blasted the U.S. Export-Import Bank and other American credit institutions as "loan sharks."

American sugar, mining and cattle companies are the major investors in Cuba.

The revolutionary government will free Cuba of a single-industry economy, Guevara said, referring to the main national sugar product.

"It is counterrevolutionary to say that without sugar there is no country," he said.

He heaped praise on the Soviet trade pact by which Russia promised to buy a million tons of sugar a year for 5 years at world market prices, and give Cuba a $100 million credit at 2½ percent interest.

Then he blasted American oil concessions granted by ousted dictator Fulgencio Batista as "so crooked" that the total area of concessions granted actually amounted to three times the size of Cuba itself.

"Cuba's economic war will be against the great North American power," he declared. Cuba does not need American dollars, he said, because "we can buy with our sugar in barter transactions."

He charged that American banks and financial institutions charged Cuba such exorbitant interest that on some loans the rate of interest was 61 cents on the dollar.

But nowhere did he specify just how Cuba planned to carry out "economic war" against the United States.

He spoke after Ambassador Bonsal had said in an airport statement at New York that he would work hard to try to better relations with Cuba.

[From the Washington Daily News, Mar. 21, 1960]

BONSAL MISSION IS UNDER A PALL—DORTICOS CONVICTS UNITED STATES OF UNDENIABLE SABOTAGE

HAVANA, March 21.—President Osvaldo Dorticos flatly accused the United States last night of "undeniable sabotage" and "criminal aerial attacks" against Cuba.

It marked the first time a high Cuban Government official had lodged such charges directly against the United States in public.

The bitter onslaught, aired over television and radio, came less than 7 hours after U.S. Ambassador Philip Bonsal returned from Washington to try to salvage steadily worsening relations between the United States and Cuba.

OUSTED

Earlier yesterday leftwing extremist Ernesto (Che) Guevara, head of Cuba's National Bank, lashed out at U.S. economic policies and vowed that all American business monopolies soon would be ousted from Cuban soil.

Premier Fidel Castro also was scheduled to speak at the 15,000 person-strong rally at Havana's huge Sports Palace, but he failed to show up, without explanation.

Senor Dorticos accused the United States of being responsible for:

"The undeniable sabotage of the *La Coubre,*" a French munitions ship which exploded at a Havana dock March 4.

"Criminal aerial incursions" by light planes which "burn our canefields, try to destroy factories, and fill our people with terror."

Attempts to keep the Cuban Government from buying arms.

A campaign "to destroy the Cuban economy."

"Before dying of hunger, Cubans would decide to die in the trenches of the revolution," the President declared.

GREAT FRIEND

Guevara, one of Castro's closest advisers, stanchly defended Cuba's recent trade pact with the Soviet Union. "Cuba's great friend is Russia," he said.

(In Washington, U.S. Secretary of State Christian A. Herter, asked yesterday about Cuban economic policies, said it looked as if some of them "were following a Communist pattern."

(Mr. Herter said "there are certainly Communist sympathizers" holding high office in Cuba, but added it was not possible "to say affirmatively that Cuba is Communist at the present time.")

The new denunciations darkened hopes that Mr. Bonsal, who left Cuba January 23 at the start of Castro's anti-U.S. campaign, could achieve his mission of preventing an outright diplomatic break between the two governments. In New York, just before his departure, Mr. Bonsal made it clear the U.S. State Department had no idea of appeasement toward the Castro regime.

No member of the Cuban Foreign Office was on hand to greet the Ambassador, but a crowd of about 400 persons welcomed the emissary warmly.

Mr. SMATHERS. Mr. President, to me this is a sort of sickening appeasement. It is a kind of Churchill umbrella retreat, in the face of oratorical blasting. If we follow such a course, it will get us into great trouble. I should say that we are showing an attitude of softness and appeasement to the countries of Latin America. I believe the simple question which the State Department and the Government of the United States must ask themselves is, Are we, by reason of sending Ambassador Bonsal back to Cuba, and by endeavoring to give the present Cuban Government preferential treatment, aiding a Cuban Government which has indicted the United States? Shall we continue to support an obviously Communist-type government? Shall we continue to give that Government our money, our time, and our consideration to help it spread its communistic doctrines farther into the Caribbean area?

I thought it was a tragic mistake to have Mr. Bonsal return to Havana. I believe the developing events are substantiating the fact that it was a tragic mistake.

The PRESIDING OFFICER (Mr. Moss in the chair). The Senator from Florida said "Churchill" when he may have meant "Chamberlain."

Mr. SMATHERS. I thank the able Senator from Utah, who is now presiding over the Senate. I certainly did not mean Churchill, because Churchill has never been an appeaser, and would not be. But all of us remember the tragedy of Chamberlain and his umbrella-pursuing course of appeasement against the Nazis at a time when a firm position probably could have headed off the great World War II.

KAMEHAMEHA I: SYMBOL OF HAWAII

Mr. LONG of Hawaii. Mr. President, under established law and in accordance with practice, the new State of Hawaii is entitled to select two of its great leaders for its representatives in Statuary Hall here in the U.S. Capitol.

The law was passed in 1864. Since Hawaii and Alaska have only recently been admitted to the Union, neither has determined which of its great men and women will be selected for the place of honor. It is not necessary to make selections immediately. Indeed, there are grounds for exercising great care rather than speed in making the selections.

The record shows that States generally have been most deliberate in arriving at decisions. For instance, 4 of the 48 old established States have not yet placed a statue in the Capitol; 6 others have placed only one; most, if not all, of the other 34 States took their time in making their selections. For instance, Oregon did not make its two choices until 1952. Colorado and Montana each made its first selection only last year.

Now that Hawaii is entitled to make selections, considerable interest has developed. A number of names have been considered. Because Kamehameha I played such an important part in the early history of Hawaii, and also because his name has been so frequently mentioned in connection with Statuary Hall, it seems fitting to review his life in relation to the history of Hawaii.

There is general agreement that Kamehameha I stands for the best in the indigenous culture of Hawaii. That culture was organized around a feudal system, and as in all such systems, land, power and patronage went to the chief who conquered his rivals. Many chiefs before the time of Kamehameha I aspired to extend their power throughout the Islands, and engaged in war to do so, but all failed.

Kamehameha I, however, was successful. With his success, the bloody wars of earlier days came to an end. With peace came unity, and a more beneficent rule with the promulgation of the first law safeguarding all the people, high and low, old and young.

Kamehameha I lived at a crucial period. He was already a powerful chief on the island of Hawaii when the islands were discovered by the outside world. He rapidly extended and consolidated his power, so that within a few years, Hawaii was unified.

Thus the possibility that marauding newcomers might take over the islands, piece by piece, dealing with one high chief after another, never entered the Hawaiian picture. This fact was extremely important for Hawaii's future.

Kamehameha I was an extraordinary man. Born and bred in the indigenous culture, he felt that the old gods, the old order in which he had been nurtured, had been kind to him. Thus he steadfastly held to the old law, the old religion, the old social system.

Impressive in physique, dignified in manner, he commanded and received respect from the explorers and sicentists who, following Captain Cook, visited the islands and came to know this great Hawaiian.

Kamehameha I was highly intelligent. He immediately perceived that the outside world had useful utensils, skills, and materials that were unknown in Hawaii. These things he accepted willingly. He invited skilled artisans to live in the islands and work for him. The newcomers were expected to obey the old law, and they did. They were not given land—only the permission to use land allotted them by the King. No uninvited foreigner was permitted to live in the islands. A few Russians tried to do this, but they soon left. Outside the social order, outside the King's patronage, no stranger could make his way, under the firm, strong control exercised by Kamehameha I.

Living at this unique and crucial period in Hawaii's history, Kamehameha I was himself unique. He stood as a bulwark against drastic change, and thus cushioned the impact of the outside world on Hawaii. But he was too intelligent to turn his back on things hitherto unknown in Hawaii. He took into his service not only artisans, but English-speaking men who served as interpreters and counselors. He welcomed foreign visitors, and issued the necessary orders for visiting ships to secure water and fresh food supplies. From them he learned much of the ways of the Western World and how to deal with other nations in peace and with dignity.

It may be truly said that the unification of Hawaii under so intelligent and powerful a man as Kamehameha I, at the crucial moment when Hawaii first met the impact of the outside world, was of the utmost importance to the future of the islands.

It may also be truly said that Kamehameha I exemplified and still symbolizes, the best in the indigenous culture. The old law, the old religion, were cast aside shortly after his death in 1819. A period of chaos and lawlessness followed, but in 1820 the first American teachers and missionaries arrived. Within a few years the language had been reduced to writing and the people became literate. Following this, the absolute rule of the king was transformed into a constitutional monarchy. The feudal system of landholding was transformed into private landholdings.

All these drastic changes took place rapidly. The organization of the islands into a kingdom and the orderliness

established by the great king made possible the survival of Hawaii as an independent nation with its own culture.

Kamehameha I was a great Hawaiian whose rule unified the islands, and enabled them to withstand the first impact of the outside world. If he had never lived, the course of Hawaiian history and developments would doubtless have been different indeed. But he did live—and Hawaii will always remember its debt to Kamehameha I, well termed Kamehameha the Great.

On way of discharging this debt, and the debt of the State of Hawaii to the indigenous people of the land, is to place a statue of Kamehameha I in Statuary Hall. There it might also serve as an incentive for visitors to learn something of the man, his people, and his islands.

THE TIES WHICH BIND THE UNITED STATES AND GREECE

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a very eloquent address delivered last night by Secretary of State Christian Herter before the 14th Ahepa national banquet. The speech is worthy of the attention of the Senate because it expresses so succinctly and so well the ties which bind the United States and Greece—two of the world's great democracies. His remarks also emphasize the strength of NATO to which both the United States and Greece have contributed so much.

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

ADDRESS BY THE HONORABLE CHRISTIAN A. HERTER, SECRETARY OF STATE, AT THE 14TH AHEPA NATIONAL BANQUET IN HONOR OF THE U.S. CONGRESS, WASHINGTON, D.C.

Distinguished guests, fellow members of Ahepa, it is most gratifying to see around me the faces of so many of my friends and former colleagues in the Congress. On an occasion like this it is a little hard to believe that I have been away from the Hill at all.

It is indeed a pleasure to attend the national banquet of Ahepa, membership in whose Boston chapter I am proud to claim. Because I think of myself as one of you I take this occasion to announce that I plan to make a visit to Athens within a few weeks. I expect to stop there on the 5th of May, following the NATO meeting in Istanbul.

Greece is a land of many beauties, created both by nature and by men. The genius of the Greek people is expressed not only in the monuments of their culture but also in their friendliness and charm. Not least in these endowments are their gracious and devoted king and queen. I look forward to a pleasant and relaxing opportunity to renew my acquaintance with a beautiful country and with many good friends.

I am here tonight to acknowledge a debt. Not to pay it, because that is beyond my power, but to acknowledge it and thereby give an indication of its nature and magnitude.

The debt is the debt America owes to Greece. It is a debt of many aspects, intellectual, artistic, political, human. It is a debt not alone for knowledge and ideas, but above all for inspiration, for examples of excellence, beauty and courage.

The United States has been very much aware of its debt to Greece from its beginnings as a republic, for the Greek tradition is the well-spring of our own freedom. Thus we have sought where we could to offer repayment. Since I happen to be a graduate of Harvard I think particularly of the efforts of Edward Everett, a Harvard man who like myself was an editor, a Congressman, a governor of Massachusetts, and U.S. Secretary of State. Edward Everett was for a time professor of Greek literature at Harvard, hence he enjoyed a full awareness of the glories of that legacy. It was he who led the widespread movement for American popular support of Greece during her war of independence. From 1821 to 1830 there were contributed from all over this country clothing, medicine and financial support to relieve the suffering of the rebirth of freedom in the ancient nation where freedom was born.

It would be an error, however, to think of Greek sacrifices in the cause of freedom only in terms of events a century or more past. The fierce and courageous dedication to freedom displayed by the Greek people during the Second World War and after it was both inspiring in itself and important to the broader effort. Here again we sought to help in what ways we could, in gratitude for the contribution in blood and gallantry being made by the Greek people to our own security and freedom.

Moreover in the time since then Greece has played and continues to play an essential role in the strength of NATO as the shield of Europe. Just as the size of a nation in area, population or resources does not necessarily determine the magnitude of its contribution to ideas and culture, so the size of a member of an alliance does not in itself give a measure of its value to the alliance. Interdependence creates an equality among partners which our Nation gladly and, may I say, humbly acknowledges.

The contribution to the life and achievements of this country by Americans of Greek descent is, like the contributions to freedom of Greece herself, not only a matter of the past but of the present and future. Two symbols of this are the presence with us tonight of a young Member of Congress of Greek descent, and the recent announcement of plans to found a Hellenic University of America.

And the ideas of the ancient Greeks, like the descendants of the ancient Greeks, have their contribution to make to events today. The Greek orator Isocrates, addressing the Olympiad of 380 B.C., said "The name of the Greeks is a symbol not of who we are but of what we are. He who shares our culture is a Greek." Since the very essence of the culture to which Isocrates referred was political and intellectual freedom, his words apply today. He who shares the love of freedom, with all that freedom entails culturally and politically, is today not alone a Greek, nor an American, but a citizen in full standing of the community of the free.

That is the animating spirit of NATO and of other associations for the defense of freedom. That must be the governing spirit of this country's relations with any nation which has freedom or hopes to gain it.

It is clear that this same spirit is reflected in the ideals and service of AHEPA. It seeks at once to promote the better understanding of true Hellenism and to encourage loyalty to the United States. It was founded by and for Americans of Greek descent, but its ranks include leaders in American life from many backgrounds. The causes served by AHEPA over the years have ranged from relief to victims of flood and hurricane in Florida, Mississippi, and Kansas to war and disaster relief, and health and educational support in Greece and other areas of the Middle East.

The annual AHEPA excursion, which sails for Greece tomorrow night, is a useful means of strengthening the bonds that exist between the citizens of the community of the free. As President Eisenhower said last year, "Today the country needs more individual diplomats from Main Street traveling abroad as part-time ambassadors to help build understanding as a foundation for lasting peace." I particularly congratulate AHEPA for the 25,000 volumes of American books, collected by its chapters, which the excursion will take with it to give to the people of Greece. Even this impressive contribution is, of course, only a token repayment of the debt of culture the world owes to Greece. But it is an important token, not only of gratitude but of bonds that remain strong.

So I offer all good wishes to the members of AHEPA at their 14th national banquet. I congratulate you on the usefulness and success of your program, and I urge you to continue, in the future as in the past, your contributions to Hellenism, to Americanism, and to the cause of freedom.

THE GOLDEN ANNIVERSARY WHITE HOUSE CONFERENCE ON CHILDREN AND YOUTH

Mr. CARLSON. Mr. President, next Sunday 7,000 people will assemble in Washington for a conference. It will be an event of great significance for the future of the Nation, because these 7,000 people from all over the country, and some from abroad, are coming here to talk about our children. They will be taking part in the 1960 White House Conference on Children and Youth.

The State of Kansas will be represented by a delegation of 70 outstanding citizens. The Kansas Council for Children and Youth, under the direction of Don M. Pilcher, of Lawrence, Kans., executive director, has been active in this field for many years.

The President of the United States will address the conference Sunday evening; and all next week the delegates will discuss the problems and needs of American youngsters and make proposals for meeting their needs.

The White House Conference on Children and Youth is a citizens' conference. It is organized and run by the people of the United States, acting through local, State, and national organizations, under the direction of a committee of 92 representative citizens who were appointed by President Eisenhower. Congress provided some funds for basic organization in the budget of the Children's Bureau, but most of the cost of the Conference has been met by foundations, organizations, industry and individuals.

It has become a good American tradition to take stock every 10 years of conditions for our children. This 1960 White House Conference is the sixth such national gathering. The first White House Conference on Children brought 200 child welfare leaders together in Washington early in 1909, on the invitation of President Theodore Roosevelt. Each one of the White House Conferences has stressed a different aspect of child welfare. Each Conference has had an important influence on legislation and services for children.

The 1909 Conference dealt with just one subject—dependent children. Its chief aim was to stimulate nationwide

interest in getting homeless and neglected children out of old-fashioned orphan asylums and into good adoptive or foster homes. That first Conference produced a historic statement on the value of home life for children, which laid the foundation for the widows' pension movement and the aid to dependent children program. Other recommendations led to the establishment of the Children's Bureau and the organization of the Child Welfare League of America, and encouraged the growth of adoption agencies.

The second White House Conference on Children, in 1919, drafted minimum standards for child employment, child protection, and maternal and child health. These standards formed the basis for many State child labor laws, for the Sheppard-Towner Act, and for the maternal and child health program under the Social Security Act. The recommendations of the 1930 Conference were summarized in a Children's Charter which proclaimed the right of every American child, "regardless of race, or color, or situation," to health, education, decent housing, an adequate standard of living, and a home. These recommendations, too, are reflected in provisions of the Social Security Act.

Ten years later, the 1940 Conference outlined a program for State and local action to improve conditions and services for children in all sections of the country, in the cities, and on the farms. World War II interfered with carrying out most of this program. But it was a program for the decades. The 1960 White House Conference could well come up with many of the same recommendations, and we would be working on them for years to come.

Fortunately, one of the achievements of the 1950 Conference was the creation of machinery for citizen action. Lay and professional groups interested in children banded together in a Council of National Organizations on Children and Youth. Committees formed in many States to plan for the welfare of young people coordinated their activities through a National Council of State Committees. These bodies, which functioned through the 1950's, have been preparing for the 1960 Conference. After the Conference is over, they will go to work to carry out its recommendations. In the executive branch of the Federal Government, an Interdepartmental Committee on Children and Youth has been cooperating with these citizen organizations.

People all over the country have been working for more than a year to get ready for next week's conference. In every State and territory, there is a White House Conference committee, appointed by the Governor. County committees have been organized in more than half the counties of the United States. Doctors, social workers, clergymen, teachers, lawyers, college professors, businessmen, labor leaders, farmers, and housewives worked on these committees. Public opinion polls, factfinding surveys and studies, town meetings and local, regional, and State conferences are some of the ways the local and State committees used to collect information for the reports they prepared for the White House Conference. Some of these reports are quite voluminous, and they are likely to form the most detailed body of information yet compiled on State and local services for young people.

It is estimated that nearly 5 million people had some part in this tremendous preliminary activity. Many of them were teenagers, high school and college students. These youngsters worked actively with local and State committees; they participated in conferences with their elders. They held youth conferences of their own, and came up with very good and serious recommendations. Nearly 1,000 young people will be at the White House Conference, next week, as full-fledged delegates. This Conference will not just talk about youth; it will also listen to what youth has to say.

Fifty years after the first White House Conference on Children, this Golden Anniversary Conference is meeting at the end of a decade which has witnessed breathtaking changes in our country and in the world. The next decade is likely to bring even more sweeping changes. The Conference will be considering the impact of these changes on the lives of our children today and tomorrow. It will be concerned with the strain which our exploding population has placed on all services for children. It will consider such problems as broken families, working mothers, children with mental or emotional handicaps, children with physical handicaps, delinquent youngsters, and young people without the skills needed in order to get jobs in this age of automation.

The delegates will have to try to anticipate the problems of the 1960's. They will propose ways of meeting the shortages of schoolteachers and classrooms, of qualified social workers, health workers, and vocational counselors. As President Eisenhower wrote in his letter calling the 1960 White House Conference:

> The rapidly changing times in which we live * * * make it incumbent upon us to do everything we can to plan ahead and to see that we prepare today's children well for life in tomorrow's world.

The huge Conference next week represents not the end of a stocktaking process, but a beginning. The delegates will learn much from each other; and what they learn they will take home to their States, their communities, their churches, schools, and civic organizations. They have already learned much from their factfinding and their local and State conferences about services that are lacking. They have made inventories of their unmet needs. With the impetus of the 1960 White House Conference, they will be able to go ahead with the most important part of their work, for the most important part of the 1960 White House Conference will be the action taken after it by American citizens, to carry out the programs which they themselves propose. It will be up to them to see to it that all American children have an equal opportunity to "grow in freedom" in the world of today and tomorrow.

Mr. President, I urge all Senators to keep in mind, and to attend whenever it is possible for them to do so, this outstanding Conference on Children and Youth.

VOICE OF AMERICA BROADCASTS TO LATIN AMERICA

Mr. ALLOTT. Mr. President, last week I addressed this body regarding the dire menace which is growing just 90 miles from our Florida shores. At that time, I asked for specific action on the part of the United States to offset the irresponsible anti-American mouthings of Fidel Castro; I asked that we place before the Cuban people, who still are our friends, the truth about American policies and intentions.

In outlining current Voice of America programing last week, I asked for correction of two critical shortcomings:

First, broadcasts in Spanish and Portuguese; and

Second, broadcasts on medium or standard bands, rather than the presently used short wave.

Mr. President, I am happy, indeed, to report that the Voice of America will begin nightly hour-long broadcasts to Latin America tonight. The programs, which will commence at 8 p.m., eastern standard time, will be in Spanish. Present plans call for an opening 15-minute newscast, followed by a 5-minute commentary, a 10-minute feature, and then a quarter-hour music program. This will be followed by another 10-minute feature, and, finally, a 5-minute news capsule.

We should commend the Voice of America and the U.S. Information Agency for the swiftness with which they are responding to the need. I am further informed that, even now, investigations are being made of the possibility of the use of commercial American broadcasting stations to beam Spanish-language broadcasts to Latin America on standard bands. As we all know, few people own radios which can receive short wave programs. In fact, they number less than 3 percent in Cuba, even judging by the most generous estimates.

This is a positive approach to the problem, and is a highly encouraging sign to those of us who have watched in dismay while Fidel Castro took over, as propaganda tools, the free press and radio of Cuba.

The use of standard bands will insure that the people of Cuba, now being denied factual information, will have the facts, so they can decide for themselves whether or not Castro himself is now betraying the announced goals of democracy of his 26th of July movement and is turning Cuba into a Communist police state.

I hope that we in Congress will resolve to encourage and help the U.S. Information Agency in the next step of this vital program—the acquisition of the means or facilities to beam these programs southward on standard broadcast bands.

Mr. President, during these days when guns are cocked, but silent, the real struggle is for men's minds and opinions. We must recognize the fight for what it is, and what it means, not alone to this generation, but to those that will follow. We must pursue the means we have at hand, such as the route I have just described, with all haste and with all energy.

SENATOR WILLIAM J. BULOW, OF SOUTH DAKOTA

Mr. CASE of South Dakota. Mr. President, on the day when the sad news came to us that former Senator William J. Bulow, of South Dakota, had died, I made some impromptu remarks on the floor of the Senate. At that time, I recalled two events in his life. One was his veto, during his first term as Governor of South Dakota, of a general appropriation bill which had been passed in disregard of the importance of a balanced budget, and which called for expenditures regardless of income. A veto of an appropriation bill was an unprecedented act at that time.

The other was the position he took, while a Member of the U.S. Senate, on the well known court-packing bill. The vote he cast at that time lost him certain favor at the White House.

Mr. President, I now find that in 1955, Mr. Bulow, who then was in retirement, wrote an article for the Sioux Falls (S. Dak.) Argus-Leader, in which he reviewed the record he had made. At one point in the article he referred to the veto of the appropriation bill which I have mentioned, and stated:

I was not able to accomplish very much for the people of South Dakota during my term as Governor to which I can point with particular pride.

But I do feel that the results achieved from my veto of that general appropriation bill is honor enough.

It changed the economic philosophy of the State from spending money without regard for where the money was coming from, from an unbalanced budget, which had been the rule, to that of a balanced budget, which has been the rule ever since.

It saved the State from going bankrupt, and paved the way to pay off the State debt which is now about wiped out.

At another point in the article he wrote as follows:

During the first years of his administration—

Referring to the administration of Franklin Delano Roosevelt—

I had been invited to the White House many times, sometimes alone, but more often in groups.

After the court-packing bill was defeated, I was never invited again. I never had a visit with Mr. Roosevelt after that, nor did I ever again have a chance to go to the Executive Office.

What I had thought was a good personal friendship was at an end.

My action against the court-packing bill was the straw that broke the camel's back.

It prevented me from getting the nomination for reelection (1942 Democratic primary) and caused me to bite the dust of defeat.

Defeat is the end of every political career if one plays the game and does not die when he ought to die.

Later in the article he wrote as follows:

To preserve the independence of the Supreme Court and prevent it from being taken over by the Executive was worth every sacrifice.

I would not change the record that I made in my effort to help defeat the court-packing bill for a life seat in the U.S. Senate.

Mr. President, from what I have read of this remarkable review, by Mr. Bulow, written in his later years, it should be evident that it is a document which is well worthy of being published in the body of the CONGRESSIONAL RECORD.

Therefore, Mr. President, I ask that, following these remarks, the entire text of the article by the late William J. Bulow be printed in the body of the RECORD.

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

WILLIAM J. BULOW SAID: "I WOULDN'T CHANGE THE RECORD FOR A LIFE SEAT IN THE SENATE"

(By William J. Bulow)

To my great surprise, I was elected Governor (1926).

I had never figured on winning and had been given a job which I did not know how to run and had no idea what to do with it.

I went to Pierre, was a stranger in a strange land.

The Democrats in Pierre could be counted upon one hand. I didn't know any of them.

All the State offices were filled with Republicans, none of whom I knew.

I was completely surrounded by Republicans. I did not know if any of them would speak to me.

In fact, I was not quite sure that Democrats and Republicans talked the same language and could make each other understood.

I soon found out that these Republicans were human. I could talk to any of them and we could understand one another.

I got the surprise of my life when the Republicans of Pierre and the Republicans in the statehouse treated me with kindness.

In fact, I could not have been better treated if all of them had been Democrats.

I found the people of Pierre and the officeholders to be real people. None better ever lived anywhere.

The 4 years (1927–31) that I lived in Pierre were the best years of my life and are my fondest recollection.

I went to Pierre with many misgivings. I left there with many regrets.

LEGISLATURE COULDN'T BREAK AN OLD HABIT

The one thing that stands out in my memory as the accomplishment of my administration was my veto of the general appropriation bill during my first term.

For many years the State administrations had disregarded the importance of a balanced budget and had voted the expenditure of money regardless of income.

The result was that the State had passed from the lowest per capita debt to about the highest in the Nation.

I had made my campaign advocating a balanced budget, that the business of the State must be conducted within its income and not on borrowed money and that I would not tolerate the State going further into debt.

I had stressed the same economy in my message to the legislature. But when they passed the general appropriation bill, I found that they had appropriated more than a million dollars in excess of possible revenue income.

I vetoed the bill and submitted two alternatives: (1) That they must either cut down the expenses or (2) provide for additional revenue income.

The legislature, over the years, had formed a habit of expending money without any regard for income. They could not break the habit. They refused to pass a new appropriation bill, adjourned and went home.

Then they brought an action in the Supreme Court against me to test my right to veto a general appropriation bill.

At a special hearing the Supreme Court reached a unanimous decision sustaining my position.

This left matters so that when the 1st of July came, the State would have no funds for carrying on any of its activities.

I was forced to call a special session of the legislature to provide the necessary funds.

In the meantime the members of the legislature had had a chance to talk matters over back home with the people whom they represented and had found out what their desires were.

At the special session we had no difficulty at all in getting together on a general appropriation bill.

That veto was one of the main things that elected me (in 1928) Governor for a second term. But all the other State offices were again filled with Republicans.

The 1929 legislature was overwhelmingly Republican in both branches.

But we had learned to understand each other a little better. We got along fine together and had no difficulty at all.

I was not able to accomplish very much for the people of South Dakota during my term as Governor to which I can point with particular pride.

But I do feel that the results achieved from my veto of that general appropriation bill is honor enough.

It changed the economic philosophy of the State from spending money without regard for where the money was coming from . . . from an unbalanced budget, which had been the rule, to that of a balanced budget which has been the rule ever since.

It saved the State from going bankrupt and paved the way to pay off the State debt which is now about wiped out.

A BATTLE THAT ENDED A FRIENDSHIP AND CAREER

Neither did I accomplish very much for the people of South Dakota during my tenure as U.S. Senator.

No doubt the peak of what I accomplished during the 12 years I had the honor to represent them in the Senate was the work I did in helping to defeat the passage of the so-called court-packing bill (to increase the Supreme Court from 9 to 15 members).

This was the most vicious proposal that any President ever requested Congress to pass. It brought about the most bitter debate that was ever staged on the floor of the Senate.

The debate had been going on for many days. It looked like a vote might soon be had. The forces were about evenly divided. It might go either way—no one could tell.

Mr. Roosevelt had brought to bear every trick that he could think of to bring about its passage.

I was scared almost to death that it would pass. I still think that might have happened if a vote had been reached.

There were six Senators who had made no speeches on the floor, nor had they made any public commitment. I was one of the six.

We called a meeting and got together to determine what we had better do. After discussing the matter at length, we decided that we ought to take a hand to try to end the bitter debate.

That debate was destroying friendships, making enemies out of lifelong friends. It was wrecking the Democratic Party, was not in the public interest and was not good for the Nation.

We six Senators believed that the bill ought not to pass and, for the good of everyone, that the debate should be brought to an end.

We formulated a statement which we asked the Vice President (John Nance Garner) to convey to Mr. Roosevelt. We stated our position and our plan to support a motion to recommit the bill to committee. This would end the debate and kill the bill.

The next day a motion to recommit was made. It carried by an extremely close margin. The court-packing bill came to a sudden and abrupt end.

Mr. Roosevelt was not a good loser. This made him awfully mad.

He could not tolerate anyone who disagreed with him. One had to agree with him 100 percent, or become an outcast.

During the first years of his administration I had been invited to the White House many times, sometimes alone, but more often in groups.

After the court-packing bill was defeated, I was never invited again. I never had a visit with Mr. Roosevelt after that, nor did I ever again have a chance to go to the Executive Office.

What I had thought was a good personal friendship was at an end.

My action against the court-packing bill was the straw that broke the camel's back.

It prevented me from getting the nomination for reelection (1942 Democratic primary) and caused me to bite the dust of defeat.

Defeat is the end of every political career if one plays the game and does not die when he ought to die.

My defeat was of no particular interest to me. I was old enough to quit, anyway. It was of no interest at all to the people of South Dakota.

But what is of vital interest to them is the fact that they have an independent Supreme Court, to which the humblest citizen of this land may go and seek justice with the assurance that he will get justice—that he can stand before a court that does not take its orders from an ambitious, power-crazy dictator.

I am thankful, very thankful, that we still have the Supreme Court just as the Founding Fathers intended it: Free and independent, free to pass judgment against the President of the United States whenever that President seeks to avoid his constitutional limitations and attempts to infringe upon the liberties of the people.

It is a court that is not the mouthpiece of or controlled by the Executive. Let us thank God for the Supreme Court and hope that it will never be destroyed.

The fact that I lost a good friendship and lost the chance of being reelected to the U.S. Senate does not bother me at all.

To preserve the independence of the Supreme Court and prevent it from being taken over by the Executive was worth every sacrifice.

I would not change the record that I made in my effort to help defeat the court-packing bill for a life seat in the U.S. Senate.

EXPENDITURES BY INTERNATIONAL COOPERATION ADMINISTRATION FOR FOREIGN TEACHERS' SALARIES UNDER FOREIGN AID PROGRAM

Mr. DIRKSEN. Mr. President, in connection with the Senate discussion of the Federal aid to education measure, considerable point was made, with respect to the inclusion of aid for teachers' salaries, that the International Cooperation Administration was aiding teachers abroad and it seemed strangely inconsistent that a comparable policy could not be followed with respect to teachers in the United States.

I have asked the International Cooperation Administration for a statement on this point, and I ask unanimous consent to include that statement as a part of my remarks at this point in the RECORD.

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

STATEMENT ON ICA EXPENDITURES FOR FOREIGN TEACHERS' SALARIES UNDER FOREIGN AID PROGRAM

The CONGRESSIONAL RECORD of February 4, 1960, lists the educational projects on a worldwide basis with a statement of cumulative funding from fiscal year 1955 through 1959, in the amount of $128,334,501.

Trained manpower is essential to the development of a viable economy and education plays an important role in providing the required trained manpower. Requests from cooperating countries to ICA for technical assistance in education range through all levels and substantive fields of education. The International Cooperation Administration's educational technical assistance programs are carried out at the ministry of education or leadership level of educational operation. It is believed that with this group our technical assistance program would have the greatest multiplier effect. Thus, we find that U.S. education advisers have as host-country counterparts, ministers of education, deputies, university and college presidents and staff members, district and regional education officers. These people make up the leader core of educational systems and, through upgrading them, our U.S. advisers are helping to develop and strengthen national systems of education.

When related to manpower needs and economic development, this translates itself into programs of teacher education through which, in some instances, our technicians have helped countries build such a program from the beginning or have helped in the development of inservice teacher education programs to upgrade teachers in the field, many of whom have had only an elementary education; development and upgrading of programs in vocational as well as higher education; or the production of educational materials for all levels of education; adult education and development of good practices in the management of educational systems; or in all of these areas. Educational technical assistance related to the above programs is primarily carried out through demonstration and training activities, for the purpose of developing a corps of trained nationals who will ultimately assume full responsibility for their own system of education. The form in which this is done varies with the country in which the United States is furnishing the technical assistance.

All educational activities in countries where ICA is at work are vested in the national government; thus, ICA education programs operate within the framework of the national ministry of education. The local control or management of public education, as we know it in the United States, is practically nonexistent in the developing nations which request our assistance. While we believe in the principle of decentralization as practiced in the United States, it cannot function as such in many developing nations until such time as a greater degree of progress has been made through elimination of illiteracy, the development of civic awareness and the producing of trained manpower capable of earning a living and managing their own affairs.

In some instances, our technical assistance programs operate through a Servicio of which Colombia, South America, is an example or through a Cooperative Service as it is called in Ethiopia. Both the host country and the United States deposit funds in these joint fund operations. It is ICA policy to reduce its proportionate contributions until the project is completely financed by the host government. Thus, in some instances, the U.S. dollars, which go into education projects abroad and to which host-countries make substantial contributions, lose their identity. In these countries or in others where a project has been classed as essential to the development of trained manpower which in turn would assist in economic development, and where in the beginning a demonstration was essential, then and only then have some salaries of foreign teachers been paid. In these exceptional cases a demonstration has been made possible by this means which sold an idea, a method of doing, or produced trained individuals who could perform in the developing economy. Such necessary demonstrations have provided the oft-needed motivation which helped a government decide on a course of action for its educational system. These are exceptions to the general policy that our ICA technical cooperation is basically demonstration and training. Here again the connection of teachers and salary payments with a national government is simply because, in most countries where we operate, education is a function of the national government.

In one particular case the United States finances, under special assistance, the employment of Arab-speaking third country teachers for Libyan schools as a means of accelerating the educational process while indigenous teacher training facilities are being developed.

The education program budget is about 20 percent of the total annual ICA technical cooperation budget. These funds are expended under six categories listed in the attached table. Of these categories only the latter two "Cooperative Service" and "Other Costs" would provide the means for payment of foreign teachers' salaries. The attached table shows the total ICA technical cooperation budget ($400.6 million) for the fiscal years 1958, 1959, and 1960. If we use 20 percent as that part of the funds allotted to education under "Cooperative Service" and "Other Costs," it means that in the 3 years cited, about $12 million would be in project elements for education from which salaries of foreign teachers could possibly be paid. Since these categories are not specifically for that purpose then it, indeed, would be only a small fraction of this remaining amount which would be used for this type of expense. To obtain more exact figures would involve querying each of the ICA missions abroad where the detailed records are maintained.

Such expenditures are and always have been exceptions to the general practice and as countries develop their economies these expenses are being absorbed by them.

ICA technical cooperation funds, fiscal years 1958–60

[Dollar amounts in millions]

Elements	Fiscal year 1958		Fiscal year 1959		Fiscal year 1960	
	Amount	Percent	Amount	Percent	Amount	Percent
U.S. technicians	$40.5	35	$46.4	36.3	$53.3	34
Contract services	23.8	20	27.7	21.7	40.1	26
Participant training	21.4	19	24.5	19.1	29.5	19
Supplies	12.7	11	9.1	7.1	11.6	7
Cooperative services	7.3	6	7.9	6.2	9.0	6
Other costs	10.9	9	12.3	9.6	12.7	8
Total	116.6	100	127.9	100.0	156.2	100

NOTE.—The above table shows the technical cooperation project elements under which all ICA technical cooperation funds were budgeted for the fiscal years 1958, 1959, and 1960. Twenty percent of the 3-year total ($60.1 million) for the elements of "Cooperative services" and "Other costs" amounts to $12 million, approximately the amount used in educational technical assistance for these 2 elements and which would be the sources of payment for some foreign teachers' salaries under exceptional circumstances.

LOYALTY OATH UNDER NATIONAL DEFENSE EDUCATION ACT

Mr. CLARK. Mr. President, a few moments ago the senior Senator from New Hampshire [Mr. BRIDGES], spoke again in opposition to the repeal of the Communist disclaimer affidavit provision, which was inadvertently inserted—in my judgment, foolishly inserted—into the National Defense Education Act a year or two ago.

As Senators are aware, a bill is pending on the calendar to repeal the provision for this disclaimer affidavit, which requires at present that every student who gets a loan under the National Defense Education Act make an affidavit that he is not a Communist.

I hope this foolish provision will be repealed. But I think it is important to distinguish between the oath of allegiance which is in the bill, and to which nobody presently objects, and the disclaimer affidavit provision, which I hope will be repealed.

Neither can properly be described as a loyalty oath. The first is the kind of oath we all take when we are sworn in as U.S. Senators or take any Government office. The second is required—I think foolishly required—of the small number of persons who get Federal assistance under the Education Act, but not of anybody else.

Mr. President, a few days ago I inserted in the RECORD a long list of colleges and universities which had come out in favor of the bill sponsored by the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. JAVITS], and myself, to repeal the disclaimer affidavit provision of the National Defense Education Act. There is wide student sentiment in favor of the bill. I ask unanimous consent that there be printed at this place in the RECORD seven more editorials from college or university publications urging the repeal of the disclaimer affidavit.

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

[From the Washington State University Newspaper: Daily Evergreen, Feb. 19, 1960]

LOAN AFFIDAVIT POSES THREAT TO FREEDOM

(By Terry Brady)

The National Defense Education Act of 1958 has been a point of controversy since it came into being. Many parts of the act have come up for criticism, but none have been as bitterly opposed as the section requiring participants to sign a disclaimer affidavit to be eligible for moneys.

Section 1001(f), is the part of the act in question. This section requires a student receiving aid to file an affidavit stating "That he does not believe in, and is not a member of and does not support any organization that believes in or teaches, the overthrow of the U.S. Government by force or violence or by any unconstitutional means."

The opposition to this section of the bill has mostly come from the "richer" schools of the east coast, that can afford to run their student loan funds without the aid of the Government.

Many of these schools have gone so far as to refuse or return money granted by the act.

The chief argument used by these schools is that it is morally wrong and dangerous to individual freedom to require an oath of this sort. They say this is just a case of the Government helping an individual and then dictating terms of the help.

Schools that have been most prominent in this action have been Yale, Harvard, Oberlin of Ohio, Amherst, and Reed.

However, these schools have not been without their backers and friends in principle.

The controversy has even been felt here at Washington State.

Last Spring the WSU chapter of the American Association of University Professors passed a resolution, supporting the National Council of American University Professors, on their stand against the affidavit.

That body stated that "The affidavit was vague, probably unconstitutional and invidious."

Also, the students have acted through the board of control. At a recent meeting the board authorized ASWSU President Len Hudson to write letters encouraging Congressmen to support abolishment of the disclaimer stipulation.

On the national level, the delegates of the 12th National Student Congress, which met at the University of Illinois last summer, passed a resolution voicing their disapproval.

Other support against the affidavit has come from Senator John F. Kennedy, Representative Edith Green, and Arthur S. Flemming, Secretary of the Department of Health, Education, and Welfare.

Many students at WSU and other colleges and universities throughout the country are in need of the money provided by the bill. The bill, in itself, is a good one.

It is only hoped that students will not have to sacrifice any of their freedoms, in fact or principle, to partake of it.

[From the newspaper Colorado State Mirror, Jan 29, 1960]

THE FUTILITY OF A LOYALTY OATH

A loyalty oath and a disclaimer affidavit, parts of the National Defense Education Act that a student recipient of the NDEA loan must sign, has touched off a ruckus on campuses across the country.

"I do solemnly swear (or affirm) that I will bear truth faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic."

Thus reads the loyalty oath that is continuously receiving emphatic opposition from educators and students throughout the country. Should college students, seeking Federal funds to finance their education, be required to take this loyalty oath as called for by the National Defense Act of 1958? The neediest students are the members of our society that are picked to receive this educational loan and yet they are singled out for special distrust. Why shouldn't all students upon entering college take such an oath, if a few of the unfortunate members are compelled to do so?

Many colleges are bowing out and are refusing to accept the help from the National Government because they say the loyalty oath and the attached affidavits interfere with freedom of belief. The disclaimer affidavit reads that "he does not believe in, and is not a member of and does not support any organization that believes in or teaches the overthrow of the U.S. Government by force or violence or by any illegal or unconstitutional methods." A student has to swear under oath that he is not a member of a subversive organization.

Those who are opposed to the signing of this loyalty oath and the affidavit have attacked the loan requirement on the grounds that such oaths aren't required of farmers when they receive crop loans or from other recipients of Federal aid. The signing of an oath is not an effective way to catch Communists. Needy students, who cannot take such oaths because of religious convictions, are denied benefits of the loan. The American Association of University Professors and the American Council on Education have attacked the affidavits; the American Association of Universities has registered protests and the AAU denounced the provision last spring.

Supporters of the oath and affidavit say that academic freedom should not include questionable characters who will not sign. Members of the ROTC, recipients of National Science Foundation scholarships and faculty members employed on classified Government research all sign similar oaths and affidavits. A sworn statement such as the affidavit can be a basis for a perjury charge, which is one of the most effective weapons against subversive individuals. Supporters also say that experience has shown that colleges are targets for Communist infiltration.

Democratic Senator JOHN F. KENNEDY of Massachusetts tried to have the loyalty clause repealed last summer but it was beaten by a small margin. Those opposing KENNEDY came forth with a clause that would have made it a felony, for a student who signed, to at any time participate in the activities of a subversive organization.

One hundred seventy-eight CSC students are being supported by the NDEA loan program with the total sum of $169,000. CSC is but one of the 1,370 institutions with an enrollment of 2,217,000 students who are participating in the program, for which $31,000,000 was appropriated by Congress for this year. A student can borrow up to $1,000 a year and $5,000 within his college career. No payment on the principal is due until 1 year after the student leaves college. At this time the interest begins at a 3 percent rate. If a teacher works for a total of 5 years, 50 percent of his debt to the Government is canceled.

The loan is actually a step in the right direction, for education does need monetary support. If colleges continue to drop out

from this Government support, it may lead to the destruction of a magnificent program. It is a problem to be considered with intelligence and not with haste and hot arguments. Let us consider carefully our stand in the situation. Should we pay no attention to the loyalty oath and the affidavit and with not too clear a conscience still benefit from the NDEA loan or shall we fight it with a possibility of losing the entire program? We are of the opinion that carefully planned legislation will produce the only satisfactory answer to this problem.

[From the University of Chicago Newspaper, Maroon, Jan. 27, 1960]

CLARIFY NDEA POSITION

Last week, the council of trustees voted to withdraw from the student loan provision of the National Defense Education Act (NDEA) unless the disclaimer affidavit clause is repealed by Congress within the next year. At that time, the Maroon noted, with reservations, its approval of the council's action.

The action by the trustees involved only the provision of the act that concerns loans to undergraduates. Titles four and six of the act were completely ignored. Title four of NDEA involves fellowships for graduate study in anthropology, Russian language, Far Eastern civilization, or south Asia civilization. Title six involves grants for study in UC institutes in Hindi, Bengali, Chinese, Arabic, and Japanese languages.

Also left unmentioned was the National Science Foundation (NSF) graduate fellowship program, which grants money to students in the sciences on a graduate level.

Titles four and six of NDEA contain the same affidavit and loyalty oath as does the loan program. The NSF grants contain an oath and affidavit which are very similar to that of the NDEA, although the wording is slightly different.

The reason given by the council of trustees for the tacit approval of the loyalty oath as contained in titles four and six of NDEA is that these are contracts negotiated directly between the student and the Government, whereas the loan program is contributed to and administered by the university. No reason has been given for the neglection of the National Science Foundation program.

We cannot agree with the position taken by the council on either titles four and six of NDEA or on NSF. The disclaimer affidavit is insulting to students, by singling them out from among all the people of the United States as having possibly been disloyal. By its vague wording, the affidavit can trap a student, who does not know whether an organization to which he has belonged is considered subversive by the Government, into a perjury indictment.

The university, by allowing its students to accept NDEA and NSF fellowships, is giving its approval to the affidavit. UC has the fourth largest endowment of any university in the United States. Surely funds can be found to replace those that are now being supplied by the Government. And surely the elimination of this blight is worth the extra expense to which the university would have to go.

We strongly urge the council of trustees to take action soon, stating that the university will withdraw from titles four and six of NDEA, and from the graduate fellowship program of NSF unless the disclaimer affidavit is repealed.

[From the University of Chicago Maroon, Jan. 21, 1960]

INCANTATION

The University of Chicago has now joined the long and honorable list of American institutions of learning opposed to the affidavit of disbelief which must be signed by students seeking loans under the National Defense Education Act of 1958. In directing the university to withdraw from the student loan program at the end of this academic year if the affidavit requirement is not removed by Congress, the board of trustees emphasized its distinction between the affirmative oath of allegiance which the act requires and to which no Americans have made any objection, and the negative disclaimer of disloyalty which seems to impute to students disloyal intentions of which there is no reason to suspect them.

Nearly every American is happy to take the oath traditionally taken by his fellow citizens:

"I do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States of America against all its enemies, foreign and domestic."

But loyal and self-respecting Americans cannot be happy about being asked, in addition, to say:

"I do solemnly swear (or affirm) that I do not believe in, and am not a member of and do not support any organization that believes in or teaches, the overthrow of the U.S. Government by force or violence or by any illegal or unconstitutional methods."

This second disclaimer is, as the University of Chicago trustees declare, superfluous, offensive, and so vague in language as to open the way for malicious perjury prosecutions. It is also, as the trustees point out, undemocratic, because it must be signed only by students among Americans generally and only by the financially poorest students who need financial aid to go to college. And finally, the disclaimer is degrading. It degrades the student who is compelled to take it and it degrades the affirmative oath of allegiance which he has previously taken. President Eisenhower has recognized as much in recommending repeal.

It seems to us that the disclaimer resembles a requirement that an ardent bridegroom who has come joyfully to the altar with his bride and has promised to love, honor, and cherish her must in addition swear that he will not beat her or belittle her or forsake her. Does anyone, including Senator MUNDT, seriously suppose that desertion and divorce would be much diminished if such an incantation should be added to the marriage vow?

[From the Moline (Ill.) Dispatch, Feb. 12, 1960]

THE OATH SHOULD GO

The temper of the times is such that Congress now is expected to repeal the loyalty affidavit requirement for college students in the Federal student-loan program. Only 10 years ago civil liberties watchdogs considered it a victory of a sort to have Congress accept an identically worded disclaimer as a requirement for graduate science students seeking aid.

The old oath requirement was written into the act setting up the National Science Foundation in 1950. It looked at that time like a reasonable compromise to the original language of the bill calling for FBI approval of fellowship applicants.

A repealer bill sponsored by Senator JOHN F. KENNEDY, Democrat of Massachusetts, would eliminate the latest disclaimer embodied in the National Defense Education Act of 1958. A student seeking a loan must swear he does not believe in or belong to any organization that teaches illegal overthrow of the Government.

KENNEDY's bill was shelved by a 49–42 vote last summer after brief Senate debate. He hopes to find more support this year because his new measure retains an affirmative oath of allegiance while eliminating the more objectionable negative affidavit. More than a score of colleges and universities have refused to accept Education Act funds because of this requirement.

The National Science Foundation, meanwhile, reports receiving few objections to its affidavit demands, signed to date by 12,000 students, although there is no way to judge how many students simply refuse to file applications for fellowships because of the requirement. On the other hand, it could be argued that loyalty oaths are more offensive to educators than to those being educated.

But however you slice it, the loyalty oath is offensive to good reason. It has never, to our knowledge, caught a Red or even set one up for a perjury conviction.

But it has abused a great many good people, without cause, by rendering the implication that until they sign a sheet of paper they are less than honorable citizens.

[From the Austin (Tex.) Texan, Feb. 5, 1960]

NO AFFIDAVIT, PLEASE

Sometime this month Senator JOHN KENNEDY is scheduled to bring up a bill which will call for repeal of the National Defense Education Act loyalty affidavit.

As it now stands, a student is not eligible for a loan under the national program unless he:

1. Signs an affidavit that "he does not believe in, and is not a member of and does not support any organization that believes in or teaches, the overthrow of the U.S. Government by force or violence or by any illegal or unconstitutional methods."

2. Has taken and subscribed to an oath as follows: "I do solemnly swear that I will bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic."

If an applicant makes any "false, fictitious or fraudulent statements or representations" on the required affidavit, he is subject to a fine of not more than $10,000, or imprisonment of not more than five years, or both.

The Texan agrees that all students should be loyal and patriotic; however, the disclaimer affidavit—in particular—neither provides nor instills those attributes.

We agree with the American Association of University Professors which has said:

"Gaging an individual's conduct by such vague criteria is a denial of due process of law.

"The amendment violates constitutional rights of freedom of belief and association.

"Educators rightly object to having students singled out to testify that they are not disloyal."

University of Texas students should organize and sign a petition asking repeal of the NDEA disclaimer affidavit.

[From the Lewiston-Auburn (Maine) Sun, Mar. 2, 1960]

NIXON OPPOSES THE DISCLAIMER

Vice President RICHARD NIXON is entitled to wide bipartisan praise for flatly opposing, in correspondence just made public by the University of Chicago, the so-called "disclaimer affidavit" required of students accepting Federal loans under the National Defense Education Act of 1958.

The disclaimer, sometimes called the "negative affidavit," requires the student to swear that he does not believe in, and is not a member of, any organization advocating the overthrow of the U.S. Government by illegal means. But the student is also required to swear to a loyalty oath, and Mr. NIXON says this requirement "covers the situation."

The Vice President, in his letter to Chancellor Lawrence Kimpton of Chicago University, noted also that since the disclaimer affidavit is not required of all recipients of Federal benefits, it is "unnecessary" and "unwarranted." He might have added, too, that the mere taking of an oath, or a dozen of them, does nothing to inspire loyalty, at the same time the ceremony is meaningless to the basically disloyal person.

Thus Mr. NIXON joins the man who may become his rival for the presidency, Senator JOHN KENNEDY, who wrote last year in a preface to a pamphlet on the issue, published by the Harvard Crimson:

"The * * * loyalty provision has no place in a program designed to encourage education. It is at variance with the declared purpose of the act in which it appears; it acts as a barrier to prospective students; it is distasteful, humiliating, and unworkable to those who must administer it. This is not a quarrel over the principle that Americans should be lawful; it concerns a doctrine which singles out students as a group which must sign a rather vague affidavit as to their beliefs, as well as to their actions."

With Mr. NIXON and Senator KENNEDY thus on record as hostile to the disclaimer, let us hope Congress will find the courage to enact the oath repealer now before it. And if Congress refuses, many more colleges should join those refusing to use funds available under the law.

Mr. SCOTT. Mr. President, will the Senator yield to me on that subject?

Mr. CLARK. I am happy to yield to my colleague.

Mr. President, I ask unanimous consent that we may proceed for an additional minute on this subject.

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

Mr. SCOTT. I should like to say I agree with what my colleague the senior Senator from Pennsylvania has said. The elimination of the so-called Communist disclaimer, as I am sure the Senator will agree, will leave in the oath or in the entire proceedings necessary to qualify for certain Federal considerations the so-called loyalty oath which, as the Senator said, is no more than the oath of allegiance. Certainly no loyal American could quarrel with the oath of allegiance which we all take. Members of our military forces take that oath, and it is an essential part of our qualification as citizens in accordance with the law's reasonable and proper requirements.

I should like to add that I have twice taken the Communist disclaimer oath myself. I have no personal objection to it. I do not think it does anything like the harm which the colleges and universities alleged it does. However, I agree it is discriminatory. I agree that it ought to apply to everyone or it ought not to apply to anyone. For that reason I think it is better we get rid of it and thereby relieve the colleges and universities from their scruples and their hesitation as to compliance with proceedings under the Federal Defense Education Act.

I shall therefore support the bill when it is taken from the calendar for consideration.

I thank the Senator for yielding.

Mr. CLARK. I thank my colleague for this renewed evidence of his support of our measure.

I desire to address myself to another subject, Mr. President.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

CLASSROOM SHORTAGES

Mr. CLARK. Mr. President, during the Senate debate on the education bill, on February 3, the distinguished minority leader, the Senator from Illinois, and the equally able and distinguished Senator from Arizona [Mr. GOLDWATER], presented figures, which they had obtained from the U.S. Office of Education, showing that there are only 237 districts in the entire Nation which have classroom shortages and have reached their legal or constitutional borrowing limits. These districts, according to that report, have a need of only 3,086 additional classrooms.

The minority leader and his colleague referred to these figures in deprecating the extent of the need for Federal aid to education.

Mr. President, it seemed clear to me at the time that there must be some misunderstanding, because the figures could not possibly be true. I am sure many of my colleagues had the same reaction. I have, therefore, gone to some effort to obtain clarification of the figures, and I am able to present today some additional information.

Because of the impending debate in the House of Representatives on Federal aid to education, I believe that clarification is badly needed and is particularly timely now.

The explanation of the figure of 237 is that the State Departments of Education were asked a very precise question to which they made literal replies. Our own Department of Public Instruction in Pennsylvania sent an accompanying explanation in which they pointed out that the question asked did not go to the root of the problem of identifying how many districts had, as a practical matter, reached the limit of their borrowing capacity. In Pennsylvania alone, our officials said, 504 school districts were in that predicament. Yet the wording of the questionnaire compelled them to give an answer of zero—which was Pennsylvania's entry in the column of figures which added up to 237.

Since the figure shown for Pennsylvania was so much at variance with the facts, it occurred to me that other State situations might have been similarly distorted, and I accordingly suggested to Secretary Flemming that a supplementary survey be conducted to "obtain the figures which have practical pertinence to the debate that is now going on." I am happy to report that Secretary Flemming, in a letter to me dated March 16, states that the Office of Education is making a supplementary survey to obtain complete information on the practical limitations which confront the Nation's school districts.

I ask unanimous consent that I may have printed in the RECORD at this point the original questionnaire sent to the chief State school officers; the reply from Carl D. Morneweck, on behalf of the Pennsylvania Department of Public Instruction; my letter to Secretary Flemming; and his reply to me.

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

TEXT OF QUESTIONNAIRE SENT TO CHIEF STATE SCHOOL OFFICERS BY U.S. OFFICE OF EDUCATION

The Office of Education urgently needs information on classroom shortages and on borrowed-up school districts—that is, school districts or school systems which are unable to borrow because of legal debt limits which cannot be waived or changed except by State legislation or constitutional amendment, and are unable to obtain financing for school construction through other arrangements. Please reply by collect telegram by Wednesday, January 13. If actual data are unavailable, please estimate and so indicate. If answer is zero, please reply.

Do not count as a borrowed-up district any district which can obtain funds for school construction (1) through State or local authority arrangements, or by means which can be made available by State agencies without further State legislation, (2) through borrowing by municipalities, counties, or similar units, or (3) through administrative approval of maximum emergency debt limits by State or local officials. Also exclude districts which could borrow or exceed debt limits by local vote of approval, or which did not choose to borrow.

In responding, please utilize definitions of classroom shortage and enrollment given in our form RSS-052 (59), "Fall 1959 Survey of Enrollment, Teachers, and Schoolhousing."

Question 1. How many such borrowed-up districts are there in your State?

2. How many of these districts had a classroom shortage in the fall of 1959?

3. By how many classrooms were the districts in question 2 short?

4. What was the total enrollment in the districts in question 2 in the fall of 1959?

5. How many districts in question 2 had an enrollment of less than 600 each?

If you have questions, call Dr. Louis Conger, Executive 3-6300, extension 4944 or 5454, at Office of Education expense.

LAWRENCE G. DERTHICK,
Commissioner of Education.

PENNSYLVANIA DEPARTMENT
OF PUBLIC INSTRUCTION,
Harrisburg, Pa., January 15, 1960.

Dr. LAWRENCE G. DERTHICK,
U.S. Office of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR DR. DERTHICK: This is in reply to your telegram of January 7, 1959, to Dr. Charles H. Boehm, superintendent of public instruction, relative to borrowed-up school districts.

The enactment on June 18, 1959, of Act 101 (see attached copy) removes the tax limitations for school purposes from school districts of the fourth class and places them on the same basis as previously existed for the other three classes of school districts.

In Pennsylvania there are at least 20 school districts which are now beyond their legal borrowing capacity. This is due to a reduction in assessed valuation brought about by court cases and the depletion of mineral resources.

In regard to building authority financing, from a practical point of view, bonding houses will not underwrite bond issues for school districts which cannot meet their financial obligations. There is an additional restriction in Pennsylvania in that the

limits for general obligation bonds are placed on the assessed valuation of property. This means that many school districts could never borrow the amount of money needed for school buildings. On the basis of a sampling, we would estimate that Pennsylvania, under the conditions just cited, would need at least 5,000 classrooms in about 300 administrative units with a total enrollment of about 560,000. In Pennsylvania, many of our administrative units are comprised of a number of school districts operating their schools jointly. Considering administrative units in this respect, about one-fourth would have enrollments below 600. However, if you wish to consider individual school districts instead of administrative units, the number is 504 out of 868 school districts.

We are enclosing a copy of "The Need for Classrooms in Pennsylvania" which was submitted January 6, 1959, to Senator JOSEPH CLARK.

Although there is now no legal limit upon property taxes for school purposes, there certainly is a reasonable limit beyond which taxpayer's efforts will decline. In Pennsylvania very few school districts are supporting public schools solely by property tax. They have resorted to nonproperty taxes which are levied under Act 481. This is commonly called the tax anything law. The most common taxes levied under this law are: per capita, occupation, amusement and admission, wage, property transfer, trailer, personal property, mercantile, and general business. See attached table.

We sincerely hope that, even though Pennsylvania's method of operation is rather unusual, the review of classroom needs which we are supplying herewith, will provide you with concrete information concerning our needs.

Sincerely yours,

CARL B. MORNEVECK,
Director of Research.

FEBRUARY 8, 1960.

The Honorable ARTHUR S. FLEMMING,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: During the Senate debate on the education bill, on February 3, Senator DIRKSEN referred to a study by the U.S. Office of Education, which he described as "the most recent survey on classroom shortage." The study shows, according to Senator DIRKSEN, that only 15 States have "borrowed-up" districts with classroom shortages, and that the total number of such districts is 237. (This discussion appears on p. 1917 of the CONGRESSIONAL RECORD.)

Later in the same debate (p. 1921), Senator GOLDWATER said he had obtained the same figure from you at the White House when he asked how many school districts "were actually up against the wall." From this, he concluded that only one-half of 1 percent of all school districts in the country "is the number with which we are concerned."

Since the results of this "most recent survey," and indeed the fact that a survey had been undertaken, apparently were made known only to the minority members of the Labor and Public Welfare Committee, it was not possible for those of us in the majority to question them at the time they were quoted on the Senate floor.

Through the cooperation of the Office of Education, however, I learned that none of the 237 districts listed are located in Pennsylvania. The implication from this is that every district in Pennsylvania is able to meet its school building needs through its own borrowing, assisted by the State School Building Authority.

Since this does not conform to my understanding of the situation in Pennsylvania, I inquired of our Department of Public Instruction as to what figures they had provided in response to your survey. In response, they furnished me a copy of the letter sent to Commissioner Derthick in answer to this telegraphic questionnaire. That letter remarks that "there are at least 20 school districts which are now beyond their legal borrowing capacity," that "many school districts could never borrow the amount of money needed for school buildings," that "from a practical point of view, bonding houses will not underwrite bond issues for school districts which cannot meet their financial obligations," and that 504 school districts in the Commonwealth are thus, in effect, "borrowed-up."

Nevertheless, despite this letter, the entry opposite Pennsylvania in the tabulation provided to the minority is zero.

In order that these figures may be clarified as promptly as possible, I would appreciate your advising me whether the school officers of other States qualified their answers, as did Pennsylvania, with information showing that many school districts which may still have legal borrowing or taxing power are not, as a practical matter, in a position to borrow for school construction. If so, I would appreciate receiving from you a revised tabulation showing the number of school districts in the country which have reached the practical limit of their ability to finance school building projects.

If you do not have such information, I wonder whether it would be possible to send out an additional question as a supplement to the original questionnaire. If this is not feasible, please advise me, so that those of us who question the figures obtained from you by Senators DIRKSEN and GOLDWATER may make our own telegraphic survey of the States and obtain the figures which have practical pertinence to the debate that is now going on.

I am sure that you are as anxious as I to correct the impression that has been left by your survey that only 237 school districts in the country are unable to finance their school building needs at the present time; and I am sure that in view of the imminence of consideration of this problem by the House of Representatives you will recognize the need for prompt action to develop a clearer picture.

Sincerely yours,

JOSEPH S. CLARK,
U.S. Senator.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, March 16, 1960.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: I am glad to respond to your letter of February 8 regarding classroom shortages in "borrowed-up" school districts.

The telegraphic survey to which you refer was made with the limited purpose in mind of ascertaining the number of school districts which are unable to borrow because of constitutional or legal limitations which they themselves cannot waive or change. Attached for your information is a copy of the survey, the text of which explains its purpose and limited scope.

We believe that we have been careful to indicate the distinction between the legal inability of a school district to borrow and its fiscal incapacity to borrow, or the unwillingness of its citizens to incur debt for the construction of classrooms. Attention has been drawn to these factors in paragraph 2, page 1, of the report of the telegraphic survey. This paragraph, entitled "Limitation," states as follows: "Only a small part of the problem of financing school construction is measured by this survey, because there are many problems other than those caused by the ultimate legal limits of borrowing. This point was strongly emphasized by the respondents, as may be seen by reference to the table annotations for Kentucky, New Jersey, Pennsylvania, and Tennessee." The text of the telegram addressed by Commissioner Derthick to chief State school officers appears on page 3 of the copy of the survey attached.

As you state, our survey recorded Pennsylvania as having no "borrowed-up" school districts. This correctly reflects the State's response to the instructions in Commissioner Derthick's telegram, which asked that no district be counted if it could obtain funds for school construction through State or local authority arrangements. Therefore, while the State response noted that "there are at least 20 school districts which are now beyond their legal borrowing capacity," these districts were not counted for the purposes of the survey because Pennsylvania has a State authority to which school districts have access for relief.

Some other States also volunteered additional information as to the practical limitations on their ability to finance school building projects. This information is indicated in the footnotes of our survey. However, since as you suggest it would be valuable to obtain a more accurate picture of the practical limitations on school financing confronting all the States, Commissioner Derthick and I have discussed the matter and he is arranging for the Office of Education to make a supplementary survey to obtain complete information on this point.

Attached for your further information is a copy of the Office of Education's annual fall survey of classroom needs entitled "Enrollment, Teachers, and Schoolhousing." We believe that you will find that the annual fall survey fully depicts the classroom needs of the several States as they have reported them to use. For example, the State of Pennsylvania reports a need for 8,135 classrooms in the fall of 1959. I have repeatedly drawn attention in speeches and releases to the needs of the States for additional classrooms.

I regret that the results of the telegraphic survey which we have made were not fully available to you. It is hoped that the supplemental survey which we plan to make will be of assistance to you and and to your colleagues.

Sincerely yours,

ARTHUR S. FLEMMING,
Secretary.

BOND INTEREST RATES

Mr. CLARK. Mr. President, every day brings additional evidence of the needlessness of a repeal of the 4¼-percent interest ceiling. As the bond market improves, it becomes more and more obvious that the Treasury today could, if it so desired, market long-term bonds under the ceiling of which it complains. Indeed, in my judgment, if the Treasury and the Federal Reserve Board together had not been engaged in active efforts to keep interest rates high and thereby to impose an additional heavy burden on American taxpayers, the bond interest rates would be showing even greater improvement, and it would have been possible some time ago to have floated long-term bonds under the interest ceiling.

Mr. President, I ask unanimous consent to have printed in the RECORD at this

point an article from the Wall Street Journal for the 21st of March entitled "Most Debt Issues Rise as Lending Capacity of Banks Is Boosted," and also the daily listing of quotations for Government securities, from which it will appear that the bond market is improving each day and that at least one important issue, the 3-percent bonds due in August of 1966, has now dropped below a 4-percent yield.

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

BOND MARKETS—MOST DEBT ISSUES RISE AS LENDING CAPACITY OF BANKS IS BOOSTED

NEW YORK.—U.S. Government securities led the bond markets to still higher ground last week. After faltering late Wednesday and Thursday, prices resumed their upward trend in the final session.

Dealers attributed Friday's upturn to banking statistics, released late Thursday, indicating the Federal Reserve System in recent weeks had trended toward an easier credit policy. It was unclear whether this trend would be continued—now that March tax borrowings are out of the way.

There has been speculation of late that the Federal Reserve might ease up on the tight rein it has been holding on the lending capacity of banks, since business activity generally has not expanded as rapidly as had been expected.

Markups for long U.S. Treasury bonds ran to more than half a point in the final session. These brought the week's gains to well over a point for most issues. Smaller fractional gains for investment quality corporate bonds Friday left most of these bonds about a point higher for the week.

Gains in municipals carried the indicated average price for tax-exempt bonds of 20-year maturity back to about the best level since early November.

Much of the interest in investment quality corporate bonds centered on four new issues that come over the bidding block. Central Illinois Light Co.'s $14 million of first 4⅞s, awarded Monday, sold out quickly.

Tuesday's $25 million block of Chesapeake & Potomac Telephone Co. of West Virginia's debenture 5s was approximately all "cleaned up" by late Friday. Less than 25 percent was estimated to remain of Northern Indiana Public Service Co.'s $15 million of first 4⅞s, also awarded Tuesday.

Mississippi Power Co.'s $4 million of first 5s, awarded Thursday, were said to be about 80 percent spoken for by retail buyers when the week ended.

This means underwriters again are only lightly supplied with unsold corporate debt securities. No new public utility bond issues are listed for award this week.

Republic of Cuba 4½s lost more ground to end at 60, a new low. Belgian Congo 5¼s also were lower.

Last week's upturn for U.S. Government bonds carried to six points or more the recoveries shown by some long issues from their record lows, reached after the turn of the year. As prices advanced, yields have declined.

At Friday's close, not a single issue in a list of 26 Treasury bonds of all maturities was offering the buyer a yield of 4¼ percent. On January 7, when the market was near its recent low, 24 of these 26 issues were yielding 4¼ percent or more.

The 3s of 1995—the Treasury's longest issue of marketable bonds—ended last week at a 3.71 percent yield, compared with the 4.11 percent return they were offering the buyer early in January.

New high ground was penetrated by the Treasury's high-coupon notes. The new 4⅞s of November 15, 1964, ended the week 30–32 higher at 102 24–32 bid, where the yield was 4.17 percent.

Government securities—Over-the-counter quotations—Friday, Mar. 18, 1960

TREASURY BONDS

Maturity	Rate	Bid	Asked	Previous bid	Yield
1959–62, June	2¼	96.8	96.12	95.30	3.97
1959–62, December	2¼	95.14	95.18	95.4	3.98
1960, November	2⅛	99.6	99.8	99.3	3.30
1960–65, December [1]	2¾	98.4	98.12	98.0	3.06
1961, September	2¾	98.14	98.18	98.2	3.77
1961, November	2½	97.20	97.24	97.10	3.92
1962–67, June	2½	89.26	90.2	89.16	4.11
1963, August	2½	95.0	95.4	94.22	4.09
1963–68, December	2½	87.22	87.30	87.12	4.17
1964, February	3	96.10	96.14	95.20	4.00
1964–69, June	2½	86.30	87.6	86.20	4.07
1964–69, December	2½	86.12	86.20	86.2	4.19
1965, February	2⅝	93.14	93.18	93.4	4.09
1965–70, March	2½	86.0	86.8	85.20	4.20
1966–71, March	2½	85.24	86.0	85.14	4.10
1966, August	3	94.16	94.20	94.6	3.97
1967–72, June	2½	85.20	85.28	85.10	3.97
1967–72, September	2½	85.8	85.16	84.30	3.99
1967–72, December	2½	85.20	85.28	85.10	3.92
1969, October	4	99.12	99.20	98.26	4.05
1974, November	3⅞	97.14	97.22	96.28	4.09
1978–83, June	3¼	87.26	88.2	87.18	4.04
1980, February	4	98.28	99.4	98.14	4.06
1985, May	3¼	87.6	87.14	86.28	4.05
1990, February	3½	90.6	90.14	89.30	4.05
1995, February	3	85.24	86.0	85.6	3.71

[1] Partially tax exempt.

NOTE.—Fractions represent thirty-seconds; 101.1 means 101 1/32.

Mr. ANDERSON. Mr. President, the able Senator from Tennessee and the able Senator from Pennsylvania have spoken many times about the yields on Government bonds. I should like to put into the RECORD at this point the latest issue I have been able to find of a large publication dealing with Government bonds. This is a publication of Aubrey G. Lanston & Co., Inc., dated March 21, 1960.

Mr. President, I ask unanimous consent that the first five columns—type, coupon, maturity, offering price, and yield before taxes—be printed in the RECORD at this point.

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

Callable bonds figured to call date if price is at 100 or above and to maturity if price is below 100

Type	Issue		Offering price	Yield before taxes
	Coupon	Maturity		
Bi		Mar. 24, 1960	3 percent	3.00
Bi		Mar. 31, 1960	2.75 percent	2.75
N	1½	Apr. 1, 1960	100	1.49
Bi		Apr. 7, 1960	2.65 percent	2.65
Bi		Apr. 14, 1960	2.75 percent	2.75
Bi		Apr. 15, 1960	do	2.75
Bi		Apr. 21, 1960	2.80 percent	2.80
Bi		Apr. 28, 1960	do	2.80
Bi		May 5, 1960	3.10 percent	3.10
Bi		May 12, 1960	3.15 percent	3.15
N	3¼	May 15, 1960	100–2	2.80
N	3½	do	100–3	2.83
C	4	do	100–5+	2.80
Bi		May 19, 1960	3,18 percent	3.18
Bi		May 26, 1960	3.20 percent	3.20
Bi		June 2, 1960	3.22 percent	3.22
Bi		June 9, 1960	3.24 percent	3.24
Bi		June 16, 1960	3.28 percent	3.28
Bi		June 22, 1960	3.29 percent	3.29
Bi		June 23, 1960	3.30 percent	3.30
Bi		June 30, 1960	do	3.30
Bi		July 7, 1960	do	3.30
Bi		July 14, 1960	do	3.30
Bi		July 15, 1960	3.35 percent	3.35
Bi		July 21, 1960	do	3.35
Bi		July 28, 1960	do	3.35
Bi		Aug. 4, 1960	3.40 percent	3.40
Bi		Aug. 11, 1960	do	3.40
N	4¾	Aug. 15, 1960	100–16	3.47
Bi		Aug. 18, 1960	3.40 percent	3.40
Bi		Aug. 25, 1960	do	3.40
Bi		Sept. 1, 1960	do	3.40
Bi		Sept. 8, 1960	3.47 percent	3.47
Bi		Sept. 15, 1960	3.42 percent	3.42
N	1½	Oct. 1, 1960	99–6	3.07
Bi		Oct. 17, 1960	3.45 percent	3.45
B	2⅛	Nov. 15, 1960	99–8	3.30
C	4¾	do	100–26	3.46
Bi		Jan. 15, 1961	3.42 percent	3.42
C	4⅞	Feb. 15, 1961	101–3	3.62
N	1½	Apr. 1, 1961	98–6	3.32
N	3⅝	May 15, 1961	100–2	3.57
N	4	Aug. 1, 1961	100–7	3.83
B	2¾	Sept. 15, 1961	98–20	3.69
N	1½	Oct. 1, 1961	96–18	3.85
B	2½	Nov. 15, 1961	97–27	3.86
N	3⅝	Feb. 15, 1962	99–24	3.76
N	4	do	100–16	3.72
N	1½	Apr. 1, 1962	95–16	3.83
B	2¼	June 15, 1962–60	96–16	3.90
N	4	Aug. 15, 1962	100–8	3.89
N	1½	Oct. 1, 1962	94–10	3.88
N	3¾	Nov. 15, 1962	99–8	4.05
B	2¼	Dec. 15, 1962–60	95–21	3.95
N	2⅝	Feb. 15, 1963	96–4	4.06
N	1½	Apr. 1, 1963	93–12	3.84
N	4	May 15, 1963	100–6	4.04
B	2½	Aug. 15, 1963	95–4	4.05
N	1½	Oct. 1, 1963	92–16	3.79
N	4⅞	Nov. 15, 1963	102–27	4.03
B	3	Feb. 15, 1964	96–15	3.99
N	1½	Apr. 1, 1964	91–2	3.92
N	4¾	May 15, 1964	102–24	4.02
N	5	Aug. 15, 1964	103–22	4.08
N	1½	Oct. 1, 1964	90	3.93
N	4⅞	Nov. 15, 1964	102–28	4.19
B	2⅝	Feb. 15, 1965	93–19	4.08
P	2¼	Dec. 15, 1965–60	98–16	3.04
B	3	Aug. 15, 1966	94–24	3.94
B	2½	June 15, 1967–62	90–10	4.06
B	2½	Dec. 15, 1968–63	87–30	4.16
B	2½	June 15, 1969–64	87–10	4.17
B	4	Oct. 1, 1969	99–26	4.02
B	2½	Dec. 15, 1969–64	86–22	4.18
B	2½	Mar. 15, 1970–65	86–18	4.16
B	2½	Mar. 15, 1971–66	85–30	4.11
B	2½	June 15, 1972–67	85–26	3.97
B	2½	Sept. 15, 1972–67	85–16	3.99
B	2½	Dec. 15, 1972–67	85–26	3.93
B	3⅞	Nov. 15, 1974	97–22	4.09
B	4	Feb. 15, 1980	98–30	4.08
B	3¼	June 15, 1983–78	88	4.05
B	3¼	May 15, 1985	87–24	4.03
B	3½	Feb. 15, 1990	90–14	4.06
B	3	Feb. 15, 1995	86–4	3.71

Mr. ANDERSON. Mr. President, the publication would indicate that no single issue is close to the 4½ percent limitation. One issue is at 4.18, but the longest term bond of all, the type B 3 percent bond for February 15, 1995, has a

yield of only 3.71. All the short maturity bonds are down. The question naturally arises, why did the Treasury Department ask to have the 4¼ percent limitation on E bonds taken off when the Treasury is issuing the bonds at 3¾ percent and they themselves recognize that is sufficient to meet the present market?

Yet they have come to the House Ways and Means Committee, and have sent word to the Senate Committee on Finance, that they would like to have this limitation removed in order that they can sell them, whereas there would not be any bond selling at anything like that price under the present circumstances. Every yield is down again.

I think this shows the wisdom of being very careful in removing limitations which have stood for a long time, and which have been very useful in financial policy.

I believe that a record to show the situation item by item is desired. I could have inserted in the RECORD the shorter issue carried by the news services at the end of last week, which showed exactly the same situation to exist as does this report. But the present report deals with each individual type of bond and shows the type, the coupon rate, the maturity, the offering price, and the yield before taxes. The report shows that the yields are down again, at a very low figure.

I think it is interesting that the House Ways and Means Committee reported a bill to the House, and it was ready for action on the floor of the House, but the decision was reached not to press for action on the floor. Possibly the reason was that a good deal would have been said about the existing rates and the necessity to try to break those rates by some new device.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 126]

Aiken	Fong	Mansfield
Allott	Frear	Martin
Anderson	Fulbright	Monroney
Bartlett	Gore	Morse
Beall	Green	Morton
Bennett	Gruening	Moss
Bible	Hart	Mundt
Bridges	Hartke	Murray
Brunsdale	Hayden	Muskie
Bush	Hennings	Pastore
Butler	Hickenlooper	Prouty
Byrd, Va.	Hill	Proxmire
Byrd, W. Va.	Holland	Randolph
Cannon	Hruska	Robertson
Carlson	Jackson	Russell
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S.C.	Scott
Chavez	Jordan	Smathers
Church	Keating	Smith
Clark	Kefauver	Sparkman
Cooper	Kerr	Stennis
Cotton	Kuchel	Symington
Curtis	Lausche	Talmadge
Dirksen	Long, Hawaii	Thurmond
Douglas	Long, La.	Wiley
Dworshak	McCarthy	Williams, Del.
Eastland	McClellan	Williams, N.J.
Ellender	McGee	Yarborough
Engle	McNamara	Young, N. Dak.
Ervin	Magnuson	Young, Ohio

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Massachusetts [Mr. KENNEDY] are necessarily absent.

The Senator from Connecticut [Mr. DODD] and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

Mr. KUCHEL. I announce that the Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

THE YEAR'S AT THE SPRING

Mr. BYRD of West Virginia. Mr. President, yesterday morning, spring came to Washington and with it came the memory of Robert Browning who said:

The year's at the spring
And day's at the morn;
Morning's at seven:
The hillside's dew-pearled;
The lark's on the wing;
The snail's on the thorn;
God's in His heaven—
All's right with the world!

The seasons come and go, Mr. President, and the return of spring fills the world about us with renewed life. Awakened by the birds singing just outside my window this morning, I marveled at the renewed vigor with which all of nature expresses itself at the first new touch of spring. I thought how wonderful it would be if the eternal spring of God's infinite love might always be manifested in the lives of men as it is manifested in this season by every voice in all of creation. Just as the soft touch of spring awakens the sleeping blossoms of earth, making them burst forth in all of their glorious colors, decking the stage of the world again in fresh and resplendent beauty, so can the spring of our omnipotent Creator's love nurture and bring to full growth an ever-blooming flower within the bosom of all humankind, the flower of friendship and brotherly love, to shed its fragrance throughout all eternity.

Tennyson said: "I am a part of all that I have met." Then, let us all carry with us each and every day the song of spring and the love of our Father who is in His heaven. Then, all will be right with the world, indeed.

THE CONTRIBUTION OF HUNGRY HORSE DAM

Mr. MURRAY. Mr. President, I rise to make a progress report on the contribution of Hungry Horse Dam to the economy of Montana and the Nation, and the potential contribution of another even greater development in my State.

Hungry Horse Dam is the one former President Truman wisely told his Montana audience to take a good look at, because it would be a long time until they saw another one rise if the Republicans gained power.

Hungry Horse Dam was bitterly opposed by the private power companies and other short-sighted interests. But nowadays Hungry Horse Dam is quite respectable.

The Spokane Spokesman-Review which Harry Truman called the second-worst paper in the country—as to its editorials I would classify it as the worst—recently printed a fair news story detailing the tremendous progress of Columbia Falls since construction of Hungry Horse Dam nearby. The Great Northern Railway, in its recent brochure entitled "Great Resources," points out how this "single development"—Hungry Horse Dam—helped open new industrial horizons in the Flathead Valley. As one example, the brochure points out that the Anaconda company invested $60 million for a new aluminum reduction plant at Columbia Falls.

I might mention that the positive attitude of the Great Northern Railway, whose management realizes the immense benefit to business created by Federal multipurpose dams along its line, is in marked contrast to the shortsighted, poor business attitude of the Northern Pacific Railroad, which is violent in its opposition to the proposed new dam in the Clark Fork-Flathead Basin of western Montana. Let me say for the record now, in case anyone chances to turn to it some 10 or 20 years from now, that I predict the Northern Pacific Railroad—if it is still running—will eventually brag about Paradise or Knowles Dam, whichever is built in the Clark Fork-Flathead Basin. For the dam which would be authorized by S. 1226 will bring even greater benefits to the people and businesses of Montana than the remarkably successful Hungry Horse Dam.

One of the baleful predictions made by opponents of Hungry Horse Dam—now being made by opponents of Paradise Dam—was that it would create a sea of mud. The Hungry Horse News, published at Columbia Falls by Mr. Mel Ruder, reports what happened to that prediction in a recent issue. Let me quote from the article entitled "Hungry Horse Dam Creates Flathead Jobs":

> Prediction that Hungry Horse Dam would create a 34-mile long lake with mudflats fell flat. The lake filled to capacity July 9, 1954, and each summer since that time has been full.

The Hungry Horse News goes on to point out that—

> in 1954, Hungry Horse prevented a repetition of the damaging 1948 flood.

Further, the News reported that the dam—

> has returned $16,730,000 in earnings from power sales, and it is expected that the entire cost of the project will be paid before the anticipated 50-year payoff period ends.

Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following these remarks, the full text of the articles to which I have referred, which appeared in the January 31 issue of the Spokane Spokesman-Review, Great Resources Brochure No. 14, published by the Great Northern Railway, and the February 26 issue of the Hungry Horse News.

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

[From the Spokane Spokesman-Review, Jan. 31, 1960]

TOWN LOOKS FOR MORE PROSPERITY

COLUMBIA FALLS, MONT., January 30.—Columbia Falls, a Montana city that doubled its population in the past decade, expects continued growth in the 1960's.

This is a town with industrial jobs, 5 minutes from trout streams and 17 miles west of Glacier National Park.

The 1950 census showed Columbia Falls as having 1,232 residents. Postmaster Dudley W. Green estimates population now at 2,500, and the number of Pacific Power & Light residential customers has likewise doubled since 1950.

NEW PLANT OPENED

Important date for Columbia Falls was August 15, 1955, when the Anaconda Aluminum Co. plant was dedicated. The plant is the only aluminum producer in the Treasure State and employs 580 men. More than half the employees live in or near Columbia Falls with the balance in other Flathead area communities.

Bringing the industrial job total in Columbia Falls to more than 1,000 are the 400 men who work at the four local lumber mills, Stoltze Land & Lumber Co., Superior Buildings Co., and Rocky Mountain Lumber Co. Plum Creek, employing 200 men, located here in 1945; Rocky Mountain in 1948.

Columbia Falls, hub of the Flathead's lumber industry, shipped a record 3,946 carloads of lumber over the Great Northern railway in 1959. This compares with 3,342 carloads in 1957 and a record for the time of 779 carloads in 1947.

FOREST IS SOURCE

Most of the timber milled here comes from Flathead national forest which is cutting at the sustained yield figure that can be maintained.

Columbia Falls is proud of its school and church growth.

There is a new 18-room grade school erected in 1953–54 through Federal grants totaling $600,000 that came as a result of Hungry Horse dam.

Montana's largest concrete dam was started in 1948. The 564-foot high structure was considered complete January 1, 1953.

NEW HIGH SCHOOL

Slated for dedication next March is the new 600-student, $1,660,000 Columbia Falls district high school. The structure covers 113,000 square feet.

Columbia Falls is a city that in 1946 had just one resident pastor. Now there are 10 churches. First mass was held in the new $200,000 St. Richard's Catholic church Thanksgiving week. Local Methodists dedicated their new Sunday school and fellowship wing November 22. The Assembly of God dedicated its new Columbia Falls church January 1, and last spring local Baptists moved into their new church.

[From the Great Northern Railway Co. Brochure, No. 14]

FLATHEAD VALLEY INDUSTRIAL AND AGRICULTURAL MIGHT AMID SCENIC GRANDEUR

Nestled below the western slopes of the Rocky Mountains in northwestern Montana is the picturesque valley of the Flathead River. Farmers from Idaho and California, who recognized the richness of the 300,000 acres of soil on the valley floor, settled here and broke the first sod in the late 1880's. A lack of transportation restricted their markets until Great Northern Railway crossed the valley with its mainline in 1891, opening the valley to national markets, and spurring logging operations which had developed soon after the settlers arrived.

Industrial development is more recent. Just as the availability of transportation helped the valley blossom into a full-fledged economic community, so has a single development helped open new industrial horizons in the valley.

The new project was harnessing the thundering Flathead River to produce power at reasonable rates. Hungry Horse Dam tames the mighty river's south fork long enough to churn out 285,000 kilowatts of power. This factor, plus the abundance of water which flows from nearby mountains, is bringing new industry to the Flathead Valley. One example: Anaconda invested $60 million for a new aluminum reduction plant at Columbia Falls, a few miles downstream from Hungry Horse Dam. The operation, Anaconda's first venture into the aluminum field employs 600 persons and produces 60,000 tons of aluminum annually.

The Pacific Power & Light Co., a private utility, and Flathead Electric Cooperative, Inc., a public utility, distribute abundant supplies of power through the valley for farm, home, and industry.

But new industry is not diminishing the importance of agriculture to the valley. The rich soil and nurturing climate, typical of sheltered mountain valleys, combined with new farming and irrigation techniques contribute an important share of the valley's income through agriculture. The valley is known for its seed potatoes and seed peas; for its sweet cherries which are cultivated on the eastern shores of Flathead Lake. But it also produces a significant volume of field crops such as wheat, barley, hay, oats; and small fruits such as apples. Much of the grain and hay is consumed by dairy cattle, still another important agricultural factor in the valley.

Great forests of the valley and nearby mountain slopes put logging and forest products high on the list of valley industry. Among the important activities: manufacture and treating of railroad ties; production of plywood; lumber milling; growing and marketing a substantial share of the Nations' Christmas trees. The Flathead National Forest, which nearly surrounds the valley and is managed on a sustained yield basis, provides much of the raw material for the lumber industry.

Mountains, an abundance of waterways, winter snow, and mild climate make the Flathead Valley a natural recreational area. Within a few minutes drive is Glacier National Park, Flathead and Whitefish Lakes—two of the continent's most beautiful freshwater lakes. Boating, fishing, swimming, hunting both big game and waterfowl, golfing, skiing—the recreational opportunities are unlimited.

The Great Northern transcontinental mainline opens the Flathead Valley to national markets by rail; Federal highways 2 and 93 provide north-south and east-west access for residents and visitors.

About one-third of the valley residents live in the county seat of Kalispell (population 11,000), which also serves as a distribution center for forest and farm products. Whitefish (population 5,000) provides important impetus for the valley's lumber industry, besides being a gateway to much of its vacation delights.

Columbia Falls (population 2,000), home of Anaconda's aluminum reduction plant, also serves the North Fork River country where some of Montana's largest lumber mills and logging operations are located.

Somers, one of the valley's smaller communities, boasts thriving plywood and tie-treating plants. The town is on the northern shore of Flathead Lake.

[From the Hungry Horse News, Feb. 26, 1960]

HUNGRY HORSE DAM CREATES FLATHEAD JOBS

Fateful decade in the Flathead was the 1950's that saw first power produced at Hungry Horse Dam October 1, 1952, and then August 15, 1955, dedication of the Anaconda Aluminum Co. plant 2 miles northeast of Columbia Falls.

The Flathead was fortunate to have an aluminum plant under construction even as the big dam was being completed. Burning in the night as President Truman's special train pulled into Columbia Falls were brush clearing piles at the future site of the Anaconda Aluminum Co. plant. Plant construction years were 1953, 1954, and 1955. Peak employment was 1,600.

Plant construction eased the transition from dam building to these years. Anaconda Aluminum Co. employment averages near 600 jobs. Many other jobs in the Flathead were created in professions, services, and trades as a result of the new plant with its 600 employes.

Prime contract to build Hungry Horse Dam was awarded General-Shea-Morrison, combination of 12 firms, April 21, 1948. Total prime contract was given as $48,061,070. After 1 million cubic yards of rock and surface material was excavated, first concrete placing took place September 7, 1949.

The Hungry Horse News presented a week-to-week progress story of Hungry Horse Dam construction. First picture of the project appeared in our volume 1, No. 1, issue published October 8, 1946, and showed the drilling rig at the future site of Hungry Horse Dam.

October 4, 1952, saw last concrete placed in mass of dam itself. November 2, 1952, was visitors' day with 814 cars carrying 3,500 persons driving across the massive dam.

Top concrete placing month was July 1951, with the tally 235,649 cubic yards.

Total cost of the project was $101,500,000 compared to $108,800,000 stated as anticipated cost when the project started in 1948.

Building Hungry Horse resulted in more than 17 million man-hours being worked in Montana. Manufacture of cement, electrical equipment, reinforcement steel and other products for the dam was considered to have created equally as many man-hours of employment in a score of different States.

Howard S. Latham, Bureau of Reclamation safety and labor relations officer, gave the man-hours worked per year as follows: 2,723,862 in 1949; 3,288,079 (not including 500,000 man-hours logging the reservoir area) in 1950; 4,991,305 in 1951, and 3,600,000 man-hours worked in 1952.

The project was built without a single regular strike, and completed ahead of schedule.

Peak employment building Hungry Horse Dam was 2,500 and the construction payrolls brought growth and prosperity to the Flathead. Annual construction payrolls were considered $8,500,000.

Wage pattern in the area in 1948 saw common laborers' pay at $1.25 an hour. The first General-Shea-Morrison contract in 1948 established $1.37½ an hour construction base for common labor. This was increased to $1.50 in 1950, $1.67½ in 1951, and $1.79 in 1952. Many men worked 7 days a week as construction started in spring, continuing into the fall, and then winter layoff for many.

The year 1953 saw construction windup. Clyde H. Spencer, project construction engineer for the Bureau of Reclamation, left July 19 to become Bureau chief for California. David Culver succeeded him. C. W. "Smokey" Wood, project manager for General-Shea-Morrison; E. W. Simpson, General-Shea-Morrison general superintendent, and D. H. Henderson, General-Shea-Morrison office manager, left that year.

The PRESIDING OFFICER (Mr. Moss in the chair). Is there further morning business? If not, morning business is closed.

LEASING OF A PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools, R-I, Missouri.

RESOLUTION OF TEXAS SOIL CONSERVATION DISTRICTS SUPPORTING PROPOSED SENATE SOIL AND WATER CONSERVATION RESEARCH PROBLEMS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Association of Texas Soil Conservation Districts in recent annual convention in Galveston, Tex.

This resolution is on the subject of soil and water conservation research—a matter of vital importance to the growth and development of Texas and the entire Southwest.

The research program now in effect is inadequate to meet the national need and I will give full support to the Association in its efforts to increase and expand soil and water conservation research.

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

RESOLUTION OF SOIL AND WATER CONSERVATION RESEARCH AS ADOPTED BY ASSOCIATION OF TEXAS SOIL CONSERVATION DISTRICTS IN ANNUAL CONVENTION AT GALVESTON, TEX., JANUARY 13, 14, AND 15, 1960

Whereas the conservation of soil and water resources for future generations and the efficient use and management of these resources for present needs is a major objective of the Texas Association of Soil Conservation Districts; and

Whereas the Secretary of Agriculture's Study Committee for the U.S. Senate recognizes an urgent need for a greatly intensified research program on the soil and water conservation problems: Therefore, be it

Resolved, That the Association of Texas Soil Conservation Districts go on record in support of the soil and water conservation research program as proposed in Senate Document No. 59 of the 86th Congress, 1st session; and be it further

Resolved, That a copy of this resolution be given to each member of the Texas delegation in the U.S. Congress, to members of the Subcommittee on Agricultural Appropriations in both the House and Senate of the Congress, and to the officers and directors of the National Association of Soil Conservation Districts.

RESOLUTION ADOPTED BY THE TEXAS VETERANS AFFAIRS COMMISSION ON THE ESTABLISHMENT OF A VETERANS' ADMINISTRATION HOSPITAL IN SOUTH TEXAS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution recently adopted by the Texas Veterans Affairs Commission in conference at Austin, Tex.

This resolution favors the construction of a U.S. Veterans' Administration Hospital in south Texas to give improved medical service to veterans residing in the 78,072 square mile area of this portion of my State.

My bill, S. 457, providing for the construction and operation of such a hospital facility, is pending before the Committee on Labor and Public Welfare. If that facility were constructed under that bill, it would meet the urgent need.

Such a hospital is important also because for more than 10 years the veterans of south Texas have sought to have a hospital located there, and they have formed the South Texas Veterans Alliance, composed of members of the American Legion, Veterans of Foreign Wars, the DAV, and other veterans' organizations. All of these south Texas veterans' organizations have urged the construction of this hospital because veterans at the present time must travel hundreds of miles from their homes to the north.

The resolution which I am asking to have printed in the RECORD is a resolution adopted by the Veterans Affairs Commission of Texas, composed of veterans throughout the State of Texas. This is the first resolution endorsing the construction of a hospital in south Texas which has been adopted by this statewide Veterans Affairs Commission of Texas. I ask that it may be printed in the RECORD.

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

Whereas south Texas, encompassing 78,072 square miles, does not have a Veterans' Administration hospital to serve the veteran population in that area; and

Whereas the necessity for some veterans in the south Texas area to travel as many as 450 miles to receive hospital care, is depriving them of hospital benefits, and causing them to use private hospitals at their own expense where adequate facilities and doctors are not available; and

Whereas the veterans in that area, of Latin American descent, hesitate to leave their family and environment for any cause, are suffering undue hardships due to the lack of a Veterans' Administration hospital in that area; and

Whereas the South Texas Veterans' Alliance, composed of members and officials of all veterans organizations, is aware of the deplorable conditions that exist in this area due to the lack of hospital facilities, and is doing everything possible to secure a Veterans' Administration hospital in south Texas: Therefore be it

Resolved, That the Veterans' Affairs Commission of Texas in regular quarterly meeting assembled in Austin, Tex., February 28, 1960, do hereby go on record to recommend and urge the construction of a suitable Veterans' Administration hospital in the south Texas area.

RESOLUTIONS DEALING WITH THE UNCONTROLLED IMPORTATION OF SHRIMP PRODUCTS INTO THE UNITED STATES

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the RECORD a series of resolutions adopted by the City Council of Aransas Pass, Tex., the Aransas Pass Chamber of Commerce, and by Shrimp Fiesta, Inc., of Port Isabel, Tex.

These resolutions are on the subject of the uncontrolled importation of shrimp and shrimp products into the United States. The shrimp industry makes a very substantial contribution to the economic strength and growth of cities along the entire Texas gulf coast. In the great Brownsville-Port Isabel area alone, shrimp industry investments exceed $75 million and annual payrolls exceed $12 million.

Recently I joined the distinguished and very able senior Senator from Louisiana, Senator ELLENDER, in cosponsoring a bill to help protect American shrimp fishermen from a glutting of the market by foreign imports. An idea of the need for such action can be seen in figures showing that in 1939 foreign importers supplied only 4 percent of our national market, while today they are supplying 50 percent. At that time—1939—only 10 foreign countries supplied us with shrimp—today some 50 nations supply shrimp here to our domestic market in competition with American fishermen.

The Ellender bill provides for the establishment of country-by-country import quotas on shrimp and shrimp products. It will, in the long run, improve our relations with Mexico and other importing nations because it will let foreign fishermen know what portion of our expanding market they may reasonably expect to serve. Our own shrimpers will be protected from excessive imports which would be harmful to this vital American industry, the largest single item of catch in our domestic fisheries.

As head of a special committee of the Senate Interstate and Foreign Commerce Committee, I conducted hearings at Brownsville in 1957 on problems of the shrimp fishermen, and I feel that this bill will help them and tend to alleviate strained relations between American and Mexican shrimpers. It also will stabilize opportunities for American fishermen as well as foreign shrimpers.

The bill I am cosponsoring, S. 3204, would correct the problem discussed in the resolutions which I ask unanimous consent to have printed in the RECORD.

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

Whereas the shrimp industry is an important element of the city of Aransas Pass, and represents an investment on the part of our citizens in excess of several million dollars in shrimp vessels and shore installations; and

Whereas the shrimp industry directly employs many persons in the city of Aransas Pass, most of whom are heads of families, and it further provides the chief source of income and support of many related industries and their employees, in shipyards, ice plants, processing plants, truck lines, and boats; and

Whereas the shrimp industry in the city of Aransas Pass is in dire financial straits caused by low prices paid for this product, the credit of vessels has been impaired, and local suppliers have unusual and heavy accounts receivable against these vessels; and

Whereas the unrestricted flow of foreign shrimp imports has caused a glut in the domestic market which has overdepressed prices and threatens immediate ruin to the shrimp fishing fleet and related industries; and

Whereas the plight of the domestic shrimp industry is caused primarily by excessive foreign imports, and the effects are so widespread that the ruin of the industry is imminent; and

Whereas one of the causes for the imperiled status of the shrimp industry is the tremendous increase in inventory caused by expanding imports from more than 50 countries; and

Whereas the shrimp industry, through its national organization, the National Shrimp Congress, is engaged in a strenuous effort to bring the dire plight of this industry to the attention of the U.S. Congress, and is supporting the passage of H.R. 8769, a bill now before the Ways and Means Committee; and

Whereas the shrimp industry, including producers and processors, has united behind H.R. 8769, a bill now before the Ways and Means Committee, as a measure which promises to give some relief to the industry, and urges its passage: Now, therefore, be it

Resolved by the Aransas Pass Chamber of Commerce, at a special meeting held on March 10, 1960, That this body goes on record as recognizing the dire plight of the shrimp industry; its great importance as the No. 1 seafood industry of the United States; its great importance to our local economy, and urges the U.S. Congress (and those Government agencies charged with protecting U.S. fisheries) to take immediate and purposeful action to restore the industry to a more healthful level by holding hearings at which industry may be heard on the merits of H.R. 8769, a bill now before the House Ways and Means Committee; and be it further

Resolved, That copies of this resolution be mailed immediately to the Honorable WILBUR MILLS, chairman of the House Ways and Means Committee, Hon. A. S. HERLONG, author of H.R. 8769, Hon. LYNDON B. JOHNSON, Hon. RALPH W. YARBOROUGH, and Hon. JOHN YOUNG.

GENE L. DUBBIN,
President.

RESOLUTION 920

Resolution whereby the City Council of the City of Aransas Pass goes on record as recognizing the dire plight of the shrimp industry; its great importance to our local economy; its national importance as the No. 1 seafoods industry of the United States, and urges the U.S. Congress (and those Government agencies charged with protecting U.S. fisheries) to take immediate and purposeful action to restore the industry to a more healthful level by holding hearings at which industry may be heard on the merits of H.R. 8769, a bill now before the House Ways and Means Committee

Whereas the shrimp industry is an important element of the city of Aransas Pass and represents an investment on the part of our citizens in excess of several million dollars in shrimp vessels and shore installations; and

Whereas the shrimp industry directly employs many persons in the city of Aransas Pass, most of whom are heads of families, and it further provides the chief source of income and support of many related industries and their employees, in shipyards, iceplants, processing plants, trucklines, and boats; and

Whereas the shrimp industry in the city of Aransas Pass is in dire financial straits caused by low prices paid for this product, the credit of vessels has been impaired, and local suppliers have unusual and heavy accounts receivable against these vessels; and

Whereas the unrestricted flow of foreign shrimp imports has caused a glut in the domestic market which has overdepressed prices and threatens immediate ruin to the shrimp fishing fleet and related industries; and

Whereas the plight of domestic shrimp industry is caused primarily by excessive foreign imports, and the effects are so widespread that the ruin of the industry is imminent; and

Whereas one of the causes for the imperiled status of the shrimp industry is the tremendous increase in inventory caused by expanding imports from more than 50 countries; and

Whereas many shrimp vessels have had to be refinanced, and are unable to meet even reduced mortgage and insurance payments; and

Whereas many local merchants and suppliers are facing impaired credit due to the serious difficulties besetting the shrimp industry; and

Whereas the credit structure of the shrimp industry is such that the suppliers have strained their resources to keep the fleet operating, but are no longer able to do so, and large-scale foreclosures of vessels are surely bound to occur unless relief is given; and

Whereas the domestic shrimp industry is overwhelmingly in favor of the passage of protective legislation represented by H.R. 8769, now before the Ways and Means Committee of the House of Representatives; and

Whereas the shrimp industry, through its national organization, the National Shrimp Congress, is engaged in strenuous effort to bring the dire plight of this industry to the attention of the U.S. Congress, and is supporting the passage of H.R. 8769, a bill now before the Ways and Means Committee, as a measure which promises to give some relief to the industry, and urges its passage: Now, therefore, be it

Resolved by the City Council of the City of Aransas Pass sitting in special session on this 4th day of March 1960, in the city hall, That this body goes on record as recognizing the dire plight of the shrimp industry; its great importance to our local economy; its national importance as the No. 1 seafood industry of the United States, and urges the U.S. Congress (and those Government agencies charged with protecting U.S. fisheries) to take immediate and purposeful action to restore the industry to a more healthful level by holding hearings at which industry may be heard on the merits of H.R. 8769, a bill now before the House Ways and Means Committee; and be it further

Resolved, That the copies of this resolution be mailed immediately to the Honorable WILBUR MILLS, chairman of the House Ways and Means Committee; Hon. A. S. HERLONG, author of H.R. 8769; Congressman JOHN YOUNG; and Senators LYNDON B. JOHNSON and RALPH YARBOROUGH.

Passed and approved on this the 4th day of March 1960.

CONN BROWN,
Mayor.

Attest:

R. A. PATTY,
City Secretary.

RESOLUTION BY SHRIMP FIESTA, INC.

Whereas the shrimp industry is one of the leading industries in the Port Isabel-Brownsville area and an important part of our local economy, representing an investment on the part of the citizens in this area in excess of $75 million, with an annual payroll of over $12 million, and is the chief source of income to many related industries such as ice plants, fuel companies, etc., representing more investment and employing many more people in this area; and

Whereas the unrestricted flow of foreign shrimp into this country has caused a glut in the market for domestic shrimp, which has overdepressed prices, threatening ruin to the shrimping fleet and these other related industries in this area; and

Whereas Shrimp Fiesta, Inc., is an organization in this area composed of persons directly connected with the shrimp industry and all of these correlated industries who are in a position to know how serious the threat to the domestic product is this unrestricted flow of foreign shrimp and that the credit structure of the shrimping industry as well as many local merchants and suppliers is strained to the breaking point; and

Whereas the shrimp industry has united behind H.R. 8769, a bill now before the Ways and Means Committee of the House of Representatives of the United States, as a measure which promises to give some relief to the industry: Now, therefore, be it

Resolved by the board of directors of the Brownsville-Port Isabel Shrimp Fiesta, at its first regular meeting for 1960, held on the 10th day of February 1960, at Brownsville, Tex., That this body goes on record as recognizing the serious plight of the shrimp industry and its great importance to our local economy as well as its national importance as the No. 1 seafood industry of the United States; and urges that the U.S. Congress take immediate and purposeful action to restore the industry to a more healthful level by holding hearings at which the industry may be heard on the merits of H.R. 8769, a bill before the House Ways and Means Committee, the industry shrimp bill, which proposes to protect the American fisherman and processors by permitting a gradual increase in shrimp imports rather than an unrestricted flood by stabilizing the U.S. market after a 5-year temporary import quota allocation with a global quota computed as follows: Estimated U.S. consumption, minus estimated U.S. production, leaving permitted quota for foreign imports.

JAMES RICE,
President.

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

Mr. YARBOROUGH. I yield to the distinguished Senator from Alaska.

Mr. GRUENING. Is the distinguished Senator from Texas aware of the fact that our foreign aid program is assisting the shrimp industry in foreign countries to compete with our industry? In other words, we are sending American dollars overseas to help foreign countries destroy our own domestic industry.

Mr. YARBOROUGH. The situation could not be more cogently stated than the Senator from Alaska has stated it.

We are not advocating a return to Smoot-Hawley, or to cut shrimp imports out entirely. All we are asking is that our import policy, as amended by this bill, give a measure of protection to our industry, so as to provide our domestic producers a fair portion of the domestic market, because the American shrimp catch, is one of the most valuable catch of fish our fisheries industry takes from the sea.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. YARBOROUGH. I yield.

Mr. GRUENING. While I am a cosponsor of the bill, and highly approve of it, does it not strike the Senator from Texas that we are placed in a strange and contradictory position, for, on the one hand, we are sending our dollars abroad and are taxing our citizens to do so in order to encourage foreign industry to compete with our own industry?

Mr. YARBOROUGH. The Senator from Alaska has stated exactly the anomalous and contradictory action of the American Government. We tax Americans and send their dollars abroad to foreign countries which we ask to produce or catch shrimp and to send it into American markets.

More than 50 percent of the shrimp consumed in this country last year came from foreign countries. This kind of activity is driving the domestic shrimp producers out of the market, at a time when there are some 1,600 shrimp boats operating from the Texas gulf ports alone.

The senior Senator from Florida is on the floor. I think he will say that more shrimp boats operate from Florida than operate from Texas.

Shrimp boats are manufactured along the Atlantic seaboard. Some of their equipment is manufactured in Ohio, some in Pennsylvania, some in other States. The competition from shrimp caught abroad is putting the American workmen who build these boats and make the gear for such boats out of work. All of the fathom meters, which enable the boat operators to tell the depth of the water without taking soundings at the bottom of the ocean, are manufactured in this country, as is all other electronic equipment on those American shrimp boats.

When we consider the thousands and thousands of American shrimp boats which operate off our coast, and which supply thousands of jobs for American workingmen, it is time that we consider the effect of the excessive imports of foreign shrimp to this country. More and more American shrimp boats are being driven out of business. American shrimp fishermen are losing their jobs. Our domestic policy is driving our shrimp boat manufacturers and the manufacturers of gear for the boats out of business. The manufacturers of the nets which are used by the shrimp boat fishermen are seriously affected.

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

Mr. YARBOROUGH. I yield to the Senator from Florida.

Mr. HOLLAND. I am very happy to know that the distinguished junior Senator from Texas is bringing up this point. As he has said, the State of Florida, which I represent in part, is probably more concerned so far as the number of ships used and the number of people who work in the shrimp fishing industry are concerned than is true of any other State. We have found our shrimp fishing industry declining. We have found difficulties arising from foreign importations. We have heard objections from some of our neighboring nations concerning our fishing operations off their shores.

It has not been so long since the captain of a little shrimp boat in the Gulf of Campeche called me by some sort of long range telephone connection, which was picked up somewhere along the Gulf coast, perhaps in Texas, and then carried here, to say that a gun boat from Mexico had intercepted them, whereas they were barely in sight of the Mexican shore, and were charged with fishing in Mexican waters, when he said that could not possibly have been.

I am certainly in favor of the legislation of which the Senator speaks. I am one of its co-sponsors. I think we should pass the bill at an early date. I hope that we may finish with the proposed civil rights legislation in order that we may pass shrimp boat legislation at an early date.

Mr. YARBOROUGH. I thank the Senator from Florida for his statement. His knowledge of this subject is well known in the Senate and throughout the country. He is one of the leaders in promoting better conditions for the shrimp fishing industry of America.

My State of Texas is pretty close behind the State of Florida in number of shrimp boats. I point out that we have not objected to our good neighbor to the south, Mexico, building up a great shrimp-fishing fleet. But the U.S. Government is now spending its tax dollars to encourage shrimp fishing not only by our good neighbor to the south, but by countries across the oceans. Our Government is seeking to have countries across the ocean in Asia and other continents increase their shrimp catch and to ship it into the United States in competition with our domestic catch, and the catch of our good American neighbor countries to the south.

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

Mr. YARBOROUGH. I yield.

Mr. GRUENING. I, likewise, am a cosponsor of the bill. I should like to ask the Senator from Florida whether he does not think it is a strange paradox that at the same time we are trying to limit the importation of shrimp in order to protect by legislation our own shrimp-fishing industry, our Government is sending its dollars to numerous foreign countries to help them build up their shrimp-fishing industry.

Mr. HOLLAND. Of course it is a paradox. I should say, since I mentioned Mexico, that Mexico has been one of our good neighbors. It has not been assiduously asking for foreign aid. Mexico built a large part of the Inter-American Highway—about 1,587 miles—with her own funds. She has been in many ways a very fine neighbor in spite of the fact that she insists on measuring very long miles off her coast when she decides that American shrimp boats are poaching.

But the Senator from Alaska is correct in his insistence that we should bring an end to this matter, and not cut off importations which have become traditional, but should cut off the large increases in importations as well as cut off the participation in this market by many countries which are drawing heavily upon our own resources in connection with foreign aid.

Mr. GRUENING. Countries which are now our competitors through being financed by American dollars.

Mr. HOLLAND. That is correct.

Mr. GRUENING. To me, that is positively shocking.

Mr. HOLLAND. The Senator from Alaska has had a similar experience in connection with some of the other denizens of the deep, with which he is very familiar, I am sure, as to which we have had trouble with some of our neighbors of the North Pacific. But in the shrimp matter, we have something which is so clearly different. The shrimp cannot tell when he leaves gulf waters and enters Florida or Louisiana waters. Likewise, he cannot tell when he goes into Mexican waters. The shrimp boats follow the shrimp. It is an international industry and a very important one.

If we safeguard the shrimp fishing industry at this time, we will safeguard not only our own interests, but also the interests of Mexico will be preserved, for Mexico has an interest in protecting our market, which is the best market Mexico has.

I believe the Senate is moving in the right direction. Not only the Gulf States, but every other State along the Atlantic seaboard is interested in protecting the shrimp-fishing industry, as I am certain the States on the Pacific side are, as well. I hope we will continue to get in these "good licks" for the passage of the bill.

Mr. YARBOROUGH. I thank the distinguished Senator from Florida and the distinguished Senator from Alaska for their incisive reasoning and clear logic which have made a great contribution to this discussion. This is not an isolationist measure. It is simply good, international, sound, common sense. We are not trying to cut off our neighbor to the south, even though she seizes our shrimp boats on what we say is a long measurement offshore. The action in lending money to 50 countries and encouraging them to ante up shrimp fleets to ship shrimp into the United States is based on governmental folly, as the Senator from Alaska has pointed out. Financing 50 or more countries to catch shrimp off their shores, and to bring it across the ocean, financed with American dollars, which put the American shrimp fishermen out of business is bad for the fisherman, and bad for the whole country.

This is not merely a matter of liquidating shrimp fishermen. More than that, it causes the liquidation of jobs with the manufacturers of shrimp boats on the Atlantic seaboard, and the makers of nets in the interior. It causes losses to the manufacturers of the machinery which is used on shrimp boats. These are not sailboats; they are diesel engine boats. The electronic equipment which is used on the boats is manufactured, to mention one State, in the State of Washington. Certain other types of electronic equipment are manufactured in California. But these manufacturers supply the equipment for thousands of shrimp boats which ply the gulf from Florida, Texas, Mississippi, and Louisiana. Some of them even fish as far south as the banks of Campache.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I am glad to yield.

Mr. JOHNSTON of South Carolina. I join in what has been said by the distinguished Senator from Texas and also the distinguished Senator from Florida and the distinguished Senator from

Alaska. I, too, have been calling the attention of the Senate not only to this particular instance, but to other instances in which our foreign aid is being used to compete with American industry and work against us. It has certainly worked against us in the entire field of agriculture. It has worked against us in the textile industry. We are feeling it very much at this time in South Carolina, where almost 30 percent of the cotton textiles of America are produced.

So far as the shrimp industry is concerned, we must rouse ourselves immediately, for what is now taking place is something which can wreck the industry in a very short time. South Carolina, too, is engaged in the shrimp fishing business. I have received several telegrams and letters, and even telephone calls, concerning this very bill.

I want the Senator from Texas to know that anything I can do to help its passage, I intend to do.

Mr. YARBOROUGH. I thank the distinguished Senator from South Carolina. I know that shrimp boats operate from both the Carolinas. I believe one of the big industries for the manufacturing of shrimp boats is located in the Carolinas.

Mr. GRUENING. Mr. President, will the Senator from Texas yield further for another comment?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Does the Senator from Texas yield to the Senator from Alaska?

Mr. YARBOROUGH. I yield.

Mr. GRUENING. Mr. President, I particularly wish to commend the Senator from South Carolina [Mr. JOHNSTON] for his remarks, in the course of which he pointed out that the peculiar paradox to which he has referred applies not only to the shrimp industry but also to the textile industry and to the production of wheat and the production of cotton.

A little later I wish to join in sponsoring the amendment of the Senator from Alabama to appropriate some $2 million for research for small business, an item which has been eliminated by the administration; and I shall point out that while the administration squelches small business at home, it is spending many times that $2 million item abroad, to aid small business in other countries. When I obtain the floor, I shall show the contrast between the administration's denial of aid to small business in the United States and the administration's spending of $17 million to aid small business in other countries.

Mr. HOLLAND. Mr. President, will the Senator from Texas yield to me?

Mr. YARBOROUGH. I yield to the Senator from Florida.

Mr. HOLLAND. I should like to comment on the Senator's remarks about the shrimp boats. They are some of the last all-wood craft now being manufactured in the United States. Not long ago I had the pleasure of being present at the launching of the 700th shrimp boat to be built at St. Augustine, in my State. At that time I met many of the workmen. Many of them have been building wooden ships ever since they were boys, and a number of them are now 60 or 70 years of age. Several hundred of them, who are highly skilled in this very specialized craft, are employed at that one yard. If legislation of this type were enacted, the business at that yard would be adversely affected in a most profound way, and a similar adverse effect would be felt at other yards along the North Atlantic seaboard and along the gulf seaboard, where a dozen or more of these shipyards are to be found. In these yards, wooden ships, which are taken to sea for the catching of shrimp, are very sturdily built to the point of perfection.

I am glad the Senator from Texas has pointed out in the way he has that such legislation, which would have a most adverse effect on the builders of shrimp boats, would likewise have a most adverse effect on the manufacturers of electronic equipment, the manufacturers of jet airplanes, the manufacturers of diesel engines, the producers of the oil used in diesel engines, and many other groups, almost too numerous to mention. All of them would be most adversely affected by the enactment of legislation which would result in the destruction of a large and important industry, such as the shrimp industry of the United States.

Mr. YARBOROUGH. Mr. President, I wish to thank the distinguished Senator from Alaska and the distinguished Senator from Florida for their very valuable contributions in regard to this phase of our economy, and also in reference to the broader phases of this governmental policy, as it affects the people of the United States.

Mr. MURRAY. Mr. President, will the Senator from Texas yield to me?

Mr. YARBOROUGH. I yield.

Mr. MURRAY. Mr. President, last Friday the distinguished chairman of the Select Committee on Small Business, the Senator from Alabama [Mr. SPARKMAN], submitted an amendment—of which I am proud to be a cosponsor—to House bill 10234, making appropriations for the Department of Commerce and related agencies for the fiscal year 1961.

As the chairman mentioned in his remarks, the purpose of the amendment is to include an appropriation of $2,080,000 for the program of grants for research and counseling under section 7(d) of the Small Business Act.

The restoration of the Small Business Administration research and counseling grant program is of considerable importance to Montana and similar States, where neither the State planning agency nor the State university has the necessary funds to conduct this type of research.

The acuteness of the situation is made evident when one reflects on the irony involved in the Budget Bureau's decision to limit this important program. The annual $40,000 grant to the States for economic and industrial research is mandatory in the interests of sound economic development. Second, sound economic development is a condition upon which a State's ability to help itself depends. Yet the Budget Bureau of the Federal Government, in shortsighted idolatry of the mighty dollar, has recommended crippling the program to the point where, if this amendment is not adopted, there will remain only enough money to print reports for the last 2 years, leaving practically nothing to carry on the program itself.

I wish to commend the distinguished Senator from Alabama for having submitted this necessary and farsighted amendment.

Mr. YARBOROUGH. Mr. President, in response to the comments made by the distinguished senior Senator from Florida, when he addressed himself to this matter, and when he spoke about the manufacture of wooden shrimp boats in his State, I wish to point out that those who operate the shrimp boats are some of the most energetic, bold, and daring of the American venturers now living. We cherish the American dream; we like to think of our pioneer ancestors who crossed the continent in their wagons or on their horses, without the benefit of a compass, and with no directional aids other than the sun, the moon, and the stars.

Let me point out that these shrimp boats are equipped with very expensive electrical gear which costs several thousand dollars for each boat. But they are not equipped with navigational aids. Their crews navigate them by means of observations of the stars—as Columbus did, when he crossed the Atlantic. These shrimp boats travel hundreds of miles, across the Gulf of Mexico. Some of the shrimp fishing is done off the Banks of Campeche. The shrimp boats of other nations have large crews, and generally carry a navigation specialist. But the crews of the same-sized American shrimp boats are small—only two men, as a rule. They are among the ablest Americans in business today. The 2-man crew of an American shrimp boat will take their boat to sea, and will navigate by means of observations of the sun, the moon, and the stars, until they come close to the coast; then they make use of charts and fathometers, so as to avoid the shoals and the reefs. In the waters in which they fish, the United States advocates a 3-mile limit, but the Mexican Government claims a 9-mile limit. So our shrimpers actually remain more than 9 miles off the coast, in order to avoid any conflict, although our Government does not concede that the 9-mile limit is the correct one.

The enactment of legislation harmful to the thousands of Americans who are engaged in the shrimping industry, and also harmful to the many additional thousands of American workers who manufacture the gear the shrimp boats use—and those affected range all the way from the artisans who build the handmade, wooden boats to those who build the very expensive electronic equipment and gear which is used aboard the shrimp boats—would be a very unwise governmental act.

The distinguished Senator from South Carolina [Mr. JOHNSTON] has commented on other unwise governmental acts in connection with the operations of our Government around the world.

Furthermore, Mr. President, we learn that in country after country our Government has encouraged the breaking up of vast estates, so that democracy can be strengthened by the building up of a group of small yeoman farmers. To the direct contrary, in this country our Department of Agriculture pursues policies which are calculated to eliminate many of the small farmers. It claims that many of them are "submarginal," and that our country needs to have a million or more small farmers leave the farming business. What folly it is to maintain such conflicting policies, Mr. President—to say that in foreign countries it is necessary to break up the large estates and the vast holdings, and to encourage many little farmers to conduct agricultural operations in order to strengthen democracy; but at the same time to say that little farmers in our own country must be done away with. *Such conflicting* policies are but another example of the folly of our Government's policies in connection with domestic matters, as contrasted with our Government's policies in regard to foreign matters.

Mr. President, I wish to thank all the Senators who have contributed so much to the discussion of this important measure. Our discussion has ranged far beyond the original subject under consideration, and has touched upon our Government's ill-advised policies in many other fields. In addition to discussing the unwise, ill-advised policy our Government is pursuing in respect to the shrimp industry, we have pointed out that in many other important fields the Government of the United States is pursuing policies which are most ill-advised, insofar as domestic industries are concerned, and especially when the treatment of those domestic industries is contrasted with the treatment given by our Government to similar industries in foreign countries.

PUBLIC RECOGNITION OF THE GALLANT ACTION OF THE STEAMSHIP "MEREDITH VICTORY"

Mr. JAVITS. Mr. President, following the favorable action taken today by the other body on Senate bill 2185, to give appropriate public recognition to the gallant action of the steamship *Meredith Victory* in December of 1950 in connection with the evacuation of Hungnam, Korea, the bill now will go to the President for his signature. And, Mr. President, when the President signs the bill, at long last official recognition will be given one of the outstanding displays of heroism and courage by U.S. merchant mariners during the Korean war.

I originally introduced the bill—which was sponsored in the House of Representatives by Representative PAUL FINO, of New York—at the request of J. Robert Lunney, of New York City, who served as a staff officer aboard the *Meredith Victory* during the evacuation. At that time, this vessel, which had accommodations for only 12 passengers, took aboard 14,000 Koreans who were fleeing from the Communist invaders who were some 3,000 yards away and were being kept at bay by the guns of the battleship *Missouri*. The ship had, as I have said, accommodations for only 12 passengers. But Captain La Rue loaded it to the gunwhales with the Korean refugees and then ordered his vessel—the last to leave the Hungnam Harbor—to sail for Pusan. Three days later, after sailing through 30 miles of minefields, she arrived without the loss of one life—but, in fact, with more passengers than she had when she left, for nine babies were delivered and were safely disembarked, with the rest of the passengers, on Christmas Eve.

In 1955 Captain La Rue was honored by the South Korean Government. As the years have passed, the crew has scattered. The steamship *Meredith Victory* now rests at anchor, retired from service, in Puget Sound, near the town of Olympia, Wash. This past Christmas, nearly 10 years after the day when his ship arrived in Pusan Harbor, Captain La Rue took his final vows, and is now Brother Marinus in the Benedictine Order in Newton, N.J.

By act of Congress, Brother Marinus and the 35 crew members who served under him during that amazing voyage will receive a citation ribbon bar, and a citation and plaque will be awarded the steamship. Some may think that such acts of heroism in wartime are not unusual. We recall that thousands in the British Army were evacuated from Dunkirk during World War II in privately owned and operated boats of British civilians. Nevertheless, the crew of the *Meredith Victory* went to the assistance of thousands of refugees with whom they did not even share a common language; only one of the 14,000 aboard could speak even halting English. Her captain and her men responded to the anguished pleas for help from human beings whom they probably would never see again. Theirs was an unselfish display of courage in the very finest tradition of American seamanship, and one in which our country can take tremendous pride. I hope that the President of the United States will sign this bill. It is another significant historic achievement which should be marked up to the credit of the American merchant marine.

LEASING OF PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools, R-I, Missouri.

Mr. JAVITS. Mr. President, on another matter, coming back to the pending business, I modify the amendment which is now pending at the desk, on behalf of myself and the Senator from Pennsylvania [Mr. CLARK], together with other Senators, in the following respects. I ask the attention of the reading clerk.

On page 4, line 7, after the word "persons" and before the comma, insert the words "who are qualified voters in the judicial district."

On page 6, strike lines 16 through 22 and insert the following:

(10) Applications pursuant to this subsection shall be determined expeditiously. In the case of any application filed 20 or more days prior to an election which is undetermined by the time of such election, the court shall issue an order authorizing the applicant to vote provisionally. In the case of an application filed within 20 days prior to an election, the court, in its discretion, may make such an order. In either case, the order shall make appropriate provision for the impounding of the applicant's ballot pending determination of the application. The court may take any other action, and may authorize such referee or such other person as it may designate to carry out the provisions of this subsection and to enforce its decrees. This subsection shall in no way be construed as a limitation upon the existing powers of the court.

On page 15, in lines 20 and 23, strike out the reference to "(a)" and insert "(k)."

With such modifications to the amendment as submitted to the Senate—it will be recalled that my colleague from Pennsylvania presented it before it was withdrawn—the Senator from Pennsylvania will make the first speech on it today.

Mr. President, the modifications I have made in the amendment are designed to make the amendment conform to the action taken by the House of Representatives in connection with the general plan for voting officials, in order, therefore, to present the matter to the Senate in its most up-to-date form.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from New York.

The LEGISLATIVE CLERK. It is proposed, on page 4, line 7, after the word "persons" and before the comma, to insert the words "who are qualified voters in the judicial district."

On page 6, to strike lines 16 through 22 and insert certain language.

On page 15, in lines 20 and 23, to strike out the "(a)" and insert in lieu therefor "(k)."

RECENT AIR CRASH NEAR CANNELTON, IND.

Mr. HARTKE. Mr. President, this is the second time in a few months that I rise to discuss for the Senate the results of a disastrous and heart-rending airplane crash. The first was, of course, when the son and daughter-in-law of the distinguished senior Senator from Indiana [Mr. CAPEHART] were killed in the Caribbean.

Today I rise to make a report to the Senate on an inspection trip I made last weekend to my home State. As all Senators know, a Northwest Airlines Lockheed Electra crashed last Thursday near Cannelton, Ind., carrying 63 passengers and crewmen to their deaths. On Friday, within 24 hours of the crash, I flew to the scene aboard a Federal Aviation Agency plane which had been dispatched for a routine evaluation flight.

As a member of the Interstate and Foreign Commerce Committee, who had several times before expressed interest in greater air safety, I felt it almost a necessity that I visit the scene of the crash in my State. The following day, on Saturday, my senior colleague joined us.

I was deeply impressed with the ability and efficiency of the top experts as-

signed to the crash scene. Philip Goldstein, chief inspector for the Civil Aeronautics Board, and Capt. Carl Wilbur, of the U.S. Navy, Medical Corps, assigned to the Air Surgeon General's staff, were most impressive. Both of these men also had investigated the still-unsolved crash of another Electra last September near Buffalo, Tex. In both crashes they had the full cooperation of investigators from Lockheed Co.

During my inspection trip, I suggested that the FAA consider grounding of all Electras. This would have been a radical departure for a civilian Government agency. Of course, we have a new agency charged with responsibility for airplanes, airlines, and air safety—the FAA. In any case, there is ample precedent for grounding airplanes when structural deficiencies are suspected. It has been done by individual airlines and by the armed services.

Both the Buffalo, Tex., crash scene and the southern Indiana scene indicated strongly that something occurred structurally to the Electras. Some parts of the plane was torn loose in each crash, the wings and turbines then tore off or were dropped and the fuselage continued to glide until it buried itself in the ground.

Following my suggestion of grounding, the FAA took an unusual step. It ordered a slowdown in the air speed of all Electras flying in commercial aviation in this country. This may be all that is necessary. At least it indicates that the Agency is now taking some action. And some action is certainly necessary.

In 11 weeks, we have seen more than 400 persons lose lives in air crashes—almost half of them in the United States.

When lives are at stake, speed, convenience, comfort, profits must take secondary places. Travel by air has become today a virtual necessity for millions of Americans. Millions fly and arrive safely. The safety record is, on the whole impressive. But the fact that millions do now fly almost of necessity and that hundreds lose their lives because of factors over which they themselves have absolutely no control, makes it all the more important that we do things to insure air safety.

We have seen the Department of Health, Education, and Welfare, virtually ruin the cranberry industry when it felt that the Nation's health demanded protection from a chemical which might, in sufficient quantities, cause cancer in some people. I said then, and I say again, that I believe the Department did not lay sufficient groundwork with education for its drastic action, but I never questioned the motives of the Secretary and the desirability of the move to err on the side of caution in a matter of cancer prevention.

Representatives of this Department acted with equal dispatch, if no more prudence, in seeking to protect consumers from chickens which might have been treated with a hormone that could cause cancer. The Food and Drug Administration also has under consideration an order to restrict the use of lipsticks made with coal tars.

Similarly, there were cries of anguish over children losing their lives by locking themselves in abandoned refrigerators. Finally, action was taken from many quarters, and refrigerators are now made that prevent locking this way; many States make it an offense to abandon a refrigerator in which a youngster can lock himself.

We have also seen the many lives lost uselessly from plastic bags used extensively by cleaning establishments.

It matters little to grieving loved ones whether a life is snuffed out by a bag over the head, by an abandoned refrigerator, or from infected cranberries, chickens or lipsticks. There is one essential difference. The girl who wishes to err on the side of caution can avoid coal tar lipsticks—or all lipsticks. Those who want to sacrifice cranberries or fried chicken can do so.

But most of us who fly airplanes do so because we have to—or at least we think we do.

And the general public depends upon the Government—the Federal Government, if we please—to look out for its interest in this field. It is we who are responsible for airports, radio beams, lights, safety regulations, airline restrictions and hundreds of other programs in the field of air transportation.

Why did I go to Indiana to view the wreckage and interview eyewitnesses? Certainly not from idle curiosity. Certainly not because I enjoy the sight and smell of death. Certainly not because I wanted to see smoke come from a crater into which hours before a huge airplane body had plunged, and which still emitted smoke today, incidentally.

I went because I felt it a duty. All of us in Congress have a duty to act, or to see that others in the Federal Government act, to stop death from the skies. Where else do air travelers have to look for assistance?

This is why we must ask questions here. We must ask such questions as:

Is our weather service providing the best and fastest data and is it being passed on to airline authorities and crews?

Are our airports as safe as they can be?

Are the airlanes as safe as they can be?

Are the airplanes being manufactured with all the safety devices which can be attached?

Are air traffic control centers doing their part to prevent collisions in the air?

On this last point, I note that only the other day a military jet almost collided with a commercial ship, and only fast action by the commercial pilot prevented this head-on crash. This raises of air traffic control such questions as "What were these ships doing in the same airspace?" It also may provide some justification for Administrator Quesada's action grounding older pilots.

I commend General Quesada for acting exactly as I today commend the FAA for slowing down Electras. As a frequent airline passenger, I value speed, convenience, and comfort. But I value lives more.

As a U.S. Senator, I must be concerned with this matter of air safety because it is so vital to so many Hoosiers and all Americans.

I do not pretend to be an expert on air safety or aeronautics. I do not know whether legislation is necessary to establish new rules and regulations. I do not know that it is not necessary. I do not know if we in Congress should open wider the purse to provide more help for the FAA and the CAB, to provide better lighting, better approach systems, better radio gear.

I do know that our Aviation Subcommittee is headed by an expert in this field who is hampered only by the weight of the work he carries. I also know that it will take the dedicated concern of all Senators to back the Senator from Oklahoma [Mr. MONRONEY] in his efforts.

I realize the Senator probably understands better than I do what I have been trying to say here today. I hope that in some way my report on the terrible tragedy of last week will help the Senator from Oklahoma [Mr. MONRONEY] and, above all, will help the American traveling public by making our airlanes safer.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 127]

Aiken	Fong	Mansfield
Allott	Frear	Martin
Anderson	Fulbright	Monroney
Bartlett	Gore	Morse
Beall	Green	Morton
Bennett	Gruening	Moss
Bible	Hart	Mundt
Bridges	Hartke	Murray
Brunsdale	Hayden	Muskie
Bush	Hennings	Pastore
Butler	Hickenlooper	Prouty
Byrd, Va.	Hill	Proxmire
Byrd, W. Va.	Holland	Randolph
Cannon	Hruska	Robertson
Carlson	Jackson	Russell
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S.C.	Scott
Chavez	Jordan	Smathers
Church	Keating	Smith
Clark	Kefauver	Sparkman
Cooper	Kerr	Stennis
Cotton	Kuchel	Symington
Curtis	Lausche	Talmadge
Dirksen	Long, Hawaii	Thurmond
Douglas	Long, La.	Wiley
Dworshak	McCarthy	Williams, Del.
Eastland	McClellan	Williams, N. J.
Ellender	McGee	Yarborough
Engle	McNamara	Young, N. Dak.
Ervin	Magnuson	Young, Ohio

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). A quorum is present. The Senate will be in order.

THE ADMINISTRATION SQUELCHES SMALL BUSINESS AT HOME BUT SPENDS AMERICAN DOLLARS LIBERALLY TO SUPPORT SMALL BUSINESS IN FOREIGN COUNTRIES

Mr. GRUENING. Mr. President, the encouragement and development of small business in the United States is, in my view, one of the most important factors in the maintenance of a strong and

healthy domestic economy. The importance to the United States of the small entrepreneur and the benefits to be gained by Government assistance to these businessmen has been recognized time and again by the Congress.

Federal assistance for research programs to assist small businessmen in the management, financing and operation of their enterprises represents one of the best ways of giving needed help.

Therefore, I commend the distinguished junior Senator from Alabama [Mr. SPARKMAN] for submitting an amendment which if agreed to would result in the appropriation of funds needed for the small business research program. I ask unanimous consent that I may cosponsor it.

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

Mr. GRUENING. Mr. President, I also commend the distinguished Senator from Montana [Mr. MURRAY] and the distinguished Senator from Utah [Mr. MOSS] for their remarks on this subject. Our colleagues are concerned about small business, even if the administration is not.

My attention was drawn to the importance of the small business research program by a letter I received from Mr. Vernon R. Kiely, chairman of the Division of Business Administration of the University of Alaska. The University of Alaska received a grant of $28,873 from the Small Business Administration for a research study of wholesale-retail functions and warehouse facilities in Fairbanks and Anchorage, Alaska.

I ask unanimous consent that Mr. Kiely's letter be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. GRUENING. Mr. President, the contribution to the Alaska economy of this study was so valuable that the university applied for another research grant for a study of the tourist industry in Alaska. This industry is one of the most important fields of business activity now, and, with proper encouragement, will make ever greater contributions to the development of the State and to the pleasure of citizens from the other States and abroad who come to enjoy our unique attractions. Of course the tourist industry is of national importance. We are exporting large sums in tourist dollars abroad, and should take every possible step to secure a corresponding import of tourists from other countries. I believe the President has proclaimed 1960 to be a "Visit America Year."

I am glad that the administration has talked about how vital this matter is, but it has not done anything substantial to implement this fine pronouncement. In the case of Alaska it has, as I shall show, withdrawn support.

The assistance which would be provided by the grant of funds for a study of means of improving the tourist industry would be of incalculable benefit. However, the assistance will not be forthcoming unless the amendment submitted by the Senator from Alabama is adopted. These funds represent one of the best investments the United States can make in the future of the country. I find it difficult to understand how the administration could refuse to request that funds be appropriated for this important program for the 1961 fiscal year.

Its refusal to ask the Congress for the $2,080,000 which would finance the small business research program is another example of the strange attitude of this administration which, while denying funds for worthwhile domestic programs, or cutting them to the bone, insists on the appropriation of funds for the same type of programs administered abroad by the International Cooperation Administration.

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

Mr. GRUENING. I yield with pleasure to the distinguished junior Senator from Alabama.

Mr. SPARKMAN. First I wish to commend the Senator from Alaska for his statement regarding this subject, along with the statements which have been made by other Senators. I believe the Senator from Alaska referred to the Senator from Utah [Mr. MOSS] and the senior Senator from Montana [Mr. MURRAY]. The Senator from Montana, incidentally, was a very active and effective chairman of the Small Business Committee. I do not refer to the present committee, but the one which was in existence prior to about 1950, and back during the war and after the war.

I should like to ask the Senator a question. He has mentioned the grant to Alaska in the amount of $28,873. I assume the Senator is aware of the fact that there is a limitation in the basic law, as well as in the amendment I have submitted, of $40,000 so far as any one State is concerned. Is the Senator aware of that fact?

Mr. GRUENING. I am aware of that fact. In reply I should like to say that this is a very modest amount that is a maximum that can be allotted to any one of our 50 States which may decide to seek such assistance. That is in striking contrast to the many times that amount which we are giving to foreign countries in our several foreign aid programs.

Mr. SPARKMAN. I simply mentioned the limitation of $40,000 in order to bring out that very point, that it is a modest program, but one which is capable of doing a great deal of good. I am afraid a great many Senators may not be aware of this fact; namely, that when we passed the act providing for this program—the Small Business Investment Act of 1958—we set up this modest grant research program, and we likewise found sources of funds which would not require a new appropriation, whereby Congress made available to the Federal Reserve Board funds with which loans might be made to small business—that is covered in section 13(b)—but that section of the act was never used to any great extent, and for many years there was simply languishing $27 million of unused funds.

In the act of 1958, the Small Business Investment Act, we transferred that $27 million to the Treasury, and provided that these modest grants should be made year by year out of these funds. Is the Senator aware of that fact?

Mr. GRUENING. Yes. I thank the Senator for bringing up that point. He is making a very valuable contribution to the discussion.

Mr. SPARKMAN. Last Friday I had placed in the RECORD a list of the various States which had received grants, and the amount of each one, as well as the nature of it. If Senators have not seen that list, it might be interesting for them to look at. It begins at page 5954 of the RECORD of last Friday. I also inserted, at page 5956 of the RECORD, an excerpt from the report relating to this fund and to the transfer of these section 13(b) funds. It seems to me that the administration has disregarded completely the intent of Congress in now trying to cut off this program and to take the $27 million and not use it as Congress directed that it be used. Would the Senator agree with me in that statement?

Mr. GRUENING. I would agree thoroughly and wholeheartedly. When we look over the list, we see how obviously useful this program was, and how it was sought and used intelligently by the various States. Now it has been eliminated, while at the same time we have been asked to authorize over $17 million to help small business abroad and have done so—and that is only the beginning; it represents what has already been enacted. I find it difficult to comprehend the strange course of this administration, which seeks to provide nothing for the folks at home, but insists we must give generous aid for people abroad. We are told we must spend for the foreign-aid programs, but that to spend at home is inflationary, extravagant, that it will unbalance the budget and that it cannot be permitted.

Mr. SPARKMAN. Is the Senator from Alaska aware of the fact that 95 percent of the businesses in this country are small businesses?

Mr. GRUENING. Is it true that there are still that many left, or was that the number before the Eisenhower administration came into office?

Mr. SPARKMAN. Fortunately, American hardiness still prevails, and new businesses are being created, seeing the new day ahead. Small business has maintained its record until, roughly speaking, 95 percent of American business today is small business.

I wonder if the Senator from Alaska is aware of the fact, too, that other studies have been made by some of the best authorities in the United States, and particularly by Dun & Bradstreet? I point out, at page 5953 of the RECORD of March 18, the following:

> Dun & Bradstreet lists poor management as the leading cause of business failures.

We talk every year about the great number of small businesses which fail to succeed. Dun & Bradstreet says that the principal factor causing failures—

and particularly is this true in small business—is poor management.

Mr. GRUENING. Management which would be improved by funds for research.

Mr. SPARKMAN. Many of the grants have been used for that purpose. I relate something which was done with a grant which was made to the University of Alabama, a $40,000 grant. The University of Alabama, the State of Alabama through its Development Association, and the Small Business Administration joined in offering in Birmingham, a course which small businessmen from all parts of the State were invited to attend for a period of time. "Going to school" was what it amounted to. It was a course designed to enable small business to study the factors for better management in small business.

Suppose a program of that kind were established in all 50 States of the Union. Does not the Senator from Alaska believe that it would give a tremendous boost to the backbone of economic power in America—small business?

Mr. GRUENING. I think it may be said conservatively that its cost would be repaid tenfold. This is an investment in information and in knowledge. It is education for business—for small business. I am confident that if these research programs were continued to be made available, as they have been in the past, they would return many, many times the small amount which is requested of the Federal Treasury.

I think it rather striking, by alluding to the University of Alabama as the distinguished Senator from that State has done, that it points to the fact that in practically all these programs it is a university or other institution of higher education which is conducting the research. That implies, certainly, that the work is being done intelligently by persons of training and capacity.

In the list which the Senator from Alabama placed in the RECORD last Friday, the first State is Alabama, where the grantee is the University of Alabama.

In Alaska, the grantee is the University of Alaska. In Arizona, it is the Arizona State University. In Arkansas, it is the University of Arkansas.

In California, the grantee is the San Diego State College. In Colorado, the grantee is the University of Colorado. In Connecticut, it is the University of Connecticut.

In Delaware, the grantee is the University of Delaware. In the District of Columbia it is George Washington University. In Florida, it is the Florida Development Commission.

In Georgia, the grantee is the Georgia Institute of Technology. In Hawaii, it is the University of Hawaii. In Idaho, it is the Idaho State College, at Pocatello.

In Illinois, the grantee is the University of Chicago. In Indiana, it is Indiana University. In Iowa, it is the State University of Iowa.

In Kansas, the grantee is the University of Kansas. In Kentucky, it is the University of Kentucky. In Louisiana, it is the Louisiana Department of Commerce in Industry, at Baton Rouge.

In Maine, the grantee is the Maine State Department of Economic Development. In Maryland, it is Washington College, at Chestertown. In Massachusetts, it is Babson Institute, at Babson Park.

In Michigan, the grantee is the University of Michigan. In Minnesota, it is the University of Minnesota. And so on throughout the list.

In other words, we can be confident that these funds were well spent; and would be again if made available. They have not been and would not be wasted. These funds are not misused as so many of the funds about which we read, which are sent abroad, which we do not learn about until years later, when Congress investigates, that the money was often misspent and was wasted. We know that these grants to the State universities and State development agencies represent money well spent.

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

Mr. GRUENING. I yield.

Mr. SPARKMAN. I call attention to an excerpt from Senate Report No. 834:

> Section 7(d) of the Small Business Act, as amended by the Small Business Investment Act of 1958, provides for a program of "grants to any State government, or any agency thereof, State-chartered development credit or finance corporations, land-grant colleges and universities, and colleges, and schools of business, engineering, commerce, or agriculture for studies, research, and counseling concerning the managing, financing, and operation of small business enterprises.

I remember very well when that section was written into the law. We worked over it at considerable length, and we made it tight. We made certain that the money would go to the right kind of institutions. I believe the Senator from Alaska will agree with me that the provision which we wrote into the law was a wise one.

Mr. GRUENING. I believe it was an adequate program before, was well planned, was well conceived, was useful, and was in every respect efficient.

Mr. SPARKMAN. The last sentence of that subsection reads:

> Such grants shall be made from the funds established in the Treasury by section 602(b) of the Small Business Investment Act of 1958.

This fund, as I said a while ago, was derived from moneys which had been held by Federal Reserve Banks under section 13(b) of the Federal Reserve Act. In other words, we thought we were setting up in the Treasury of the United States a fund of $27 million which would be available for the making of grants year after year in the modest amount of not more than $40,000 for each State.

Mr. GRUENING. I note that the University of Houston, at Houston, Tex., received a $40,000 grant. I feel confident that it was well expended. The title of its research project was: "A study of Decision-Making Processes in the Small Business Firm." I have no doubt that those funds were well utilized, as were the funds for the University of Alabama and the funds granted to the other universities and colleges.

I observe on the floor the distinguished junior Senator from Maryland [Mr. BEALL]. I call his attention to the fact that Washington College, at Chestertown, Md., was the recipient of $35,425, an amount which they cannot have now if they intend to apply for funds again, unless this amendment is adopted.

I observe the distinguished junior Senator from New Jersey [Mr. WILLIAMS] in the chair of the Presiding Officer. New Jersey received a grant of $40,000, the grantee of which was the New Jersey Department of Conservation and Economic Development.

The project director is Joel H. Sterns. Such a grant will be eliminated if the program is not continued.

In Mississippi, the grantee is the Mississippi Industrial Research Center at Jackson, and it is particularly pertinent, in view of that State's interest in our timber resources, in connection with which the distinguished junior Senator from Mississippi [Mr. STENNIS] too strongly urged, a few days ago, for the restoration of the budget's slash in the forestry program, that the research projects in Mississippi all had to do with timber and timber products.

In Missouri, the grantee was the Missouri Division of Resources and Development, of Jefferson City.

In Montana, the grantee was the Montana State Planning Board.

In Nebraska, the grantee was the University of Nebraska.

In Nevada, it was the University of Nevada.

In New Hampshire, it was the New Hampshire State Planning and Developing Commission.

In New Jersey, it was the New Jersey Department of Conservation and Economic Development.

In New Mexico, it was the University of New Mexico, at Albuquerque.

In New York, it was Syracuse University.

In North Carolina, it was Duke University.

In North Dakota, it was the University of North Dakota.

In Ohio, it was the Ohio State University.

In Oklahoma, it was the Oklahoma Department of Commerce and Industry.

In Oregon, it was the University of Oregon.

In Pennsylvania, it was Temple University.

In Rhode Island, it was Brown University.

In South Carolina, it was the University of South Carolina.

In South Dakota, it was the State University of South Dakota at Vermillion.

In Tennessee, it was the Tennessee Polytechnic Institute at Cookeville.

In Texas, it was the University of Houston.

In Utah, it was University of Utah.

In Vermont, it was the Vermont Development Commission.

In Virginia, it was the University of Virginia.

In Washington it was the University of Washington.

In West Virginia, it was West Virginia University, at Morgantown.

In Wisconsin, it was the Division of Industrial and Port Development, at Madison.

In Wyoming, it was the University of Wyoming.

The administration's refusal to ask for the $2,080,000 which would finance the small business research program is another example of the strange attitude of this administration which, while denying funds for these demonstrably worthwhile domestic programs, or cutting them to the bone, insists on the appropriation of funds for the same type of programs administered abroad by the International Cooperation Administration and various other agencies.

In my view, it is at least as great a benefit to the United States to spend $2,080,000 for small business research programs in the United States as it is to spend American dollars on similar projects in such places as Korea, where we spent $14,948,000 on technical aid to small and medium business enterprises in 1957 alone.

There is at least as great a benefit to the U.S. security and economy in this investment of funds for small business research in the United States as there is in the expenditure of $571,000 in American dollars for this purpose in Jordan in 1958.

Moreover, I should like to know why the United States should make a contribution of $8,840 to those master traders—the German businessmen—for market research and sales promotion in middle-sized metalworking companies when funds are not available for assistance to American businessmen.

I think that this double standard which exists in this administration, for the first time in our history, by which we are told again and again that projects in practically every field of American need are extravagant, wasteful, inflationary, and tend to unbalance the budget, needs to be called repeatedly to the attention of the Congress and of the American people.

We have seen this double standard in the field of coal development, which was presented on the floor of the Senate with great effectiveness by the junior Senator from West Virginia [Mr. BYRD] on February 1. And I myself discussed this matter on February 3 in connection with the field of education, when it became apparent that the administration was opposed to aid for schoolteachers in this country, but included such aid in its foreign educational program.

This double standard needs to be repeatedly called to the attention of the American people and to the attention of the Congress.

The same applies to States such as Alabama, Kentucky, and Illinois, in which there are also large coalfields, and in which the coal-mining industry is in very poor shape. Yet the President vetoed the small research bill which would have enabled the coal industry to find new markets and find employment for the coal miners who now are unemployed. Although the President vetoed the bill, at the same time the administration engaged in coal research projects and in coal development projects in other countries—at the same time that our own coal mining and our own coal industry are in very bad shape.

Mr. SPARKMAN. Mr. President, will the Senator from Alaska yield?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Does the Senator from Alaska yield to the Senator from Alabama?

Mr. GRUENING. I yield.

Mr. SPARKMAN. Of course, coal mining is one of the important industries in Alabama. The coal industry has been sick for many years. In the last year or two there have been some signs of recovery, but the coal industry still does not enjoy the strong, vigorous economy it had a few years ago.

So I completely endorse what the Senator from Alaska is saying in regard to the miserable attitude of this administration toward projects of that kind. Although I have joined in supporting projects to help the underdeveloped countries, I do not believe it is fair to ask us to vote for such projects and then be confronted with statements that we cannot afford to have similar programs here at home.

Mr. GRUENING. Mr. President, the Senator from Alabama is absolutely correct. I think all of us who have grave doubts about the foreign-aid programs might have a different attitude toward some of those programs if there were not this strange double standard by which we are repeatedly told, and without qualification by the administration, that not 1 cent can be eliminated from any of the foreign-aid expenditures, but at the same time we are told by it that expenditure for almost every domestic program—aid to education, airport construction, housing, forestry conservation, pollution control, resource development, and many more—is too large.

Time and time again we find that the administration has vetoed such domestic programs, on the ground that they are extravagant, inflationary, and that it is necessary to eliminate them to balance the budget. Seldom, if ever, does the administration do anything to favor such vital programs at home; all its recommendations have to do with programs of the same sort in foreign countries. Furthermore, according to the President's message, foreign aid is now a permanent part of our program, and as new countries are created, must be expanded. And as new countries are born, our administration rushes in to "pick up the tab"—even before the governments of those new countries are established, and are still colonies of other nations.

It is obvious that under such a policy we shall be spending more and more to aid the people of other countries, and shall be spending less and less for the benefit of the American people. Certainly that is a policy I cannot support.

Mr. YARBOROUGH. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. YARBOROUGH. I desire to commend the Senator from Alaska for the very informative presentation he is giving the Senate in regard to the misinformed policies the administration is pursuing. At the same time, the Senator has been outlining some sound policies which our Government should pursue.

I believe the Government of the United States realizes that in order to have political democracy, we must have an economic democracy—that is to say, our Government recognizes that is the case in other countries; and the administration sponsors aid to small businesses and small, family sized farms in other countries. However, at home the administration pursues policies which call for the elimination of small businessmen and small farmers. The administration seems to fail to realize that programs which are needed in other countries are also needed in the United States, if democracy is to be maintained in America. Certainly such an attitude will be most harmful in the long run to the kind of economic freedom upon which must be based the political freedom on which our Government was founded.

In commending the Senator from Alaska for his statement, I also wish to commend the Senator from Alabama [Mr. SPARKMAN], who has joined in the colloquy, for his sponsorship in the Senate, on March 18, of an amendment to restore an item of $2,080,000 to the Department of Commerce appropriation bill. That item was eliminated, even though it was for the purpose of research in regard to methods of aiding small business.

It may be pointed out here—although I assume it has previously been pointed out—that in view of the 4½ million small businesses in the country, this appropriation will amount to less than 50 cents for each one of them. However, such a research program is most necessary if small business in the United States is to have ways and means of learning how to succeed.

Mr. President, I receive much mail from the small businessmen who say it is now harder for them to make ends meet than it has ever before been in all their experience. These men are not marginal operators who began on a shoestring; they are not young men without experience. Instead, they are men who have been in business for decades. They are not horseshoers who are about to go out of business because of a change in the economy. Instead, they are modern businessmen who should be prosperous. But they say that the economic squeeze on them today is harder than it has ever before been—either during the war or in the postwar period. Certainly they are subjected to a most severe squeeze as a result of the tight money policy and the other restrictive policies of this administration.

Mr. GRUENING. Will the Senator agree that if such a policy continues, our small businesses will have to resort to the use of horseshoes?

Mr. YARBOROUGH. Yes, I think the Senator has made a good point, namely, that if the present trend continues, our small businesses will have to leave their present mobile economy, and will be back in the old horseshoe days.

So I commend the Senator from Alaska for the presentation he is making. It adds to the quantum of knowledge which

the public must have if our Government is to give to American business, particularly American small business, the aid and the opportunities it must have and the research programs it must have, and if the administration is to put an end to policies which really are wrecking the free enterprise system of America which this administration professes to support.

Mr. GRUENING. I thank the Senator for his contribution.

Let me point out that not long ago, when we were considering the school-aid bill the administration made very clear that it was unalterably opposed to Federal aid in connection with the payment of the salaries of schoolteachers. In fact, our distinguished Vice President, who at that time was occupying the chair, cast the deciding vote against the Clark amendment, which provided for the aid which is so much needed by schoolteachers throughout the country.

Mr. CLARK. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield with pleasure to the Senator from Pennsylvania.

Mr. CLARK. I am happy to have the Senator from Alaska refer to my amendment in connection with the issue of Federal aid for the payment of teachers' salaries, and the action taken by the Vice President in connection with the defeat of that amendment.

I am sure the Senator recalls—and will be happy to have me state now, for the RECORD—that the next day, with the assistance of the Senator from Oklahoma [Mr. MONRONEY], we re-formed our ranks and came back, and then had so many votes in favor of Federal aid in connection with the payment of teachers' salaries—although at a somewhat lower figure—that even the Vice President was not then able to beat us. Is not that correct?

Mr. GRUENING. That is correct, and I am glad to say that that recovery was made, following the previous action by the administration in preventing the adoption of the Clark amendment. I believe that even more aid than that called for by the Clark amendment was desirable. But, obviously, the Senator knew that an amendment which called for a larger amount of Federal aid would have been certain to incur a veto, and therefore he limited to the very minimum the amount he then proposed.

Mr. CLARK. Does not the Senator from Alaska agree that when we reduced the period during which such assistance could be given in conection with the payments of teachers' salaries—and, as he has indicated, we did so in order to obtain the votes necessary to be had if the bill was to be passed by the Senate—we did a thoroughly unrealistic thing, but did it for a thoroughly practical reason, because I think the Senator from Alaska will agree that in the foreseeable future we shall have to make more funds available, in order that the teachers of the young people of the Nation will be "the top apples in the barrel", rather than "the bottom apples in the barrel." Certainly those who engage in the teaching profession must receive a living wage, and as they become more experienced and more proficient, they must be able to receive increases in salary. Otherwise it will be impossible for the teaching profession to be rehabilitated in the ways in which it must be if the educational challenge of our times is to be met.

Mr. GRUENING. I could not agree more with the Senator.

I have often said—and I am sure my colleague from Pennsylvania will agree with me—that education and democracy are one and inseparable, and that the whole basis of our achievement, our national life, our democracy, rests on an informed people. If we do not have an adequate educational system, if we do not have an adequate number of trained teachers, we cannot have an informed electorate, and our democracy will falter and fall short, to the extent we neglect that important part of our system.

I pointed out that while the administration has shown by its action that it was opposed to aid for teachers in this country, it was sponsoring programs of education abroad which included payments to schoolteachers in foreign countries.

I pointed out that in the field of forestry conservation, a measure which the administration itself had sponsored, and which was very eloquently advocated by the distinguished junior Senator from Mississippi [Mr. STENNIS], the appropriation of $6 million for the current year, which would have provided research and development of timber resources in all parts of the country, was cut 70 percent by the administration. So we got from the budget, instead of $6 million, $1,700,000. But at the same time the administration was engaging in far-flung programs of afforestation, reforestation, logging operations, timber and wood research of all kinds in numerous foreign countries.

We saw the same thing when the President vetoed the antipollution bill. Apparently the President did not think it was a matter of Federal concern that the sewage that flows down our rivers which cross State boundaries makes the problem clearly interstate, and not local. The vetoed legislation provided that it was a matter of Federal responsibility though only in part—the smaller part—for the bill provided a relatively modest Federal contribution in proportion to the State and local contributions. I call again to the attention of my colleagues that an antipollution program is being carried on very generously in other parts of the world with American dollars. That is another instance where we see the double standard; namely, hold back at home, full speed ahead in foreign countries.

Therefore, I think it is proper for me to read at this point a list of corresponding measures in aid of small business abroad, the countries affected, and what the administration is doing for them.

For the fiscal year 1956, in Afghanistan, $51,000 was spent for village industries development.

In Israel, $1,800 was spent for home and cottage industry.

In Germany—that prosperous and advancing country—we gave $8,840 for market research and sales promotion.

In fiscal year 1957 we spent in Korea $48,000 for technical aid for small and medium industries, $1,500,000 for small-industry development, and $13,400,000 for medium-industry development.

In Afghanistan, we spent $32,000 for village industries development.

In Berlin, where we are inculcating American business practices, which we are not allowed to have research for in this country, we spent $17,000 to teach American small business management practices and methods.

In Chile we spent $1,618,000 for technological development.

For the fiscal year 1958, in Greece we spent $3,000 for international course on small-scale industries.

In Jordan we spent $500,000 for development of small industries and $71,000 for technical advice and assistance to selected industries.

In Liberia we gave $21,000 for industry and small business.

For the fiscal year 1959, in Cambodia, we gave $15,000 for small industry loan fund.

In Vietnam we gave $269,000 for development of small industry.

The total ICA expenditures for small business programs in foreign countries from 1956 through 1959 totaled $17,582,640 to date.

This is by no means a complete record. This is only what we have from the ICA. I do not have at this time the figures as to aid that has been given through the various loan funds, some of which are repayable in soft currencies, and are to a considerable extent, therefore, grants. But this program alone, through the ICA, for the aid of small business in foreign countries, totals $17,582,640, or over seven times the amount which the administration seeks to deny the people of the United States.

The small business research program can make an extremely valuable contribution to strengthening American small business. I therefore urge support of the amendment to the Commerce Department appropriation which will make it possible for this program to be continued.

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

Mr. GRUENING. I yield.

Mr. SPARKMAN. I am sorry to note that our colleague the senior Senator from Florida [Mr. HOLLAND] is not on the floor. The Senator from Florida is chairman of the subcommittee of the Appropriations Committee which reported this bill. I do not want it to appear, and nothing has been said here to make it appear, that what I am about to mention happened through the failure of the subcommittee. The result is due to the complete absence of any request, any desire, or any showing on the part of the administration. I make that statement for the reason that the Senator from Florida and his subcommittee were especially good in making available funds that were requested by the Small Business Administration and by the administration generally. This is not in any sense due to an oversight on the part of his committee or subcommittee, but it is one of the programs which the

administration simply wanted to refuse to support, even though, when we passed the Small Business Investment Act of 1958, we established a fund to cover assistance.

The Senator from Pennsylvania [Mr. CLARK] will recall that we transferred section 13(b) funds of the Federal Reserve Board to the Treasury, and specifically provided that money should be used for the purpose of making these grants year in and year out. This is a case in which the administration has apparently decided it was more important to use the $27 million—it is $25 million now, $2 million to be added the first year—to get a balanced budget before it goes out of office, or to put the money into some of the projects in foreign countries about which the Senator has spoken, stating that we could do without them in this country.

Mr. GRUENING. The Senator from Alabama has shown great solicitude for and interest in small business. He has done so for many years as chairman of the Senate Small Business Committee. I think I can say, without fear of contradiction, that no man in the Senate has shown more concern for the problems of American small business, and has done more to help it.

The Senator was in the Senate before this administration came into office, during previous administrations, and I should like to ask him whether he does not feel that this administration shows a lack of interest and a lack of concern for the little fellow, whether he be a small businessman, a worker, or a small farmer. Earlier in the day the distinguished junior Senator from Texas [Mr. YARBOROUGH] pointed out the strange fact that we are urging those abroad to break up great estates in foreign countries and put little farmers to work, whereas in this country the administration is putting the little farmer out of business. Although American small business is resilient, I think its resiliency and survival are not due to the help it has had from the administration.

I should like to have the views of the distingushed Senator from Alabama on that subject.

Mr. SPARKMAN. If the Senator will yield, I think the lack of interest on the part of this administration in so many worthwhile programs here at home, some of which the able Senator has mentioned in his discourse, is so apparent that the question answers itself. As the Senator pointed out, the President vetoed the antipollution bill. He vetoed the coal research bill. He vetoed various little programs that were included in the omnibus housing bill last year. The unwillingness to go along and to continue the veterans' home loan bill, the desire—something Congress has never agreed with—to cut out title 5 farm home loans, which was the only program a person in a rural area had available, were shown in the housing program action.

Every year since President Eisenhower has been in office—at least, every time the matter has come to us—the President has recommended the program be discontinued. The same is true with regard to the direct loans to veterans who live in rural or semirural areas where credit is not available. We make that a condition precedent in our law every time it is passed. Every time the law is about to expire, the President recommends that it be allowed to terminate. That is a recommendation standing now. The Congress is going to have to take action this year, and the President has recommended that we not do it. He has recommended that we let the GI home loan program expire, and that we let the direct loans to veterans in rural and semirural areas expire.

The title V program on farm loans is not before the Congress this year. Fortunately, the last time we passed the law we wrote in a provision for 5 years, which is not yet gone. I guess the President will not get to make a recommendation on that.

We could stand on the floor of the Senate all afternoon and name the programs, in effect during the time President Eisenhower has been in office, in which he has manifested exactly that lack of interest.

Mr. CLARK. Mr. President, would the Senator be willing to add the area redevelopment bill, which was vetoed?

Mr. SPARKMAN. Yes. We could name these programs all afternoon. We could start a contest.

Mr. GRUENING. Mr. President, perhaps the Senator would agree that it would be appropriate to have a comparison of housing programs at home and abroad under the administration foreign aid programs. I think it might be appropriate for me to do that tomorrow, or the next day, if I can get the floor.

Mr. SPARKMAN. I make these statements as one who has supported a foreign aid program. I believe a foreign aid program is a good thing, when handled wisely. I am on the committee which considers such proposed legislation.

The Senator might be interested in knowing that until 1953 we had a program everyone knew as the point 4 program. The point 4 program got its name from the fourth point in President Truman's speech, in which he recommended a bold new approach. What was that bold new approach? It was to share techniques and skills. It involved very little money. It was the least expensive program we have ever had.

However, the administration simply could not afford to have something which would suggest itself as being connected with the Truman administration, or a Democratic administration, so they stopped calling it a point 4 program and called it technical cooperation. We do not find the point 4 program mentioned now. Instead, it is called technical cooperation.

However, when we visit one of these underdeveloped countries we find the people calling it the point 4, or the 4-point program. It was a program which did not require much money. That did not suit this administration, which had to have—and devised the term for it—impact programs, programs which were big and made a show.

I could name some of those programs, which have come under fire in recent months and in the last year or two. I refer to some of the impact programs in countries where we should have been engaged in point 4 programs, a little technical sharing of techniques and skills, where the county agent would get right down in the earth with the farmer and show how to grow a better crop.

Mr. GRUENING. Which would get to the people.

Mr. SPARKMAN. Yes.

Mr. GRUENING. Which is a build-up from below.

Mr. SPARKMAN. The man who goes to the village and shows the villagers how to drain ponds and pools, and how to get rid of mosquitos, is the man who does good work. That man shows the people how to dig wells to get good fresh water out of the earth. There are doctors and nurses who go to the villages to show the people how to innoculate against typhoid, against malaria, and against all the diseases, sicknesses and illnesses which ravage mankind.

That is the kind of foreign aid program I believe in. Does this administration believe in that? No. There is not enough impact.

I think that is the trouble with respect to a lot of the little problems in this country. They do not make a big show. There is nothing glamorous about the small family farmer. Glamor comes in when one can show a picture of a great farm, with hundreds or thousands of acres and millions of bushels of crops and things like that. There is no glamor in respect to the little man who is plowing with a team of mules.

Mr. YARBOROUGH. Mr. President, will the Senator yield to me so that I may make an inquiry of the distinguished Senator from Alabama.

Mr. GRUENING. I yield.

Mr. YARBOROUGH. Mr. President, I commend the distinguished junior Senator from Alabama for the magnificent contribution he is making, as well as the Senator from Alaska. I should like to propound an inquiry to the distinguished junior Senator from Alabama.

Considering the action of the administration in shunting aside the millions of little families and in its affinity for glittering things and big things with shiny and showy fronts, does the Senator not think an apt name for this administration would be the chrome-plated administration?

Mr. SPARKMAN. That might be appropriate, something like high fins, or something of that kind. Showy. Showy. Impact.

Mr. GRUENING. Of course, an administration which believes in the trickle-down policy at home would naturally pursue the trickle-down policy abroad, even though more generously.

Mr. SPARKMAN. Naturally.

Mr. GRUENING. Although small programs to help the little fellow are neglected, we are told we must have aboard the big showy programs.

Mr. SPARKMAN. Those programs make an impact. They can be pointed to. It can be said, "Look at that tremendous highway which runs from here to there," or "look at this great dam."

I am not condemning those things. Some of the most useful works have been works of that kind. However, I like to see the proper work done in these native villages. I have been to them. I have visited in them. I should like to see work done in a little room, where vaccinations are given against diseases.

Mr. GRUENING. I invite the attention of the distinguished junior Senator from Alabama, who is a member of the Committee on Foreign Relations, to a very informative speech which our colleague the Senator from Texas gave earlier this afternoon, at a time when I think the Senator from Alabama was not in the Chamber.

The Senator from Texas pointed out the distress of the shrimp industry. I think one of the things which the Committee on Foreign Relations should concentrate on is the question of whether we should extend aid to industries which are destroying our own domestic industries. That is one of the strangest paradoxes in which we are now engaged. Proposed legislation is being sponsored to establish a quota to prevent shrimp from coming to the United States because our own domestic shrimp industry has been badly damaged. It is on the way to being ruined, not by competition which existed before the foreign-aid program, which was logical competition, but instead by competition which has been generated by American dollars moving into the foreign countries and creating new shrimp industries, which then ship shrimp into our country, with the use of low-cost labor, subsidized by our own dollars, ending in the destruction of our own industry.

I hope Senators may well take notice of what is happening not only in the shrimp industry but also in many other fields where the foreign-aid program is becoming increasingly destructive of our own industries. This is a paradox, for our own money is creating that destruction.

Mr. SPARKMAN. Certainly we must be careful to maintain a proper balance.

Mr. YARBOROUGH. Mr. President, will the distinguished Senator yield?

Mr. GRUENING. I yield.

Mr. YARBOROUGH. Mr. President, since distinguished Senators have mentioned administration opposition to aid to schoolteachers' pay, I should like to point out the leadership of the distinguished Senator from Alabama in the last session in regard to the bill to provide appropriations for loans for college classroom construction. The fact is that the administration has fought the aid to college classroom construction in this country, as provided in the National Defense Education Act of 1958. Administration sponsors and spokesmen on the floor of the Senate had the scholarship program changed into a loan program. They have opposed the cold war GI bill, which passed the Senate by a vote of 57 to 31 last July and is now pending before the House committee. They have consistently opposed the college classroom construction, though we had 3¼ million college students in this country in 1958, and in 1959 there were 3¾ million college students. By 1970, if there be no increase, Mr. President, in the percentage of young people who go to college, there will be more than 6 million college students in this country, without adequate classrooms available today.

At the present rates of construction, and with the present known sources of financing, by 1970 the shortage will be appalling. The administration seems not to plan for the future, seems not to realize the necessity for developing our greatest potential resource, the brainpower of this country. It fails worse there than in any other field.

I point out that the 6 million estimate which the experts give for the projected number of college students in 1970 will not, in my opinion, encompass the total number. I believe we are about to have an educational explosion. We talk about population explosions. There are tens of millions of families in this country who have never had a member of their family attend college, but they have learned, through the television and the radio, that education is the key that unlocks the door to intellectual progress, economic progress, social progress, spiritual progress, and progress in every other field. Families are dreaming, hoping, and praying, and sacrificing to get a boy or girl into college. They are knocking at the door.

In the past 8 years the average tuition rate for all colleges in the country, State supported, church supported, and privately supported, has increased by 72 percent. This administration is not planning for the future greatness of America when it fails to plan for the education of the youth of America.

That is another failure. Distinguished Senators who have been speaking have been leaders in an effort to take even a timid step forward. They were not timid, but the appropriations were cut down. The administration twice vetoed a housing bill, and stated, as the main reason for the veto, that there was a $50 million authorization in a previous bill, to authorize the lending of that much money to the 1,400 colleges and universities in America to begin building the classrooms necessary to educate the youth of America for the world of tomorrow.

Mr. GRUENING. Does the Senator not realize that at the time the administration was adamant against lending money for college classrooms, it was giving away money for college classrooms in foreign countries?

Mr. YARBOROUGH. I am glad the Senator has mentioned that point.

Mr. SPARKMAN. Mr. President, will the Senator further yield?

Mr. GRUENING. I yield.

Mr. SPARKMAN. The Senator from Texas has mentioned another instance of failure of the administration, in connection with college classrooms, which the President adamantly refused to accept. As has been pointed out, when finally we agreed to drop that item from the bill, he approved the housing bill.

Another program has been in connection with college housing—dormitories, houses, and apartments for married students, for students generally, and for members of the faculty. It included all necessary housing for colleges. We have had such a program in effect since 1950. I was one of the original sponsors of the program. It has been a most successful program. It is relatively small. It has been the salvation of many of our smaller colleges, which do not have ready access to needed capital.

What has been the President's attitude? Ever since he came into office, every time the question has arisen, every time the program has come up for renewal, he has recommended that it be dropped. That is his present recommendation. The program is up for renewal this year, and he recommends that it be dropped. I predict that the Congress will not drop the program, but that it will renew it and provide additional funds, in order to help particularly the smaller colleges, to which it has meant so much.

Mr. GRUENING. I thank the distinguished junior Senator from Alabama, the junior Senator from Texas [Mr. YARBOROUGH], and the senior Senator from Pennsylvania [Mr. CLARK] for their very valuable contributions.

Mr. CLARK. Mr. President, will the Senator yield once more?

Mr. GRUENING. With pleasure.

Mr. CLARK. I have listened with interest to this colloquy. I find myself in complete agreement with what my friends from Texas, Alaska, and Alabama have said.

I wonder if my friends who are still in the Chamber would think I was overstating if I said that in my judgment this issue between the Congress, between those of us who are interested in the future well being of small business, on the one hand, and the President of the United States and our Republican friends on the other, who do not seem to want to help us along in these various efforts, really boils down to the question whether we are for plutocracy or for democracy.

This administration is interested in every bit of legislation which the wealthy forces and interests in this country desire. They are sincere. I hold no animus against them. They think, with Alexander Hamilton, that the rich are the wise—it used to be "well born," but surely they have dropped that description these days. But the theory is that the rich are wise, and what the rich want will make the country better.

In my judgment—and I wonder if my friends agree—unless we can shore up the small businessman, the individual who works for himself, and the father of the family who is working for wages or a salary, and unless we can make their lot secure, we shall have the greatest plutocracy that civilization has ever created. In many ways this is the issue which will face us for the rest of the year.

Mr. GRUENING. I will say to my distinguished friend, the senior Senator from Pennsylvania, that I agree with him completely; but I should say that the particular charge which he levels against this administration could be as justly leveled at all Republican administrations after the time of Abraham

Lincoln. They have always had the policy of making the rich richer, and not worrying about the poor. But what distinguishes this administration from all preceding administrations is that it is the first administration which has shown a preference for foreign interests over domestic interests.

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

Mr. GRUENING. I yield.

Mr. CLARK. I do not wish to enter into the foreign aid argument with my good friend, because perhaps we do not see entirely eye to eye in that field. But whenever we make this comment on the floor about plutocracy versus democracy, we are accused of being demagogues by nearly every newspaper in the country, and by all the commentators who follow the Republican line. Yet I believe we have a responsibility, no matter what harsh things we are called, to bring the facts concerning our social and economic condition to the attention of the American people. Our opponents can call me a demagog from now on until the first Tuesday after the first Monday in November, but I propose to tell the people of America the truth. This is an administration which would like to foster a high-interest, tight-money plutocracy in America; and if we can keep it from doing so, I want to do my part.

Mr. GORE. The Senator says the administration would like to foster such a policy. Is it not doing so?

Mr. CLARK. The Senator from Alaska has the floor.

Mr. GRUENING. I am happy to yield to the Senator from Tennessee.

Mr. CLARK. They are well on their way to doing it, but I have great confidence in the Senator from Alabama, the Senator from Oklahoma, the Senator from Alaska, and the Senator from Texas. With some help—but not too much—from those east of the Mississippi and north of the Mason and Dixon line, I hope we can keep this plutocracy from taking over America.

Mr. GRUENING. Mr. President, I should like to refer to one point which my good friend from Pennsylvania has raised. He said he did not wish to enter into a discussion of the foreign-aid program. This is not a discussion of the foreign-aid program. I ask the Senator whether he does not think it is a striking paradox that this administration insists on a vast number of projects overseas, telling us that we must not reduce them by one cent, or our Nation will be imperiled and our security jeopardized, whereas those same projects, when for the benefit of the American people, it slashes ruthlessly. They are vetoed or threatened with a veto and reduced for fear of a veto. We have been forced to economize in almost every field, and to reduce our domestic needs. That is the contrast which to me is shocking. It has nothing to do with the merits of the foreign-aid programs.

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

Mr. GRUENING. I yield.

Mr. CLARK. As my friend has restated the question, I thoroughly agree with him. I am a supporter of foreign aid. I believe that our national security and well-being require us, as the richest country in the world, to make a contribution to those less fortunate. I do not believe that for long we could continue to be an oasis of prosperity in a desert of misery. I believe that when two out of every three people in the world go hungry tonight, as a Christian nation we have an obligation to do something about it. But I agree thoroughly that we ought to take care of our own people first.

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

Mr. GRUENING. I yield.

Mr. SPARKMAN. I agree with the statement the Senator has made, referring to the remarks made by the Senator from Pennsylvania, about the issue as between plutocracy and democracy. Whether we call the issue one between the Republican Party and the Democratic Party does not make a great deal of difference.

I agree with the Senator from Alaska, that those have been the distinguishing characteristics between the two parties through the years. I often receive inquiries, given to me personally or through letters, as to what the difference is between the Republican Party and the Democratic Party. Sometimes people will say to me, "I do not see any real difference today, since the tariff question is not the principal question."

I always try to define it just this way, because I think basically that is the difference—the very characteristics that we have been discussing here this afternoon. I think it is noticeable in legislation. I think it is noticeable in the attitude of our friends—many of them very dear friends and very able people—across the aisle. It is the attitude that they so often take, as contrasted to the attitude of those who sit on this side of the aisle. I think that has been true over the years and down through the years, ever since the Republican Party came into being.

Mr. GRUENING. Mr. President, I could not agree more with the Senator. I think the facts show that week after week we get the statement from the leadership on the other side, "We cannot afford it." I would say to my friend from Pennsylvania that I agree with him, as he has said, that, as the richest country in the world we ought to be able to afford to pay our school teachers an adequate salary, that we should be able to afford to provide adequate housing for our people, that we should be able to afford to get rid of sewage in our rivers, that we should be able to afford to aid in rehabilitation of some of our decrepit industries, such as the mining industry, and that we should be able to afford the conservation of our forests and other natural resources, and their development, which the administration also tells us we cannot afford to do.

Mr. CLARK. And to do something also for our surplus labor areas.

Mr. GRUENING. In short, to be able to do for America what needs to be done. If we will do that, I will begin to take a greater interest in foreign aid, because I believe that not merely "charity begins at home" but that solicitude for our own people should come first.

I yield the floor.

EXHIBIT 1

UNIVERSITY OF ALASKA,
College, Alaska, January 8, 1960.

Senator ERNEST GRUENING,
State Senate Office Building,
Washington, D.C.

DEAR SENATOR GRUENING: I am taking the liberty of writing you in regard to the research grant program carried on by the Small Business Administration.

This program was instituted last year and the University of Alaska was one of the fortunate recipients of a research grant. We have before the SBA at the present time, an application for another research grant for the study of the tourist industry in Alaska. These grants for research study are of great value and assistance, not only to the University of Alaska, but also the State of Alaska. Should we receive our grant for the study of tourism, it will be a wonderful opportunity for the division of business administration and the department of tourism and economic development of the State to cooperate and form a working nucleus for the future development of business research for the State of Alaska.

The sincerity of purpose and integrity of procedure on the part of the SBA is truly commendable. Because of the extreme value of this research program, I am humbly asking you, upon your own judgment, to give the SBA research program your support and consideration.

It is my understanding that this research program is being given a temporary trial. It is difficult to evaluate the results of such research in such a short period of time; therefore, those of us that are interested in such research hope that Congress will look favorably upon this worthy endeavor.

Most sincerely yours,

VERNON R. KIELY,
Chairman, Division of
Business Administration.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 128]

Aiken	Fong	Mansfield
Allott	Frear	Martin
Anderson	Fulbright	Monroney
Bartlett	Gore	Morse
Beall	Green	Morton
Bennett	Gruening	Moss
Bible	Hart	Mundt
Bridges	Hartke	Murray
Brunsdale	Hayden	Muskie
Bush	Hennings	Pastore
Butler	Hickenlooper	Prouty
Byrd, Va.	Hill	Proxmire
Byrd, W. Va.	Holland	Randolph
Cannon	Hruska	Robertson
Carlson	Jackson	Russell
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S.C.	Scott
Chavez	Jordan	Smathers
Church	Keating	Smith
Clark	Kefauver	Sparkman
Cooper	Kerr	Stennis
Cotton	Kuchel	Symington
Curtis	Lausche	Talmadge
Dirksen	Long, Hawaii	Thurmond
Douglas	Long, La.	Wiley
Dworshak	McCarthy	Williams, Del.
Eastland	McClellan	Williams, N.J.
Ellender	McGee	Yarborough
Engle	McNamara	Young, N. Dak.
Ervin	Magnuson	Young, Ohio

The PRESIDING OFFICER. A quorum is present.

LEASING OF PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools, R-I, Missouri.

Mr. CLARK. Mr. President, the amendment now pending is an important amendment, and I hope it will receive the careful attention which some of us think it deserves.

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield to the distinguished Senator from Florida.

Mr. HOLLAND. Is this not the same amendment which the Senator from Pennsylvania later withdrew, but which he spoke on at some length, and which I heard him speak on at some length, on Thursday?

Mr. CLARK. Two fairly important modifications in the amendment have been made since last Thursday. Over the weekend we secured what we regard as some significant additional support. When I spoke on Thursday on the amendment, it may have seemed to my good friend, the Senator from Florida, that I spoke at considerable length, and my treatment of the amendment may have seemed exhausting to him. Certainly it seemed something less than exhaustive to me. I did not even get into a description of the details of the amendment last week.

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

Mr. CLARK. I am happy to yield to the Senator from Tennessee.

Mr. GORE. Does the Senator from Pennsylvania not recognize that the distinguished senior Senator from Florida is somewhat of an authority in regard to the proper duration of speeches? [Laughter.]

Mr. CLARK. That had been my view. I may say that although the distinguished senior Senator from Michigan and I undertook to have two live quorum calls this afternoon, and although they may have interrupted the after-luncheon naps of some of our colleagues, we have not yet called for a quorum after midnight. But who knows what will happen while this debate goes along to its as yet unidentified conclusion?

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield again to me?

Mr. CLARK. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. I listened to the speech the able Senator made on Thursday. But the fact that thereafter he withdrew his amendment; and the fact that, following that, the Senator from Illinois offered a supplemental amendment; and the fact that thereafter the Senator from New York [Mr. JAVITS] offered another amendment, although in a little different wording; and the fact that those amendments were debated throughout Thursday and Friday, about led me to reach the conclusion, that, despite the fact that it is well known that the Senator from Pennsylvania and the Senator from Illinois and the Senator from New York do not look very kindly upon unlimited debate, they are making an exception in this case, and perhaps they do not want to have the amendment of the distinguished Senator from Kentucky [Mr. COOPER] voted on by the Senate. That may be an unfair conclusion, but it seemed that it was a reasonable one under the circumstances.

I hope that now the distinguished Senator from Pennsylvania will permit us to vote on his amendment sometime today. But if he does not, I shall not complain; and I shall not complain if he keeps us here 2 or 3 days, to consider his amendment. But I am simply forced to observe that it seems to me that those who generally are very strongly opposed to unlimited debate are proving to be about the most adept users of unlimited debate in the Senate at this time.

Mr. CLARK. Mr. President, my friend, the Senator from Florida, is never unfair or impatient. I believe he did participate in a successful effort to cut off debate, last Friday, when some of us were not in the Senate. On Friday afternoon when some of us called from out of town—and we did so as late as 2 p.m.—to inquire whether there would be a vote on that day, we were advised that in the best judgment of the aides of the Senate to whom we talked there would be no vote. When, thereafter, some of us when we found that a quick vote was "pulled" on us while we were out of town, we received the news with somewhat less than our usual calm. The Senator participated in that termination of the debate, and I have no doubt that he will participate in another one if a motion is made to lay this amendment on the table, rather than permit a vote to be taken on the amendment on its merits.

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

Mr. CLARK. In just a moment.

If my friend thinks that under the circumstances he can pose before the country as an advocate of unlimited debate, perhaps he will explain why during the last few weeks he has voted in favor of several motions laying amendments on the table—which, as I understand, is a method of terminating debate.

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. HOLLAND. I appreciate the courtesy of the Senator. It seems to me he is not making the proper differentiation. I did not make any of the motions to lay amendments on the table. I was perfectly willing to debate the amendments and to have my friends on both sides of this question debate the amendments at any length they might see fit to debate them.

But I have never regarded it as inappropriate to vote on a motion that is made on the floor of the Senate. On the contrary, I believe that I was sent here by my constituents to participate in voting on all motions made in the Senate Chamber.

I regret that the Senator from Pennsylvania was not in the Chamber for that vote, and was advised that he did not need to be here.

I have no objection at all to the length of the debate. But I am inclined to believe that those who, on occasion, claim they are opposed to unlimited debate, may be letting themselves get onto dangerous ground in connection with the maneuverings and manipulations which have occurred on the floor since last Thursday; and I am simply calling this situation rather gently and courteously to their attention.

Mr. CLARK. I am delighted to have the benefit of the advice of the able senior Senator from Florida, whose advice I always cherish and listen to with great respect.

I would point out that the RECORD now contains statistics in regard to which Senators have spoken, and the length of time they have spoken, since the Senator from Georgia began this debate in January. So I am quite content to let the RECORD speak for itself regarding a determination of whether I have indulged in what might be called an abuse of the right of extensive debate, for which I am as stanch a supporter as is the Senator from Florida.

The question is, where is the line to be drawn? When has a question been properly explored, and when does the time to act come? On this question, judgments must necessarily differ; and apparently the Senator from Florida and I have differing views on this point. In my view, my pending amendment has not yet been adequately debated. I regret that my friend, the Senator from Florida, thinks it has been adequately debated. Perhaps he will change his mind as the debate proceeds.

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield again?

Mr. CLARK. I am happy to yield again.

Mr. HOLLAND. I wish to say that I believe the Senator from Pennsylvania is completely right in one of his remarks, namely, when he said, if I may epitomize it, that the question is whose ox is being gored.

Mr. CLARK. Mr. President, perhaps that is a good place to stop our colloquy.

Mr. TALMADGE. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. I yield.

Mr. TALMADGE. Let me say to the Senator from Pennsylvania that I am an ardent advocate of freedom of debate, and I shall ever support the Senator's right to speak at any length he sees fit, on the floor of the Senate; and I shall never sign a cloture petition to make him cease speaking.

Mr. CLARK. I thank the Senator from Georgia.

Mr. SCOTT. Mr. President, will my colleague yield?

Mr. CLARK. I yield to my friend.

Mr. SCOTT. I should like to ask my distinguished senior colleague whether, as the seasons roll on and on and as we have passed from "the winter of our discontent," and now that spring is here, he sees any possibility of a thaw in the cold war and a warming of the attitude

of Senators which may permit, in a more equable clime, the achievement of the cherished hope of some of us that we may come to some conclusion of this extended debate, so that the state of the Union and the welfare of the Republic and the passage of the appropriation bills may be brought under consideration?

Mr. CLARK. I wish I could give a more responsive answer to my able colleague from Pennsylvania than I am giving him. I am not in the confidence of the majority leader or the minority leader as to when they will decide to impose cloture. Perhaps my friend is in the confidence of the minority leader. I am sure when those two able and distinguished leaders of our two parties in the Senate decide they have had enough talk and they are going to have action taken on this measure, probably there will be two-thirds of the Senators present who will vote to go along with them.

I say to my colleague that if he will ascertain when the minority leader will be ready, willing, and able to agree on that action I shall do my best, through intermediaries, to find out when the majority leader is ready to act.

Mr. SCOTT. I may say that I am closely in the confidence of both leaders only in certain matters. Earlier today we were discussing, with considerable unanimity, the state of the weather.

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

Mr. CLARK. I yield.

Mr. HOLLAND. I wanted the RECORD to imperishably incorporate the statement I am about to make, because it is a history of the debate, or a very small part of it. The so-called unlimited debate which was wished onto Senators from the part of the country which I represent in part lasted 7 days—one week of 6 days, and they were fairly long days, and then 1 additional day.

Today is the end of the second week since that debate terminated, and during those 2 weeks the friends of civil rights legislation have been occupying the floor almost exclusively. I was just wondering if the country realized that was the fact. We are having 7 days measured against 2 weeks, and the end is not here. It is not even in sight. I am sure of my facts; therefore, I am stating them as a matter of the history of this debate, so that it may be clearly apparent that those who have been charged as engaging in unlimited debate, which we did for 7 days, have not had much chance to say anything for the last 2 weeks because those who are friends of and supporters of so-called civil rights legislation have been occupying the time and the floor during that time, very largely.

Mr. CLARK. The RECORD will speak for itself in that regard.

Mr. SCOTT. Mr. President, will the Senator from Pennsylvania yield to permit me, through him, to address an inquiry, in somewhat friendly tones, to the distinguished Senator from Florida?

Mr. CLARK. Mr. President, I ask unanimous consent that I may do so without losing my right to the floor.

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

Mr. SCOTT. I still have a cot in my office. My question is whether or not the Senator from Florida can advise me now, or would he care to advise me at some time in the future, whether I would be warranted in turning my cot back to the Army.

Mr. HOLLAND. The Senator from Florida, if he may be allowed to answer, has no advice to give the Senator along that line, because he has found that his distinguished friend from Pennsylvania does not follow the advice of the Senator from Florida. The Senator from Florida advised the Senator from Pennsylvania and other Senators to get rid of the legislation, and lay it aside as something that could not accomplish good results. The Senator from Florida found his advice was not heeded, respected, or acted upon. So the Senator from Florida, much as he respects the inquiry of his distinguished friend, will have to suggest that until it is more apparent that his advice will be followed, he will sit here and listen to the able discussion of the friends of civil rights legislation, who have been talking for 2 weeks now, in the hope that some time their indulging in unlimited debate will come to an end so we may vote on the pending measure.

Mr. SCOTT. The Senator from Pennsylvania simply concludes with his expression of the hope that the Army will not charge him rent for use of the cot.

Mr. CLARK. Mr. President, before turning to the pending amendment, I should like the RECORD to show clearly what happens in the Senate when we have what is called a live quorum. Under a live quorum call, the roll is called, not only once, but twice, if it is necessary, to bring 51 Senators to the floor to answer to their names. Having answered to their names, they can immediately leave, so that a calling a live quorum does not accomplish the purposes which the rules intended.

My recollection is that within 2 or 3 minutes of the time when the Senator from Michigan called for a live quorum, there were no more than half a dozen Senators on the floor. As I rise now to speak on the pending amendment, there are, I believe, 15 Senators on the floor; and I am flattered indeed that there are that many, because this is an unusually large audience to hear the Senator from Pennsylvania.

I have no doubt that the country does not understand how this live quorum procedure works, and I think it is of some importance that the people should, because, in my humble opinion, which I hope will one day in the foreseeable future be shared by a majority of my colleagues, we need a drastic overhauling of the Rules of the Senate in order to make it possible for us to conduct the pressing business which is before the country with some intelligence.

I hasten to add, before I yield to my friend from Louisiana [Mr. LONG], I am well aware of the old adage that one can lead a horse to water, but cannot make him drink, and that if my colleagues do not wish to listen to the oratory of the Senator from Pennsylvania, it is certainly their privilege not to do so. The fact that they stay away in droves is perhaps some indication that the Senator from Pennsylvania ought to improve his oratorical style a little, though even if he did so, I doubt if he could "pack the House."

I yield now to the Senator from Louisiana.

Mr. LONG of Louisiana. There are at the moment 18 Senators on the floor, if we count the Senator from Pennsylvania, and I regard him as a very highly useful Member of the Senate.

Mr. CLARK. Sometimes I wonder.

Mr. LONG of Louisiana. As the Senator is aware, I am sure, that is more than the average number usually present. That is far more than the average number of Senators present for this time of the afternoon.

Mr. CLARK. The Senator is right, but it is not yet half past 5.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. CASE of South Dakota. There have been times, in the history of the Senate, when, if a Senator took occasion to count the number of Senators on the floor, under the precedents then prevailing, it was equivalent, if the number of Senators present was less than half, to suggesting the absence of a quorum.

Mr. CLARK. The Senator can make that suggestion. I do not care to do so.

Mr. CASE of South Dakota. The Senator from South Dakota was not making that suggestion.

Mr. CLARK. If the Senator from South Dakota thinks it is timely, I will yield for that purpose. I do not think it is. If the Senator wants to do so, let him go ahead.

Mr. CASE of South Dakota. The Senator from Pennsylvania misunderstands the purpose of my statement. I did not make the observation because I thought that should be done. I think the debate should be proceeded with. It seems to me a colloquy as to who is present and who is not present merely delays debate on the question at issue.

Mr. CLARK. The Senator from Pennsylvania does not intend to take any longer than he needs to discuss this amendment, in the light of the courtesy he has been shown. I will yield to the Senator from Louisiana, and then I will not yield further, because I should like to carry on with my statement.

Mr. LONG of Louisiana. With respect to the point which was raised, I should like to suggest that the rules of the Senate provide that a quorum call is not in order unless business has transpired since the last quorum call. A simple matter like an insertion in the RECORD can be regarded as business, or a unanimous-consent request can be so regarded; but if no business has transpired, a quorum call cannot be had.

Mr. CLARK. I think the Senator is correct.

I should like to turn to the pending amendment. This amendment attempts to deal with the problem of assisting disfranchised citizens to obtain their constitutional rights to be registered and to be permitted to vote without discrimination by reason of race or color.

This amendment is an earnest effort to make some meaningful progress in that regard while assuring the essential rules of fair play and invoking the judicial process, which are the essence of our American system of justice. We must, on the one hand, be sure that all those who legitimately oppose the registration and the voting of citizens who think they are entitled to vote but may not be have their day in court. On the other hand, we must be equally careful not to so encumber the administrative and judicial processes which we utilize to achieve that end with delays which will destroy the right we seek to protect.

That is the basic philosophy of this amendment. I invite the attention of my colleagues again to the fact that it is sponsored by 13 Senators. I want to express publicly, on behalf of myself and the other cosponsors, our delight at the accession to our ranks of the distinguished Senator from South Dakota. He is a worthy companion in this fight, and we are happy to have him with us.

Seven of the cosponsoring Senators are Democrats and six are Republicans. I think it is not without significance to state that both Senators from Pennsylvania and both Senators from New Jersey, although they come from opposite political parties, have cosponsored the amendment. We are very hopeful indeed, although we cannot be sure until the roll is called, that we shall have the support of both Senators from a number of our other populous States, including New York and California. I hope if that should turn out to be the case it will not be without its impact in the other body, where, it is my understanding, a similar amendment in due course will be offered.

Before discussing in detail the provisions of this amendment I should like to summarize very briefly indeed the record as to the need for congressional action—the need to help those millions of American citizens who have been denied the right to vote because of their race or color assert and enforce their constitutional rights, which have been violated.

The record of this long debate is replete with evidence as to the need. I shall do no more than to make an insertion in the RECORD in that regard. I ask unanimous consent that I may have printed in the RECORD at this point a series of tables furnished my office in August of 1959 by the Commission on Civil Rights, which show, for 10 States, the white population of voting age, the registration of the whites, the percentage of whites of voting age who are registered, the Negro population of voting age, the Negro registration, and the percentage of Negroes of voting age who are registered, and other comparisons.

There being no objection, the tables showing statewide estimates were ordered to be printed in the RECORD.

TABLE I

State	White population voting age, 1950	White registration, 1956–58 [1]	Percent of voting age whites registered	Negro population voting age, 1950	Negro registration, 1956–58 [1]	Percent of voting age Negroes registered
Alabama [2]	1,231,514	828,646	67.3	516,245	73,272	14.2
Arkansas [2]	863,415	499,955	57.9	232,182	64,023	27.6
Florida	1,456,716	1,448,643	99.4	366,797	144,810	39.5
Georgia [2]	1,554,784	1,130,515	72.7	623,458	161,082	25.8
Louisiana	1,105,861	828,686	74.9	481,301	132,506	27.5
Mississippi	710,709	(3)		497,354	19,367	3.89
South Carolina [2]	760,723	479,711	63.1	390,026	57,978	14.9
Texas [2]	4,154,281	1,489,847	48.8	582,944	226,450	38.8
Virginia [2]	1,614,719	864,692	53.6	431,393	93,629	21.7
North Carolina	1,761,330	1,389,831	78.9	549,751	156,597	28.4

[1] Some county data unavailable; therefore, State totals not entirely complete.
[2] Registration figures are for 1958 except: Kentucky 1956 and Louisiana 1959. For Texas, white registration is 1956, Negro registration is 1958.
[3] Not available.

Sources:
Alabama: Birmingham News, Feb. 17, 1959.
Arkansas: Record of poll-tax payments reported by State auditor.
Georgia: Figures reported by secretary of state and published in Atlanta Constitution, Sept. 29, 1958.
Mississippi: Figures introduced into Congressional Record (daily) for June 10, 1957, pp. 7676–7677. Also James Barnes, "Negro Voting in Mississippi," master's thesis, University of Miss., 1955.
South Carolina: Secretary of state report, reproduced in a report for the Southern Regional Council.
Texas: Record of poll-tax payments and estimates made for Southern Regional Council by Long News Service.
Virginia: Virginia State Advisory Committee from secretary of state's office.
Kentucky: Kentucky State Advisory Committee.
Florida and Louisiana: Official reports of secretary of state.

TABLE II

State	Percent voting age white to total voting age population, 1950	Percent whites registered to total registered, 1956–58	Percent voting age Negroes to total voting age population, 1950	Percent Negroes registered to total registered, 1956–58
Alabama	70.5	91.9	29.5	8.1
Arkansas	78.8	88.6	21.2	11.4
Florida	80.0	90.9	20.0	9.1
Georgia	71.4	87.5	28.6	12.5
Louisiana	69.7	86.2	30.3	13.8
Mississippi				
South Carolina	66.1	89.2	33.9	10.8
Texas	87.7	86.8	12.3	13.2
Virginia	78.9	90.2	21.1	9.8

TABLE III

State	Total number of counties	Number of counties more than 50 percent voting age Negroes registered	Number of counties more than 25 percent voting age Negroes registered	Number of counties less than 5 percent voting age Negroes registered	Number of counties no Negroes registered	Number of counties no Negroes registered, Negroes majority population
Alabama	67	10	9	12	0	0
Arkansas	75	4	28	1	0	0
Florida	67	19	31	3	0	0
Georgia	159	28	50	22	4	1
Louisiana	64	19	14	9	4	4
Mississippi	82	0	2	49	15	6
South Carolina	47	1	0	6	0	0
Texas	254	50	134	2	0	0
Virginia [1]	98	5	40	3	4	0

[1] Data include counties and independent cities.

Mr. CLARK. Mr. President, I shall not undertake to read the tables. I shall say with respect to them only that I believe all fair-minded people who read the tables will inevitably conclude there can be no question whatever that hundreds of thousands of American citizens are denied the right to vote to which they are entitled under the 15th amendment, a right to vote which is denied to them solely and alone because of their race or color.

Mr. President, we have known this not only in the Senate but also across the country for many years. Three years ago, in 1957, we took the first small step to do something to help these unfortunate people. We passed, and the President signed, the Civil Rights Act of 1957. We created a procedure in our Federal courts whereby the Attorney General of the United States is authorized to bring an action to assist those whose voting rights were being denied because of race or color by State action to get their names on the voting rolls and to vote on election day.

I do not know whether that legislation could be made more effective than the record shows it has been. The Attorney General, for reasons which appear adequate to him, has brought only four suits under the provisions of that act, and two of them are pending. The number of disfranchised citizens who have been given their voting rights under the terms of that act is small indeed.

I suspect that a majority of this body and a majority of the other body have by now concluded that the present provisions of law are inadequate and must be implemented.

That brings us to the questions we face. What can we do which is effective to implement and to protect the constitutional voting rights of all free Americans? What can we do within the limits of fair play? What can we do to provide a remedy which is meaningful and which cannot be distorted by delay so as to provide no remedy at all?

After some pretty careful thought on that subject, and after having listened to or read the comments of our colleagues in debate and in the newspapers, we 13 Senators have come up with the pending amendment. We ask for the serious and thoughtful consideration of our colleagues.

What would the amendment do? I shall now attempt to discuss it in detail and so far as possible, in lay language, with the hope that what I say will make the amendment clear to my colleagues.

Fundamentally, this amendment combines the court voting referee procedure with an administrative Federal enrollment officer procedure. This amendment, in the interest of fair play, in the interest of moving slowly, in the interest of having an objective and impartial Federal court pass first on the question of whether there has been disfranchisement by reason of race or color, calls for triggering of either the referee or the enrollment officer procedure by a precedent court decree.

The amendment would do this by adding a new subsection to section 3 of the Dirksen amendment. Section 3, my colleagues will recall, provides for the preservation of voting records by State and local authorities. This amendment would add new provisions to section 3, provisions which would incorporate the proposal I am about to describe, and would continue with those provisions dealing with the preservation of voting records, which already appear in the Dirksen proposal.

The preamble of our amendment contains a factual recital. It is a recital that under color of law, substantial numbers of qualified voters are being denied the right to register and to vote because of their race or color, in violation of the 14th and 15th amendments. The factual recital continues to state that this denial requires congressional action to help those citizens assert their denied constitutional rights.

The evidence to support that finding was referred to by me briefly a moment or two ago. I think this debate has proved that it is overwhelming, and that it cannot be rebutted. I believe that is clear to any fair-minded man or woman.

Whatever may be the final result of the proposed legislation, I am confident that it cannot be consistently and fairly denied that the record shows, beyond peradventure of doubt, widespread denial of voting rights protected by the Constitution and the 15th amendment thereto, voting rights which are denied because of race or color, and denied on that ground alone. So I submit that the factual finding in the preamble of our proposed amendment has been established beyond peradventure of doubt.

The amendment then moves into the area of voting referees, and it calls for the appointment of such referees by the district courts of the United States. The provisions are to some extent similar to those contained in section 7 of the Dirksen substitute, but the language is more precise, and an effort has been made to utilize the language of some of the House amendments of the administration bill which have seemed to the sponsors of this amendment to be wise and sound. I think the Senator from Illinois [Mr. DIRKSEN] would be the first to agree that his present section 7 has not kept up with the approved changes in the administration proposal.

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

Mr. CLARK. I yield.

Mr. JAVITS. First, I wish to express my pleasure in joining with the Senator as a cosponsor of this amendment.

Second, I think it is a considerable tribute to the bipartisan activity which brought it about that three lawyer-Senators from each side of the aisle collaborated in the development of the draft, which is now receiving additional accretions of strength by reason of other Senators joining in sponsorship.

Third, I point out that our effort has not been so much to keep up with the day-to-day mutations of a bill in the other body as to bring to bear in perfecting this instrument all the thought which the debate produced.

I hope that as the Senator discusses this question that point may be made clear. For example, two of the salient provisions which have been changed in the referee proposal, I have little doubt, will survive even if, very unhappily, our amendment should go down. First is the provision that the individual applicant need not, after the decree has been entered, go again and seek an opportunity to register from a hostile registrar. If a pattern and practice of discrimination is found, it will be unnecessary for the individual applicant to again go through the mumbo-jumbo of trying to register, so long as that decree remains in effect.

Mr. CLARK. If the Senator will permit me to interrupt him briefly, am I not correct in stating that the provision he has just outlined does remain in the administration proposal in the House?

Mr. JAVITS. Exactly. That is why I point out that we are not trying to keep up with everything that is done over there. What we are trying to do is to get the benefit of the attrition of minds as they bring out changes in the bill which are necessary in order that it may do the job.

Mr. CLARK. The Senator is correct. I accept his correction.

Mr. JAVITS. The second point is to write in what was adopted in the other body, which makes sense, and that is a provision for provisional voting, to give the court an opportunity to decide whether an applicant is qualified or not, while at the same time not enabling registrars who might be so minded to deprive the individual of his right to vote in a particular election because of its contiguity to the legal proceeding.

I think it is very important to point that out, because I express the hope—nay, I express the determination—that we shall not merely rubber stamp a House bill. There is a prevailing idea that those of us who are for civil rights, when we are defeated on a particular proposal, as we have been—and others have been defeated in battle but have won the war—will take the House bill when it comes over here and send it to the President. I can think of nothing which would be a greater abdication of our reputation for being a body with its own mind and its own talents. I respectfully submit that the work now being done will not be wasted in any such way. I know how my colleague feels. I think it is time for Senators to begin to make very clear—we hope it will not require more than a few days—the position we intend to take. I am not mortified by the suggestion of our dear friend from Florida [Mr. HOLLAND] that we are engaging in extended debate. But if it requires a few days—which is all it ought to require—the Senate should nevertheless make it clear that it intends to exercise its own will and determination as to what should go into the bill.

So I hope that as my colleague continues with a scholarly, deliberate analysis of the amendment which we put forward purposefully and seriously, it may be made clear that the Senate majority, in accordance with its traditions, if it will listen to what my friend and I and other Senators who have joined in this amendment have to say, will endeavor to make its contribution to what should be a measure which will guarantee for people the right to vote—not with reference to what is being done in the other House, but without the blind idea that we cannot get a civil rights bill unless we take what comes over from the House and send it to the President.

Mr. CLARK. I thank my friend for his comments. I am in complete accord with what he has said. I point out that the philosophy of despair which he has just outlined, which seems to be in the minds of many of our colleagues—that we cannot do anything but take the House bill—springs from an archaic, obsolete procedure in the other body, which like our own archaic and obsolete procedures over here, tends to make it impossible for the Congress to work its will by majority vote. I say that with all due deference to our friends in the other body, whom I do not intend for one moment to criticize.

Mr. JAVITS. Mr. President, will the Senator yield for another question?

Mr. CLARK. I am happy to yield to the Senator from New York.

Mr. JAVITS. It is my profound conviction that, if there is a determined majority, it can find a way—perhaps frustrated for a time—to work its will. What we are working up to here—and it may be that we have before us now an amendment which will do it—is pointing out that the majority will begin to articulate its position, as it did in connection with taking up the bill in the first instance. Let us not forget that that was done by an overwhelming vote, and that the Senate was determined to keep the commitment made for February 15. That was the last time, incidentally, that we received that kind of

support, except with respect to the nearly unanimous support on amendments to a section of the bill in connection with which there was not great controversy.

It seems to me that we must work to a point where we will get a majority of the Senate to get together behind what it wants to write in this bill. When we have reached that point we will then begin to see more clearly perhaps than we do now whether these archaic rules can frustrate a majority of the Senate. I thank the Senator for yielding.

Mr. CLARK. I thank my colleague from New York. I return to the pending amendment, to point out that while this amendment covers the same general field covered by section 7 of the Dirksen amendment, its language is precise. As my friend from New York has said, it takes advantage of the helpful and useful developments in the other body, which have sprung from the debate over there and of which the distinguished junior Senator from Illinois [Mr. DIRKSEN] did not have knowledge when he submitted his amendment, section 7 of which is the pertinent one here.

So this amendment is precise on the subject of voting referees, and it incorporates some changes, two of which have been mentioned by my friend from New York.

The principal provisions of the referee proposal in the pending amendment are, first, that in proceedings instituted to obtain voting rights, whether those proceedings are instituted by the Attorney General of the United States or by an individual or group, if the court finds that there has been discrimination and a failure by State officials to permit the exercise of voting rights, then upon the request of the Attorney General or any plaintiff the court shall determine whether or not a pattern or practice of discrimination exists in the voting district which was the subject of the litigation.

This is important because it provides that a Federal district judge, an inhabitant of the district where the suit is brought—usually a distinguished lawyer, appointed for life and confirmed by the Senate of the United States—must find as an objective fact that a pattern or practice of discrimination exists before the court referee procedure—or the administrative procedure—can be triggered into action.

Truly this is a compromise amendment. Under this amendment before referees or enrollment officers can be appointed the local officials who are accused of discriminating against citizens of the United States are given their day in court in adversary proceedings with all traditional legal safeguards.

If the district judge finds that there is no pattern or practice of discrimination, that is the end of the matter, and neither of the procedures called for by the amendment, whether judicial or administrative, will spring into action.

If the district judge finds that there is a pattern or practice of discrimination, then the procedure called for by the amendment is triggered into action. In that event any disfranchised citizen, whether he be Negro, Mexican, or Puerto Rican, or of whatever nationality or color, or background he may be, or wherever he may come from, is entitled, under our amendment, for at least a year or until the pattern or practice of discrimination has been found by the judge to have ceased, to an order declaring him qualified to vote.

At that point we invoke one other compromise under the amendment. Ordinarily where the jurisdiction of a Federal court is in effect, and where the court has found grounds for moving to support rights secured by the Constitution, there would be immediate judicial action which would carry on until the rights were secured. But under our amendment a period of grace is given to the State authorities. The amendment provides that the order finding the pattern of discrimination and directing the disfranchised citizens to be registered and entitled to vote shall not go into effect for 20 days after the Governor of the State has been notified that the court has made the finding of the existence of a pattern or practice of discrimination.

During that grace period if the State takes action to register the disfranchised citizens the court order will be vacated and never go into effect.

Except for the grace period provisions, the execution of any court order shall not be stayed, and no stay is permitted under the amendment—to take an appeal or for other purposes or reasons—if the effect of such a stay would be to delay the effectiveness of the order until after the date of the election.

So, to recapitulate at this point, we have another safeguard, another compromise, another concession to fair play, in that the State is given an opportunity to purge itself and to permit qualified voters to register by State action; and the Federal hand is stayed if that is done.

I would like to reemphasize that before a decree is signed by the district judge, there will have been a full adversary proceeding in the initial lawsuit. In the adversary proceeding which has been instituted to determine whether one or more citizens have been deprived of their right to vote, State or local authorities will of necessity have been made parties and will have had their day in court to resist the finding of discrimination with respect to individual citizens, and the finding of a pattern or practice of discrimination with respect to large groups of citizens. So at every point in the process, the rudiments of fair play are provided for in the amendment.

Once the court has issued its decree, a violation of its order by a State official, or by a local official acting under color of State law, is made contempt of court, and the normal and usual Federal proceedings pertaining to contempt become effective.

I should point out again one important difference between the pending amendment and the Dirksen amendment. In the pending amendment there is no requirement, once a pattern of discrimination has been found, for the disfranchised citizen to go back to the local registrar to try to register all over again. This seems to the sponsors of the pending amendment to be a vital and important distinction of principle between the Dirksen amendment and the pending amendment. On this rock I believe we would stand. Surely for myself I would be loathe, indeed, to vote for any referee plan which required a disfranchised citizen to go back for a second strike. The reasons for that position have been stated so fully by my colleagues and myself at earlier stages of this debate that I shall not reiterate them.

Thus we find that a court has issued its decree, finding a pattern or practice of discrimination. At that point the court is authorized to appoint voting referees to enroll disfranchised citizens and to assure them the right to vote.

Here we have devised another safeguard in the interest of orderly procedure and fair play.

These referees, appointed by the Federal judge who lives in the district, who has been appointed for life, and whose nomination has been confirmed by the Senate, must be residents and qualified voters in the district in which the court proceedings are brought. It is true that the district over which a Federal court operates is substantially larger than any particular voting precinct. But all fair-minded persons will admit, I believe, that in many voting precincts, as the record shows, it will not be possible to find a qualified resident voter who will be willing to act as a referee. It is conceivable—indeed, it is possible—that such a person might not be found in the whole Federal district who was willing so to act. Yet it seemed to us that we should include that requirement for the third time, in the interest of fairplay, and to prevent any legitimate criticism that we were not providing for noninflammatory and normal procedure to assist the citizens to maintain their civil rights.

This is a modification of the earlier amendment. The sponsors, after some thought, concluded that this additional safeguard should be inserted in the amendment. It is one of the modifications of our amendment which the senior Senator from New York made earlier today.

The referees will serve for only such period as the court which appointed them may determine. They may be dismissed at any time if the Federal judge, who is a local resident, believes that they have served their purpose. They will continue to serve for such time as the court thinks desirable. They will receive applications from voters who claim that they have been illegally and unconstitutionally disfranchised by reason of their race or color. The referees, after taking evidence, will report to the court whether, in their opinion, the applicants are qualified.

We come now to an important procedural question. Under the pending amendment, the proceedings are ex parte. But they are under oath, and they follow State law. It may be objected that the proceedings should be adversary; that there should be a right of cross-examination; that contrary testimony should be permitted to be

offered. Yet at this point in the proceedings we will already have been all through one full and fair court proceeding, and there will have been a court decree, not, to be sure, with respect to the individual applicants, but with respect to the pattern or practice of discrimination in the voting district. This, it has seemed to us, particularly since there will be later a right of appeal, provides due process and adequate fair play. It should be noted that while the proceedings are ex parte, they are under oath; and prosecutions for perjury will lie if the oath is falsely taken.

It should also be noted that the Federal referee must follow applicable State law concerning qualifications. Once the referee has made his finding that certain individuals of the race which has been discriminated against who appeared before him under oath have presented prima facie evidence that they are qualified under State law to register and vote, the referee will prepare a report to the court, stating the names and addresses of the disfranchised citizens who he finds should be permitted to register and to vote.

When that report has been filed with the court, we provide one more opportunity for the State to object to the proceedings. The State attorney general must be notified that the report has been filed, and given 10 days to show why the referee's report should not be approved by the court. The State and local officials, represented by the State attorney general, may file exceptions to the referee's finding of fact and the conclusions of law stated in the referee's report. So there is, again, another opportunity for adversary proceedings at which the fairness of the report of the referee prior to the decree of the court, may be tested in adversary proceedings.

Thereafter, if no exceptions are filed or the exceptions are found insufficient, the referee is authorized, by the pending amendment, to issue certificates of qualification to register and to vote to the individuals who are members of the race which the court has already found to have been illegally disfranchised by State officials.

The amendment further provides that the court may authorize persons—either the referee or somebody else—to attend at the polling place, and further to attend when the votes are counted, and then to report to the court whether the decree of the court has been obeyed, or whether contempt proceedings should be instituted.

The referees called for by the amendment are given all the powers of a master under rule 53-C of the Federal Rules of Civil Procedure. I shall not unduly prolong my remarks to outline what those powers are. They are pretty well known by now to most Senators, particularly those who are attorneys.

The compensation of the referees is to be fixed by the court and paid by the United States. This seems to us to be a fair and appropriate procedure.

Finally, the referee provisions in the amendment call for provisional voting by those who are found by the referee to be eligible to be registered and to vote, pending a later determination—as a result of the adversary proceeding to which I have referred—as to whether, in fact, they are qualified. This provision is an important modification of the initial amendment, offered earlier today by the Senator from New York. It is so important that I should like to read it into the RECORD at this point. The amendment would be made on page 6; at that point, lines 16 through 22 would be stricken out, and the following would be inserted:

(10) Applications pursuant to this subsection shall be determined expeditiously. In the case of any application filed twenty or more days prior to an election which is undetermined by the time of such election, the court shall issue an order authorizing the applicant to vote provisionally. In the case of an application filed within twenty days prior to an election, the court, in its discretion, may make such an order. In either case, the order shall make appropriate provision for the impounding of the applicant's ballot pending determination of the application.

The court may take any other action, and may authorize such referee or such other person as it may designate to take any other action, appropriate or necessary to carry out the provisions of this subsection and to enforce its decrees. This subsection shall in no way be construed as a limitation upon the existing powers of the court.

Thus we seek to prevent at least some of the unfortunate delays, lasting long beyond the date of the election, which in our judgment would have plagued the procedures called for by the original Dirksen amendment.

Mr. President, so much for the provisions of our amendment which deal with the voting referee procedure. I believe we have strengthened that procedure. I believe we have made it workable in certain areas, although probably not in others. I still think that, as between the court referee procedure and the Federal enrollment officer procedure, the latter is infinitely to be preferred. However, I know that many Senators disagree with that view. The vote taken last Friday showed that rather clearly.

Therefore, in this amendment we have attempted to provide a carefully drawn court voting referee proposal which in our judgment will do the most to help disfranchised citizens attain their constitutional rights, and still will be within the limits of the fair play which must be a part of all proper legislation.

Mr. President, I turn now to subsection (c) of the amendment which deals with the appointment of Federal enrollment officers by the President of the United States.

In the first instance, let me again emphasize that a Federal enrollment officer cannot be appointed by the President of the United States unless and until there has been a finding by a Federal district judge of a pattern or practice of discrimination.

This provision constitutes an important difference between our amendment and that of the Senator from Illinois and the Senator from New York, which was rejected by the Senate last Friday. In their amendment, the registrar proposal—which, in effect, was another name for the Federal enrollment officer proposal—could have been triggered into action without any court finding at all. Under that amendment if 50 citizens in one county filed a petition with the President averring that they had been illegally and unconstitutionally denied the right to vote, and if the President believed, after such investigation as he deemed appropriate, that citizens in that county were being denied their voting rights on account of their race or color, he could have appointed Federal registrars.

But in this amendment we call for a prior court decree, obtained after adversary proceedings before a Federal judge who lives in the district, as a condition precedent to the triggering into action of the Federal enrollment officer procedure—just as we called for the same condition precedent to the triggering into action of the referee procedure.

Once that court finding has been made, then, under our amendment, the President can, by Executive order, appoint Federal enrollment officers from among the Federal employees who are qualified voters in the registration district in question.

Again let me emphasize that under our amendment carpetbaggers would not be imported from outside the registration district in which the claim of a pattern or practice of discrimination has been made, and has been sustained by the court with jurisdiction over the district. Again, we have attempted to be fair, by requiring that any such Federal enrollment officer must not only be a Federal employee resident in the district, but must also be a qualified and registered voter, seeking to protect for others the rights he has been accorded as a matter of course.

As was the case with the referee procedure, so with respect to the Federal enrollment officer procedure: The Governor of the State must be notified. He will have 20 days after notification to cause the State authorities and the local authorities to purge themselves; and if that is done, the President may not put the Federal enrollment officer procedure in effect. In any case, he would not invoke the enrollment officer procedure at all until the 20-day period had expired.

Just as the referee would serve at the pleasure of the court, the Federal enrollment officer would serve at the pleasure of the President. If the President found that the pattern or practice of discrimination no longer existed, he would revoke the appointment. Until he was convinced that that had happened, the appointment would remain valid and outstanding.

Mr. President, it has been said that the Federal enrollment officer procedure calls for judgment decisions to be made by the President of the United States, who, of necessity, could not know local conditions. In my judgment, Mr. President, that criticism is specious. All of us who are lawyers, and many who are not, understand the procedures under which our Federal courts operate.

The recommendation to the President that he should appoint a Federal enrollment officer would come to him from the Attorney General of the United States,

a gentleman sworn to uphold, defend, and enforce the laws of our country. He in turn would get the best advice possible as to whether an enrollment officer should be appointed, and, if so, which persons should be appointed, from the local Federal U.S. attorney living in the district where the suit had first been brought, and himself, almost unquestionably, a qualified and registered voter in the district.

So that this procedure, in my judgment, does call for local initiative, local option, to trigger the Presidential action into effect. And I do not believe it can be successfully contended that a man in Washington, far removed from the scene of action, would be in a position to send an enrollment officer into a district where there had been no established local aid. Once the enrollment officer is appointed, he enrolls and registers, and issues certificates to citizens who have proved to his satisfaction that they are qualified to register and to vote and who are members of the race which has been found by the court to have been discriminated against in violation of the 15th amendment to the Constitution.

Upon enrolling these individuals, he must notify State and local officials of what he has done, just as the court or referee is required to do in the earlier part of our amendment. Once enrolled, a citizen has the right to vote and have his voted counted. State and local officials can challenge his right to vote and bring him into court and seek to have his vote set aside, but only after the vote has been counted, subject to being later discarded.

There can be no stay of the determination of the Federal enrollment officer that a particular citizen is entitled to vote, but there can be a subsequent finding that the Federal enrollment officer was wrong. The election will not be final if the challenged vote would be determinative until that court proceeding is decided.

The proposed amendment makes it a crime, punishable by a $1,000 fine, and/or 6 months' imprisonment, to interfere with the proper activities of the Federal enrollment officers. The amendment provides that an enrollment officer can go to a polling place, just as a referee can, and that he can watch the votes being counted, and report to the U.S. attorney whether or not the local officials have violated the law.

The Attorney General or any aggrieved individual is given the right, under the amendment, to enforce, by appropriate civil and equitable remedies, the voting rights protected by the amendment.

The Attorney General, in a miscellaneous section of the amendment, is given the right to intervene in an action brought by a private citizen to protect his voting rights under the 15th amendment, and having intervened, to proceed thereafter as though the United States had been a party from the first instance.

Under this amendment, it is possible, although not likely, that there might be appointed both voting referees and Federal enrollment officers for part of one area, probably at different times, probably in response to different local conditions. If that were the case the enrollment officer would be directed to coordinate his duties with those of the referee, and where a conflict with respect to voting qualifications should arise, the finding of the referee, being the officer of the court, would prevail, instead of the enrollment officer.

There is a provision in the amendment that when any local board resigns and no successors are appointed, the State may be substituted as a party and held responsible to enforce the provisions of the law. The action of the State board is said in the amendment to be the action of the State, for which the State is held responsible.

The amendment contains certain definitions——

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. CLARK. In just a minute. The amendment contains certain definitions, certain technical provisions, which are relatively unimportant, and which I shall not attempt to outline on the floor of the Senate at this time.

I now yield to the Senator from South Dakota.

Mr. CASE of South Dakota. The question I wish to ask relates to the possibility of making a State the defendant. As I have read the language in the amendment, I have assumed it was for the purpose of making it impossible, for the purpose of the statute in this respect, for the duty to be avoided or evaded by the resignation of one official and the absence of any party against whom the action might be directed in case of a vacancy.

Mr. CLARK. The Senator is correct.

Mr. CASE of South Dakota. As I understand the provision, it makes it possible to insure the continuity of action whether there is a resignation or a vacancy, and that is why a State could be made the defendant. Is that correct?

Mr. CLARK. The Senator is quite correct.

Mr. HART. Mr. President, will the Senator yield for a question?

Mr. CLARK. I yield.

Mr. HART. The Senator from Pennsylvania was discussing the charge or the complaint that was made against this now modified enrolling plan, that it was an administrative procedure imposed from the outside. Is that a fair summary of the argument that was made against this approach?

Mr. CLARK. That was the argument as I understood it. I thought it had no validity.

Mr. HART. Nor do I think it had. I desire to ask a question to see if I understand, and to assure that all of us understand, the modified proposal that is presented in the amendment offered by the Senator from Pennsylvania and the senior Senator from New York. Can the President of the United States, acting on his own, appoint or designate an enrolling officer?

Mr. CLARK. No. He has to await a finding by a Federal district court of a pattern or practice of discrimination, determined in an adversary proceeding.

Mr. HART. It is correct to state, then, is it not, that the President of the United States cannot, on his own, nor can the Attorney General of the United States on his own, designate anyone, locally or outside, to act as an enrollment officer?

Mr. CLARK. The Senator is correct.

Mr. CASE of South Dakota. Mr. President, will the Senator permit me to ask a question on that point?

Mr. CLARK. Mr. President, will the Senator from Michigan permit me to yield to the Senator from South Dakota?

Mr. HART. Yes.

Mr. CLARK. I do so without losing my right to the floor.

Mr. CASE of South Dakota. Is it not true that the essential difference between this amendment and the amendment which was presented by the Senator from Illinois [Mr. DOUGLAS] last week is that under the amendment presented by the Senator from Illinois the President could have made the finding and could have acted upon his own, but in this amendment the finding of the court has to be a preliminary to any such action by the President?

Mr. CLARK. My friend from South Dakota is substantially correct. He is completely correct with respect to the court finding. Even under the provisions advocated by the Senator from Illinois the President could not act alone unless he had received a petition from 50 individuals in the voting district claiming they had been disfranchised in violation of the 15th amendment, and he had determined by executive investigation that persons were being disfranchised on account of their race or color.

Mr. CASE of South Dakota. The responsibility for making the finding would rest on the President?

Mr. CLARK. That is correct.

Mr. CASE of South Dakota. The President could make a finding provided he had received a petition?

Mr. CLARK. The President could make such a finding, upon receipt of 50 petitions, if he determined, after such investigation as he deemed appropriate and necessary, that voting rights were being denied in violation of the 15th amendment.

Mr. CASE of South Dakota. In that respect this proposal seems to be a distinct improvement. I do not think the President ought to be put in the position of having to make a finding which might be more or less judicial in character, and might call for consideration of various factors for which a court is much better designed than the Executive Office of the Presidency.

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

Mr. CLARK. I yield to my friend from Michigan.

Mr. HART. To assure, by this last question, that there will be no misunderstanding of the amendment as it is now before the Senate, additionally, the appointment of the enrolling officer could not be made by the President upon the basis of a recommendation by the Civil Rights Commission, could it?

Mr. CLARK. The Senator is correct.

Mr. HART. The amendment in its enrolling section, its registrar section, represents, as the exchange between the

Senator from Pennsylvania and the Senator from South Dakota I think has indicated, a modification from the proposal advanced and suggested by the President's own Civil Rights Commission last September. Is that correct?

Mr. CLARK. The Senator is correct.

Mr. HART. Is it not correct to say that any further dilution in the enrollment approach from that provided in the amendment now pending would scarcely be said to be responsive to a need, which a member of the President's Civil Rights Commission described as involving "literally millions of people qualified to vote, who were not able to vote"? He said, "We all knew that something must be done about this situation and done as simply and as quickly and as cleanly as possible." Father Hesburgh said, "That is how we came up with the idea of Federal registrars."

Is it not the judgment of the Senator from Pennsylvania that if there were any further dilution of the enrollment section of the amendment he has presented, we would scarcely be able to say we were trying to put on the books something which is simple and quick and as clean as possible?

Mr. CLARK. That is my judgment. We have gone about as far as we can go. Were we to go further, I would be fearful indeed that we had so destroyed that speedy and expeditious action for which Father Hesburgh plead that we would have a procedure which was little, if anything, better than the court referee procedure by itself, and which would be unlikely to result in the enfranchising of substantial numbers of disfranchised citizens.

Mr. HART. I commend the Senator from New York and the Senator from Pennsylvania for advancing this proposal which I, also, regard as the last line beyond which, if we fall back, we will have virtually surrendered.

Mr. CLARK. I thank my friend for his most helpful comments.

Mr. President, I ask unanimous consent that I may yield to my friend from New Jersey [Mr. WILLIAMS] without losing my right to the floor.

The PRESIDING OFFICER (Mr. HART in the chair.) Is there objection to the request of the Senator from Pennsylvania. The Chair hears none, and it is so ordered.

Mr. WILLIAMS of New Jersey. Mr. President, I did want to make inquiry of the Senator from Pennsylvania about the nature of the compromise which the amendment represents. I believe it is true that the Senator suggested this was quite a major compromise from the earlier position taken by the Senator from Pennsylvania. I got the impression from the colloquy the Senator had with the Senator from Michigan that this represents the last feasible compromise.

Mr. CLARK. That is what my friend from Michigan said. I expressed my own grave fear that he might be correct.

Mr. WILLIAMS of New Jersey. At any rate, it is a real probability that that might be the situation.

There was one compromise which was not made. There is nothing included in the Senator's amendment about the requirement for a member of the class disfranchised to go back for further humiliation and the possibility of intimidation, in the requirement that he individually apply before the State registrar?

Mr. CLARK. I am sure my friend will pardon me. Would the Senator be willing to repeat his question?

Mr. WILLIAMS of New Jersey. The amendment clearly would not require a member of the class found to be disfranchised to go back again to the possible humiliation and intimidation before State or local authorities and there seek qualification again?

Mr. CLARK. The Senator is quite correct. I think this is a most important change in both the Dirksen amendment and what I understand to be the present draft of the McCulloch amendment pending in the House of Representatives. I regard this as a position from which there can be no retreat if we are to have a meaningful bill.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article containing a report from Baker County, Ga., written by Claude Sitton, and published in the New York Times. Mr. Sitton found that the voters, if given the opportunity for registration under the referee program, following the record of humiliation and intimidation, probably would not avail themselves of this bulky method in the administration's referee program.

Mr. CLARK. I have read the article to which my friend makes reference. I join in his unanimous-consent request that it be printed in the RECORD at this point.

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

NEGROES IN BLACK BELT SAY VOTE LAW WON'T AID THEM

(By Claude Sitton)

NEWTON, GA., March 7.—Voting-rights proposals before Congress promise the Negro little help when viewed in the framework of this Black Belt community. Elections in Baker County are considered "white folk's business."

Leaders of both races said this week that they foresaw no change in the situation, no matter what Congress did.

Although the county's Negroes outnumber whites by about 1,000, not 1 Negro is registered. Moreover, those Negroes questioned said that, while they wanted to vote, they had no intention of asserting their right to do so.

The reason given is a fear of the economic and physical reprisals that might be the lot of any Negro who sought to register. Past incidents provide an ample basis for these misgivings.

LIKE ROBBING A BANK

"I don't want my throat cut," one man commented in explaining why he would make no effort to register even if a Federal voting law was passed.

Another Negro compared registration to an attempt to rob a bank.

"You might get in but you might not get out," he said.

"It doesn't make any difference what Congress and the Supreme Court say the law is," declared a white overseer. "It won't make a damn in Baker County, not during this generation."

Many students of race relations have cited this atmosphere of intimidation in criticizing the voter-referee plans being debated in Washington. They contend that Negroes would be reluctant to seek relief under the provisions of these measures in most counties of the Black Belt.

This narrow band of dark soil and Negro majorities, which curves across the region from the Virginia tidewater to the east Texas pine barrens, is the chief target of the proposed legislation. Elsewhere in the South, most persons concede, apathy is the major barrier to increased Negro—and white—registration.

Twenty-nine Black Belt counties have no Negroes on the voting rolls, according to the Southern Regional Council. Negroes register with difficulty in others. It is questionable whether they vote in substantial numbers in any but a few counties of the area.

The council's executive director, Harold C. Fleming, once said that the "typical county in which Negroes are disfranchised is a rural county in the Old Plantation Belt where large landholdings and farming are the major way of life, where there is little or no industry, farm tenancy is high, years of educational achievement low, and per capita income low. The percentage of Negroes in the population is high, 50 percent or more."

THREE MAJOR PLANTATIONS

Baker County fits that description well. The stretch of gently rolling flatland, checkered by stands of pine, pasture, and fields of peanuts, lies in Georgia's southwest corner.

Three plantations cover much of its area. Two are owned by northerners—Richard K. Mellon, of New York, and Hill Blackett, a retired Chicago advertising executive. The third and largest, Ichauway, is the property of R. W. Woodruff, of Atlanta, board chairman of the Coca-Cola Co.

The county is famous for its quail hunting. President Eisenhower has visited Ichauway on several occasions and recently sampled the shooting at Blue Springs Plantation, which dips into Baker from adjoining Dougherty County.

A few small farmers are prosperous. But life is hard for the others, who subsist on the meager income from small crops of peanuts, cotton, and corn grown in the sandy clay. A number of Negroes own and operate their own farms. Most of them, however, work as farmhands at $3 to $7.50 a day.

LOSING POPULATION

The county has an estimated total of 5,500 residents. But it has been losing population for more than a decade. "Those who get an education soon leave," said one Negro leader.

This county seat on the banks of the muddy, sluggish Flint River has all the aspects of a dying town. Buildings sag in disrepair. However, its five whisky stores do a lively trade, testimony to Newton's status as an oasis in a desert of "dry" counties.

White officials said race relations were good. "You won't find a group of people anywhere in the world that think more of a good Negro than the people of Baker County," asserted Kenneth E. Jones, chief of the board of voter registrars.

Negroes disagree. "We have some fine white people," said one, "but they're outnumbered."

SOME CRITICIZE SHERIFF

Some Negroes and a few whites accused Sheriff Warren Johnson of harassing and mistreating Negroes. "One of our chief problems here is law enforcement at the local level," said Mr. Blackett, owner of Wallington Plantation. Other whites, some of whom said they were the sheriff's friends, also criticized him.

Mr. Johnson attributed the criticism to politics. He said there was no difficulty for those among the minority race "that want

to be niggers, and that's all we want 'em to be." But he indicated it might be unwise for any to attempt to vote.

"Why, you take two of the best-natured dogs in the world and throw sand on 'em and they'll get to fighting," the sheriff explained. "And I hope they (Congress) don't throw any sand on us down here in Baker County."

Negroes accuse the sheriff of having killed a youth with little or no justification. Mr. Johnson said the victim, a Negro, had resisted arrest and that ended the case.

FOUR SOUGHT TO REGISTER

Following the enactment of the Civil Rights Act of 1957, four Negroes made a number of attempts to register. They persisted despite efforts by white officials to postpone the matter.

On the night of December 12 of that year, dynamite explosions wrecked the front porch of one and automobiles owned by two of the others. The fourth was in jail at the time on an illicit whisky charge, but he was later released.

Agents of the Federal Bureau of Investigation made an unsuccessful effort to find the culprits. J. A. Williams, whose house was dynamited, said this week that after the incident "I did promise my wife I wouldn't attempt to register anymore."

Concerning the proposals now before Congress, Mr. Williams said:

"I don't believe you could get those people (Baker County Negroes) interested in trying to register if the Federal Government couldn't protect them any further than just registering."

WANTS RIGHT TO VOTE

But the 83-year-old man, who is virtually blind, declared, "I believe somebody is going to have to die to get any rights. We're not going to get anywhere by being afraid. These white folks wouldn't treat us like they do if we had the right to vote."

Julius L. King, 60, who operates his family's 500-acre farm, took part with Mr. Williams in the registration attempt. His car was dynamited.

"The new law wouldn't be worth anything to us but death," he said. "We would be just like we are right now."

ADVISES NEGRO FRIENDS

The chief registrar, Mr. Jones, said he had told "my Negro friends" who had asked for advice, not to register. However, he contended that he and the two other registrars would put them on the books if they applied and were found qualified.

The registrar, a soft-spoken, hospitable man, invited Paul Phipps, a Negro carpenter, to the Jones home to discuss the problem with a visitor. Mr. Phipps' wife is a schoolteacher in Newton.

"I would be an ingrate," said the registrar, turning to the Negro, "if I didn't tell him what the implications would be if his wife attempted to register. To put it bluntly, she would lose her job."

The carpenter said he and his wife were qualified, and Mr. Jones agreed that this was probably true. Mr. Phipps then asserted that they should be permitted to vote, "but we can't register."

"I'VE GOT TO LIVE"

Why?

"Well, I've got to live," he replied. "I don't want my job cut off and my wife's job cut off."

Mr. Phipps said other Negroes would take the same view of Federal voting legislation.

"I know the law may be passed," he explained, "but we've got to live here in Baker County.

Mr. Jones suggested that Negro teachers be asked for their opinions.

The teachers questioned declined to be quoted or to have their names used. In view of this, they would be unlikely to appear at the ballot box with a certificate from a Federal voting referee.

The tax collector, R. I. Hudson, noted that a number of white undesirables, some of them illiterate, now voted in the county. He explained that officials had been forced to carry them over from the old rolls under the provisions of the State registration act of 1958. They can be dropped only if they fail to vote over a 2-year period.

"We've got a lot of white folks on the rolls who've got no more right to vote than the sorriest Negro in Baker County," he said.

Mr. CLARK. I make one comment on what my good friend from New Jersey has said. I am under no illusions that, whether this amendment or any other amendment is agreed to and becomes law, we are going to find disfranchised voters of America surging to the polling places overnight.

It may be years before a climate will prevail in Baker County and elsewhere in which Negro American citizens can vote without intimidation, and free from fear, but we must start somewhere. There are wide areas in the South and in other parts of the Union where disfranchisement is the rule rather than the exception, where this amendment could bring great relief. I believe we should press forward with it, even though we may feel that it will not accomplish the millennium overnight.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator further yield?

Mr. CLARK. I yield.

Mr. WILLIAMS of New Jersey. I think this is particularly true in connection with the other provision, for the registrar or voting enrollment officer, because then there would be a clear opportunity for the President to make an unequivocal expression of moral judgment in the area with which we are so concerned.

Mr. CLARK. I thank my friend for his helpful comments. I find myself in accord with him.

Mr. President, I have completed my detailed explanation of the pending amendment. Briefly, I should like to summarize the major reasons why I urge its adoption.

In the first place, it is a compromise, a compromise which makes substantial concessions. My friend from South Dakota [Mr. CASE], whom I see in the Chamber, pointed out earlier the view that the original referee proposal did not give adequate fair play to those local and State officials and individuals who live within the voting district where there is complaint that citizens have been disfranchised.

This amendment provides two roads for those charged with enforcement to travel, and, to a substantial extent—although not entirely—it would give the Attorney General of the United States the primary option to determine whether, in the particular district where the alleged discrimination existed, he should travel the referee road or the enrollment officer road.

Regardless of which road he travels, it must be based on and subsequent to a court finding in an adversary proceeding that a pattern of discrimination exists in violation of the 15th amendment.

In the judgment of the sponsors of the amendment, the alternative enrollment officer procedure gives a speedy and ready remedy for widespread wrong, a speedy remedy enforced by administrative procedures patterned after laws of the 50 States of the Union. So far as I know, every one of those laws treats registration and voting as an administrative, and not a judicial function. The laws of each of the States lay down the mechanics by which the executive arm of the government, either through appointment or by arranging for the election of administrative officers in local districts, springs into action to register and to permit to vote the citizens qualified therefor.

In my judgment this administrative action is the right way to proceed, provided it is surrounded with judicial safeguards, safeguards similar to those in the laws of the 50 States, and similar to those called for by the pending amendment.

In my judgment this dual procedure has much merit. The enrollment officer procedure provides a fair, workable, and speedy process, which would be effective in nearly all the districts where widespread disenfranchisement is charged. And yet the referee procedure would be available for use in the hard core areas of resistance where it might be unwise to invoke the administrative procedure, because of the local climate, and where it would be wise to proceed more slowly.

Moreover, under this amendment any Attorney General would have a choice. The present Attorney General does not like the enrollment officer procedure. Very well. He does not have to follow it. He can take the referee road. His successor, whether he be a Republican or a Democrat, may prefer that orderly administrative procedure which has historically been the method of handling registration and voting since the foundation of the Republic. If he does, he has the Federal enrollment officer procedure to follow.

Those of us who support this amendment want to do something effective to see that the 15th amendment to the Constitution of the United States is utilized for the purposes for which it was enacted. Those purposes were to see to it that no citizen of the United States should be denied the right to vote because of race or color.

We are willing to make substantial compromises. We are willing to give ground to meet, to some extent, the objections of some of those who oppose any meaningful civil rights bill; but at some point we must stop. We must stop at a point where we have conceived and put into law a fair, speedy, workable, and meaningful procedure to give millions of citizens rights which have so long been denied them. Yet we have provided an alternative procedure, which meets the requirements of those who unfortunately disagree with us.

Before we voted last Friday on the Douglas amendment, the distinguished minority leader [Mr. DIRKSEN] spoke briefly in opposition thereto. Those of us who framed that amendment have read his speech. We have done our very

best to conform our amendment to those of his objections which seemed to us to be pertinent and meaningful. I hope the distinguished minority leader will read our amendment before he votes. I hope that our colleagues who are in doubt in this regard will consider whether or not we have met, to the extent deemed wise and feasible, the objections which the minority leader raised to the amendment of his colleague from Illinois [Mr. DOUGLAS].

The distinguished minority leader said on Friday that he was willing to go quite a long way to protect and preserve civil rights. I hope that on reconsidering the matter he will find that he can go at least this far, which is not very far, but which is far enough to make the effort worthwhile. It is far enough to give some assurance that this legislation, if enacted, will inure to the benefit of thousands of American citizens and help to give them the rights secured to them by the Constitution, which have been denied them for so long.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 601. An act to authorize and provide for the construction of the Bardwell Reservoir;

S. 1712. An act to extend the application of the Motorboat Act of 1940 to certain possessions of the United States;

S. 2185. An act to provide appropriate public recognition of the gallant action of the steamship *Meredith Victory* in the December 1950 evacuation of Hungnam, Korea;

S. 2483. An act to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau; and

S.J. Res. 115. Joint resolution authorizing the purchase of certain property in the District of Columbia and its conveyance to the Pan American Health Organization for use as a headquarters site.

ORDER FOR RECESS UNTIL TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it take a recess until 12 o'clock noon tomorrow.

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

INCREASE IN POSTAL SALARIES

Mr. KENNEDY. Mr. President, a few days ago the Senator from South Carolina [Mr. JOHNSTON] introduced a bill to make permanent the temporary increase in salary granted postal workers 2 years ago. He also announced at that time that hearings would be held to determine what inequities there were in the pay scale.

I am convinced that the general pay scale needs considerable revision. If there is any group that has been left behind in the parade toward higher income to meet higher costs of living it is our classified and postal workers. I have seen the actual budgets of 50 Wisconsin letter carriers, taken at random. Of the 50, only 2 found it possible to live within their income. In order to finance their basic expenses, 20 out of 50 had part-time jobs. In 19 cases the wife had to work in order to make ends meet.

This record is not one of which we can be proud.

The U.S. Post Office is the biggest business in the world. It employs 550,000 people in 42,000 offices. Over 60 billion pieces of mail a year are handled by this organization, and it has a cash turnover of over $23 billion a year. Yet three-quarters of the employees must exist on salaries of less than $5,000 a year. It is not until after 18 years of continuous service that a letter carrier can receive $5,000 a year—and his maximum compensation, after 25 years of service, is $5,175 a year.

Mr. President, I know I need not remind the members of this body of the skills and the qualities that are needed if the mail of the Nation is to be handled efficiently. Those who are entrusted with this responsibility should not need odd jobs after a regular 8-hour day to enable them to pay their bills. Their wives should not be required to obtain employment to meet their living expenses. It is our obligation to see that they are adequately compensated.

It should be noted, in this connection, that at least one agency of the Government, by its own action, has established that letter carrier pay is substandard. The Federal Housing Administration could not approve the letter carrier as the purchaser of a $15,000 house, on the basis of his salary alone. The buyer of a $15,000 house needs a downpayment of $650 and can get a mortgage of $14,350. On a 30-year basis, this means a monthly payment for principal, interest, and FHA mortgage insurance of $89.75 per month. Since mortgage lenders adopt the policy of limiting housing payments to one-fifth of the borrower's monthly income, the purchaser of a $15,000 house needs a monthly income of $448.70—or an annual income of $5,384. The top pay for letter carriers, with 25 years of service, is only $5,175 a year.

There are those who would withhold necessary salary increases until a postage rate increase is passed. This is grossly unfair. The welfare of the postal workers should not be dependent upon the outcome of competing theories of post office operation. Whether the post office should be considered a profit-making business or a service we should not use insufficient income as an excuse to pay less than a decent wage.

When the hourly wage of letter carriers and post office clerks is compared with that of any other occupation we find the letter carrier is at the bottom of the wage scale. He earns between 25 and 75 cents an hour less than the garbage collector. A common laborer on a construction project gets more pay than a letter carrier with 25 years' service.

Over the years the position of the letter carrier and clerk has grown steadily worse. Ten years ago he earned 28 cents an hour more than an ironworker. Today he earns 31 cents an hour less. Ten years ago he earned 15½ cents more than a united parcel deliveryman. Today he earns 14½ cents less.

Illustrations of these inequities could be multiplied indefinitely. They demonstrate, beyond any doubt, that the letter carrier has been largely ignored by the trend toward higher profits and higher wages—although he still suffers from the higher costs of living. I am convinced this Congress must correct this inequity. It is up to the Government to treat its employees justly.

RESOLUTION OF LEGISLATURE OF STATE OF HAWAII UPON THE DEATH OF SENATOR RICHARD L. NEUBERGER, OF OREGON

Mr. MORSE. Mr. President, I have received a letter from Mr. Herman T. F. Lum, clerk of the House of Representatives of the First Legislature of the State of Hawaii, transmitting a resolution expressing heartfelt sympathy to Mrs. Richard L. Neuberger and the people of the State of Oregon upon the untimely death of my colleague, Senator Richard L. Neuberger.

I ask unanimous consent that the letter and resolution be printed in the body of the RECORD.

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

THE FIRST LEGISLATURE,
STATE OF HAWAII,
HOUSE OF REPRESENTATIVES,
Honolulu, Hawaii, March 10, 1960.

Hon. WAYNE MORSE,
Senator, U.S. Senate,
Washington, D.C.

DEAR SIR: I transmit herewith certified copy of house resolution 60, which was adopted by the First Legislature of the State of Hawaii in budget session, 1960.

Very respectfully,
HERMAN T. F. LUM,
Clerk, House of Representatives.

H. Res. 60

Whereas the passing of the Honorable Richard L. Neuberger, U.S. Senator from the sister State of Oregon, is an immeasurable loss to the welfare of all mankind in these days of tension, misunderstanding, and selfish opportunism; and

Whereas Senator Neuberger was a ray of hope to those who would not accept the cynical view that man's inhumanity to man was the destiny of man, but who have faith that poverty, bigotry, hypocrisy, and other forms of human shortcomings can be eliminated; and

Whereas the dedicated spirit of Senator Neuberger to the perpetuation of truth and better social, economic, and political conditions for all mankind in a free world can well be emulated by public servants throughout the world; and

Whereas the passing of Senator Richard L. Neuberger is an extremely great loss to the people of Hawaii who lost a friend who championed the cause of statehood which made first-class citizens of the people of Hawaii; and

Whereas there are no words which can lessen the grief to the Nation and his family: Now, therefore, be it

Resolved by the House of Representatives of the First Legislature of the State of Hawaii, budget session of 1960, That it express its heartfelt sympathy to Mrs. Richard L.

Neuberger and the people of Oregon; and be it further

Resolved, That copies of this resolution be transmitted to Mrs. Richard L. Neuberger, U.S. Senator WAYNE MORSE, the Governor of the State of Oregon, the president of the State Senate of Oregon, and the speaker of the House of Representatives of the State of Oregon, forthwith.

LEASING OF PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

The Senate resumed consideration of the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R-I, Missouri.

Mr. MORSE. Mr. President, it is my pleasure to be listed as a cosponsor of the Clark-Javits amendment to the pending civil rights measure.

Mr. CASE of South Dakota. Mr. President, I wonder if the Senator from Oregon will yield to me for a very brief statement of not to exceed 5 minutes, with the understanding that he shall not lose his right to the floor.

Mr. MORSE. I am always happy to cooperate with the Senator from South Dakota, with the understanding that I do not lose my right to the floor.

Mr. CASE of South Dakota. I wish to state briefly why my name is found as one of the sponsors of the pending amendment. Before I do so I wish to state that I regret that in the debate references should be made to the presence or nonpresence of Members of the Senate, whether individually or generally. Every Senator knows that he has certain responsibilities to meet and things to do which at times prevent him from being present on the floor. It has not been possible, apparently, for either the majority leader or the minority leader to be on the floor during a great deal of the debate this afternoon.

With respect to the pending amendment, my position will be found to be consistent if anyone takes the trouble to look up the position I took when the civil rights bill was before us in 1957.

At that time I voted against the so-called part III of the bill because I felt that the bill should be confined to a voting rights bill. In the consideration of the pending bill, what I am most concerned with is providing an adequate means in law which will protect the voting right.

The 15th amendment, in my judgment, should be complied with, and Congress should avail itself of the provision in the 15th amendment which gives it the power to enact appropriate legislation to carry out the purpose of the 15th amendment.

The other day I voted to table the amendment then presented because I felt, as I indicated by some of my questioning at the time, that it would be placing an undue burden upon the President to make him responsible for making certain findings of fact and then having him carry out the detailed steps necessary to protect the voting rights of persons who had been deprived of them through a pattern or practice of discrimination.

The pending amendment, on the other hand, leaves with the court the proper judicial duty of making a finding of fact, and does not necessarily require the courts to become administrative agencies.

Though it is true that a provision in the pending amendment would make it possible for the courts to administer the steps following a finding, it does not limit the remedy to that action, but makes it possible for the President, as the head of the executive branch of the Government, to carry out the steps necessary to protect the right to vote.

The ultimate guardian of freedom in a government by the people must be the ballot box. If Congress can pass effective legislation which gives to each citizen the opportunity to vote, as is contemplated under the 15th amendment, without prejudice by reason of race, color, or previous condition of servitude, and if that provision can be made a reality, we will have passed constructive legislation.

The other reforms or other steps in the field of civil rights, which some Senators feel are important to establish by statute, will in time be accomplished if every citizen who is qualified to vote under the laws of the State in which he resides is given an opportunity to vote, then the other matters will be taken care of and the purpose of the Republic will be served.

I thank the distinguished Senator from Oregon for his courtesy in yielding to me.

Mr. MORSE. Mr. President, it is my pleasure to be listed as a cosponsor of the Clark-Javits amendment to the pending civil rights measure.

I have cosponsored it because it is my opinion that the amendment takes a step in the right direction toward giving Negroes the voting rights to which they are entitled under the Constitution of the United States.

The amendment first provides for a Federal court determination of a "pattern or practice" of discrimination—of deprivation of the right to register or to vote at any election, State or Federal, general or primary.

This Federal court determination may be instituted by the Attorney General of the United States, but the amendment, wisely, does not stop there. The court proceeding may be initiated also by the request of any plaintiff. Thus, one who has been deprived of his rights to register or vote is assured of his "day in court."

The aggrieved person, upon proof that he is qualified under State law to vote, may obtain a court order to that effect, and the State Governor is so notified.

The complainant is not required, as he is required under the administration's bill, to go through the useless act of obtaining a refusal from the State voting registrar.

The State, under the Clark-Javits amendment, has a 20-day period of grace to comply.

Once an applicant has been declared qualified to vote, he shall be permitted to vote, and any State official knowing of the order, who refuses permission to vote, is automatically in contempt of court.

To facilitate voting rights the amendment calls for court-appointed referees to pass upon applicants' qualifications.

The Clark-Javits amendment does not stop with the foregoing procedures. It also provides administrative remedies.

Upon issuance of a Federal court finding of a pattern or practice of voting-right deprivation, the President would be authorized to issue an Executive order designating Federal enrollment officers.

The enrollment officers would issue certificates of enrollment to vote, upon proof of the applicant's qualification under State law.

State challenges of the enrollee's right to vote would be permitted, but pending approval of the challenge in court the enrollee would be entitled to vote and have his voted counted.

This procedure would place the burden where it should be—on the States instead of the individual.

Willful denial or interference with enrollment rights would be punishable by fine and imprisonment.

Mr. President, if the voting rights guaranteed by the Constitution are to be realized in fact, we need implementing legislation of the type contained in the Clark-Javits amendment.

The need in this respect was amply demonstrated in a fine brief I received in February 1960 from an outstanding member of the legal teaching profession—Assistant Dean William W. van Alstyne, of the Ohio State University College of Law, Columbus, Ohio.

Professor van Alstyne's comments deserve consideration by my colleagues; and, therefore, I shall quote at some length from this very fine brief.

Mr. President, this is a specific example of what I had in mind when I took the position on February 15 that this whole matter should go to the Committee on the Judiciary for consideration for at least a week, so that there could be brought back to us a completed record in regard to the merits and demerits of proposed legislation under consideration by the Senate. The CONGRESSIONAL RECORD will show that I said in the debate at that time that we cannot, in effect, bring to the floor of the Senate expert witnesses, constitutional law authorities, deans of law schools, or professors of law, to testify on the very complicated legal questions which are involved in a legislative problem as complex as the one we are considering.

So we have observed the Senate for many days going through a process which I think is not to the credit of the Senate of the United States. We have been following a procedure which does not redound to our reputation as a good legislative body. Thus it becomes necessary for individual Senators from time to time to present what would have been testimony before the Committee on the Judiciary, if the position taken by the senior Senator from Oregon was correct, not only this year, but also in 1957, when he objected to a similar attempt on the part of the Senate to circumvent the customary Senate proceedings. In a sense Dean

Van Alstyne will be a witness through me, this afternoon, on the floor of the Senate, as I place in the RECORD the position which the dean would have taken had he been a witness before our committee and had he been allowed to make the kind of report which, in my opinion, ought to have been made on the civil rights legislation before we even started the debate on it. I hope there does not happen to be any Senator among us who believes that the procedure adopted has saved any time, because in my discussion on February 15 I pointed out that by following the procedure we were about to follow we would waste a tremendous amount of time—and we have. What a farce so much of it has been. Consider the cost of the debate—which could have been avoided had we followed an orderly procedure in the Senate on February 15 instead of adopting the circumventing procedure of having a civil rights amendment submitted to a little bill involving the transfer of a lease on some Army property in Missouri.

But I lost on that vote. The Senate decided on the course of action it has followed. It has only itself to blame for the confusion confounded ever since February 15. Now we have before us what I believe is a clear outline of what will happen on civil rights legislation at this session of Congress, if anything worth while happens at all. I still have my reservations as to whether any bill worth while will be passed.

However, it appears that the only bill of any value which will be passed, will be a voting rights bill, provided the House sends over to the Senate one which has any merit in it. We have the opportunity in the Senate to strengthen the House bill in case it is a weak bill. That issue is before us this afternoon.

What is the move? The move, obviously, is to weaken this proposal further. Heavy pressures are being exerted to prevent adoption of an effective procedure to enforce voting rights for the Negroes of America.

We have before us the so-called Clark-Javits amendment, of which I am a cosponsor, and which is referred to by some persons as at least a compromise of the Douglas amendment, which was rejected last Friday. I do not see how we can accept less than the Clark-Javits amendment and make any pretense to the Negroes of America that we are providing them with an effective procedural enforcement of voting rights. If we simply pass the administration bill as it stands, I am of the opinion that we will practice a fraud upon the Negroes of America, because I do not believe that bill contains any effective guarantee to them that they will have the right to vote.

As is well known in the Senate, I voted against the civil rights bill in 1957 because I felt it was a fraud, in effect; that it was a sham, in essence; that it contained no effective enforcement of the nice-sounding phrases included in the bill. I forewarned that they would prove to be empty phrases. For the reasons I shall set forth in the course of my remarks this afternoon, they have been naught but empty phrases.

So I turn to the brief prepared by Dean Van Alstyne, associate myself with it, and shall add it from time to time as I quote extensively from it. In my judgment, it must be made a part of the record of this debate, not merely as an insertion in the RECORD; it must be made a part of the record of this debate by way of commenting upon it, as at least one Senator considers and discusses the main features of this brief.

Dean Van Alstyne says:

It may be that my experience regarding litigious problems which have arisen under the 1957 Civil Rights Act (especially 42 U.S.C. sec. 1971) will be of some value to you in assessing the comparative merits of the Civil Rights Commission's proposal for Federal registrars and Attorney General Rogers' proposal for Federal referees.

Mr. President, I ask unanimous consent that the citations and footnotes may be printed in the RECORD at the various points in the context to which I refer.

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

Mr. MORSE. Mr. President, Dean Van Alstyne continues:

As you are doubtlessly aware, only four cases have arisen under the enforcement provisions of section 1971 (a) and (c): *United States* v. *Alabama*, 171 F. Supp. 720 (M.D. Ala. 1959), affirmed, *United States* v. *Alabama*, 267 F. 2d 808 (5th Cir. 1959), cert. granted, 80 S. Ct. 196 (1959); *United States* v. *McElveen and Thomas*, 177 Supp. 355 (E.D. La. 1959), Civ. Action No. 9146 (E.D. La. 1960), stay of order granted, 5th Cir. (Jan. 1960) (stay vacated Feb. 1960, by U.S. Supreme Court); *United States* v. *Raines*, 172 F. Supp. 552 (M.D. Ga. 1959), docketed, 79 S. Ct. 1448 (1959); *United States* v. *Fayette County Democratic Committee* (filed in W.D. Tenn. about 2 months ago, as yet unreported). The effect of these cases has been as follows:

(1) The right to vote has not as yet been secured to anyone as a consequence of any action commenced under the 1957 Civil Rights Act.

Mr. President, I do not see why that statement should surprise anyone. One of the burdens of my argument in 1957 was that the so-called civil rights bill of 1957 would not add any voters to the voting books in the South where Negroes are denied the right to vote.

When the Senate of the United States—and I say this most respectfully—walked out on the procedural provisions of the 1957 bill as first introduced and first considered, and particularly when it added the jury trial to the bill, it guaranteed, as I said at the time, that it was not going to have an effective legislative instrumentality for voting privileges among the Negroes of the country.

Yet the sad thing is that Congress, by passing that bill, raised false hopes among millions of colored people that it had passed something substantial and effective in the field of voting rights. I am glad I did not participate in that performance, but that I voted against the bill, because now we are confronted with the results of its passage.

So Dean Van Alstyne is quite right when he makes his first point:

The right to vote has not as yet been secured to anyone as a consequence of any action commenced under the 1957 Civil Rights Act.

He continues:

(2) Sections 1971 (a) and (c) were held to be unconstitutional by one court and constitutional by another (both cases are in various stages of appeal).

(3) Sections 1971 (a) and (c) have been construed so as not to authorize preventive relief against registration boards or States, but only against individual persons.

(4) Section 1971(a), which was formerly section 1971 and available through related statutes to provide relief in a civil action for damages brought by a citizen deprived of his right to vote on account of race, has been construed as limiting relief to an action brought by the Attorney General under section 1971(c) and therefore cannot be invoked in a private suit. (See dictum, *Darby* v. *Daniel*, 168 F. Supp. 170 [5th Cir. 1958].)

(5) Since the Attorney General filed suit in Terrell County, Ga., and Macon County, Ala., voting registration in those communities has ceased altogether.

These facts are probably known to you, and certainly they argue against complacency among legislators. Indeed, the report of the Civil Rights Commission indicates that approximately 3½ million Negroes possessing qualifications equal to those of registered white voters are presently disfranchised in the South. (See the report, pp. 19–133, and especially Commissioner Johnson's remarks at p. 132: "[O]ur findings also show that in 16 counties where Negroes constitute a majority of the voting-age population there are no Negroes registered to vote. In 49 other counties where Negroes constitute a majority of the voting-age population, some, but fewer than 5 percent of the voting-age Negroes are registered." Elsewhere, it appears that: less than 2 percent of Negroes of voting age in Mississippi were registered to vote in 1956; less than 8 percent are registered in Alabama; in several Louisiana parishes with 60,000 Negroes of voting age, none are registered.)

Mr. President, I am well aware of the fact that for many days during the course of the debate since February 15, there have been denials and arguments to the effect that the Civil Rights Commission's report is inaccurate. I have listened to much of the argument, and I have read all of it, and I have reread the Civil Rights Commission's report, and I have read other material on this matter. All I wish to say for the record is that I am convinced that the Civil Rights Commission is correct—that the use of one device after another, including some interesting subterfuges, in many parts of the South result in denying to the colored people the right, in fact, to vote. Therefore, I do not see what harm will be done by the enactment of legislation which will provide procedures which, when carried out, will guarantee the right to vote. The right to vote is the right we want to assure and in this particular amendment, in my judgment, we provide that right and the enforcement machinery for executing it; and in my judgment, no injustice will be done to any group, any official, or any State, either in the South or elsewhere in America, by guaranteeing in fact as well as in law, the precious right to use a free ballot in the United States.

Mr. President, I read further from the brief by Dean Van Alstyne:

The crucial question is, of course, what are the significant defects of the 1957 Civil

Rights Act which account for its regrettable failure, and how may they best be remedied? The defects, it seems to me, are not at all apparent, but in fact they all inhere in Congress' choice of basic remedies, namely, the device of litigation. Several illustrations of the Justice Department's attempts to enforce the act should make this reasonably clear.

1. Difficulty in securing evidence: Note, first, that notwithstanding statistics which indicate widespread discrimination, only four cases have been commenced. One reason for this is, assuredly, the timidity with which President Eisenhower approaches civil rights, necessarily reflected in rather hesitant policies of the Department of Justice. It is my firm conviction, however, that this is not the sole reason, nor even a substantial part of the reason for the act's infrequent use. Rather, the problem is essentially one of securing evidence acceptable to a court of law, according to the severe burden of proof required by the act. (See hearings before the Subcommittee on Constitutional Rights of the Senate Judiciary Committee (191, 86th Cong., 1st sess. [pt. I, 1959]).

You will note that the act does not provide relief merely upon a showing that Negroes are required to meet arduous registration requirements, stringent literacy tests, or other severe qualifications; the act demands proof of a difference in treatment of Negroes than of white persons—the fact of discrimination must be alleged and proved. While the testimony of Negroes as to their treatment can usually be obtained by the Justice Department, evidence of the treatment of white persons—necessary to establish comparisons—is extremely scarce, because—

Mr. President, it seems to me that procedural technique must not be overlooked as we consider remedial legislation, because the Civil Rights Act, as written, requires much more than a showing of the treatment a Negro has received from a southern registrar. It is also necessary to show the treatment received by the white persons, and then to show that, as a result, the Negro was discriminated against.

I think Dean Van Alstyne makes a worthwhile contribution to this subject by pointing out the burden of proof which confronts the Department of Justice in prosecuting a case to show discrimination under the 1957 act, which, I think, was so poorly worded that it became practically a meaningless document, insofar as guaranteeing any enforceable rights is concerned.

I read further from Dean Van Alstyne's brief:

(a) Many southern registrars keep no records of applicants for registration who were rejected.

(b) Records of accepted applicants fail to indicate what procedure was followed, what literacy test administered, and so forth.

(c) What few records are available can only be obtained after critical delay occasioned by legal action to secure the records. (See, e.g., *United States* v. *Wallace*, 169 F. Supp. 63 (M.D. Ala., 1959)).

(d) White persons are generally hostile witnesses, unwilling to discuss their experiences with representatives from the Justice Department, amenable only to judicially applied coercion, and often evasive in their stories.

(With respect to the difficulty of securing records, you may recall that in reaction to the Attorney General filing suit in Alabama last year, the Alabama Legislature enacted a statute authorizing registrars to destroy their records after 30 days of their accomplishment. I am aware, of course, that the Attorney General has proposed a bill to require the maintenance of records and to permit their inspection, but unfortunately it has a fatal defect; since this bill would not require registrars to make records in the first place, the States are free to repeal State laws presently requiring the making of registration records, thus escaping the effect of the Federal law.)

The necessary consequence of having to secure evidence of the different treatment of white persons has customarily involved additional application to the courts for orders directed against registrars, time-consuming subpena of white witnesses, etc., all of which postpone the case. During such a postponement, the Justice Department may find its Negro witnesses withdrawing due to coercion applied through their white employers, local white citizen councils, white creditors and tradespeople, and the local press.

2. Difficulty of locating defendants: Registrars are generally forewarned that a suit is about to commence, in that the Civil Rights Commission, or the FBI, will have entered the community to determine whether there is sufficient evidence to sustain an action. They can easily avoid such a suit by the simple expedient of resigning their office, and being replaced by new registrars against whom no evidence of discriminatory activities can possibly exist. Thus, in *United States* v. *Alabama*, supra, the two registrars resigned a few days before suit was filed. Since the court held that the Civil Rights Act did not authorize suits against impersonal entities, such as the registration board or the State, the case was dismissed as moot. Now, in 1960, when new registrars have finally been appointed, the Department of Justice must wait again until new evidence can be supplied to determine what discriminatory practices, if any, these registrars may pursue.

3. Abuse of the judicial process: (a) By enlisting the support of partisan courts, canny defense counselors may postpone ultimate disposition of a case for years. Thus, the court in *United States* v. *Raines* held the Civil Rights Act unconstitutional, and though there is little doubt that this decision will be reversed (cf. *United States* v. *McElveen*, supra), the delay may be fatal. No decision on the merits may be expected until late this year, 2 years after the case was commenced. Whether the Government will still be in control of its Negro witnesses who are meantime subject to local harassment is doubtful. In any case, it is unrealistic to rely on law enforcement by judges appointed from communities which are hostile to the law being invoked.

(b) Sympathy by the courts is not necessary to occasion judicial delay, however, for the judicial process itself is vulnerable. For example, in *United States* v. *Alabama*, defense counsel filed a motion to dismiss on 54 separate grounds; while scarcely any of these required serious consideration by the court, still the Department must brief each of them conscientiously to be secure, again at the cost of time. Motions to dismiss were filed, briefed, and argued in *United States* v. *Raines* and *United States* v. *McElveen*; procrastination in all these cases has been acute.

4. Remedial limitations: Even if we can assume that cases will ultimately be decided in the Government's favor, they guarantee only that the few Negroes actually named in the complaint will be registered, with some slight added assurance that other Negroes in that very county may also be protected. In view of the enormous disparity between the Negro and white vote, however, one can readily see that proceeding on this piecemeal, case-by-case, county-by-county basis can never succeed in securing the franchise to the great majority of Negroes in the South.

Mr. President, that fact was obvious in 1957, when we voted on the bill. It was perfectly clear to the few of us who voted against it, but who wanted an effective civil rights bill. Two groups voted against the 1957 bill; those who wanted an effective civil rights bill, which we argued the bill was not, and those who did not want any bill at all. So those of us who found ourselves voting with those who did not want any bill at all were at first misunderstood. We are not misunderstood any longer, because time has proved how right we were. Dean Van Alstyne, in this very brief, gives support to the position a few of us took in 1957, when he points out that the remedial limitations of the 1957 bill, by their very design, were bound to be ineffective. So he says:

We cannot realistically expect registrars in one county to desist from discriminating merely because three registrars in an adjoining county were placed under a court order, and thus we must anticipate that separate legal actions would be required in several hundred communities throughout the South.

The other remedial limitation derives from the civil rights act's provision that a jury must pass on any holding of a defendant in contempt where the penalty would involve more than 45 days incarceration. Since no case has been concluded under 1971(c), the contempt provision of the statute has not yet been applied. Even so, one case does illustrate its inherent difficulties. In *United States* v. *Wallace*, 169 F. Supp. 63 (1959), a local Alabama judge impounded county registration records sought by the Civil Rights Commission and refused to release them pursuant to a Federal court order. The Justice Department was informally advised by Judge Johnson, the presiding Federal judge, that he was unwilling to hold local Judge Wallace for contempt if 45 days was the maximum penalty he could impose, since it was his feeling that this would enhance Judge Wallace' political position in Alabama without visiting any effective punishment upon him. Under the circumstances, Judge Johnson therefore found that Wallace was not in contempt of court, though it is clear from the opinion that Wallace failed to respond to the Federal court order permitting inspection of records by the Commission in an expeditious manner.

There are, of course, a few legislative proposals which have been offered to meet the particular weaknesses of the act as they have thus far developed. You should realize, however, that the frailty of the act runs deeper than the particular symptoms which manifested themselves in these last 2 years; just so long as legislation is directed to the litigation of each incident of voting discrimination, wholesale, disfranchisement will continue. What is required is not the mere enjoining of a few registrars, but the removal of power from these State officers who, as a class and according to our considerable experience, demonstrate a regrettable enthusiasm for abusing that power. Only the replacement of partisan registrars by neutral personalities, or a basic alteration in the Constitution itself, can succeed in the equal application of reasonable registration laws to Negro and white citizens alike.

What I wish to stress, Mr. President, is this argument in Dean Van Alstyne's brief that if we are going to have effective enforcement we have to come to a consideration of the power of southern registrars. We did not do that in 1957. The movement was on to get a civil rights label through the Congress. The

movement was on to be able to tell the people of the country, "For the first time in 70 years we passed a civil rights bill."

There was little interest in the Senate in 1957 in a civil rights bill which came to grips with the kind of power the dean is talking about in this brief. It was politics which rode the crest, rather than an analysis of what was in the bill. The yolk and the white had been taken out of the shell and there was handed to the Negroes of America, as though it were an edible egg, a civil rights shell—a label with no nutrition in it.

Mr. President, as the dean points out in this brief, we have to come to grips with the power of southern registrars, and the Senate never even came near that in 1957.

The dean goes on to say:

In this posture, certain remarks may now be in order on current proposals for Federal referees or registrars.

1. As I understand Mr. Rogers' proposal, additional subsections would be added to section 1971, empowering a Federal court to appoint provisional referees to certify the voting qualifications of local citizens, whether or not they were immediately involved in the action which resulted in the appointment of referees; that this certification would apply to their right to vote in local, as well as Federal, elections; and that the referees' authority would include certain supervisory control over the election procedure itself. The proposal is ostensibly broad, forceful, and commendable in its purpose. It does, however, require a prior judicial determination before referees can be appointed, subjecting the Justice Department to the same process of litigious procrastination, slippery defendants, and unrealistic burden of proof which have plagued enforcement of section 1971 thus far. In short, use of the referees first requires the successful prosecution of a suit under extant section 1971, and therefore does not offer a practical improvement on existing law.

I cannot stress that too much. I do not know what good it will do, but we will make the record once more, Mr. President, as we made it in 1957.

The referee proposal of the administration cannot be effective in enforcement and will never be effective in enforcement, for the very cogent reasons the dean presents in this brief and those that some others of us have argued for for some years. This is true because the judicial procrastination which is guaranteed by this litigious procedure recommended by the Attorney General of the United States, speaking for the President of the United States, makes it impossible to have effective enforcement of voting rights. It does not come to grips with what the dean calls the power of the registrars.

Mr. President, this simply gives the politicians another excuse for not taking effective action, another rationalization. Even now I can hear the arguments they will use on the political rostrums of America next fall. There will be the same kind of reasoning there has been ever since the colossal mistake of 1957, when the politicians were forewarned there was no effective procedure in the 1957 act. The politicians were forewarned that the act would lead to the same kind of judicial procrastination which Dean Van Alstyne points out in the brief I am using as the basis of my argument this afternoon.

I warn the Senate again, if we adopt the administration program for referees we are not going to see very many Negroes added to the voting books of this country for years to come, because that proposal does not come to grips with the power, as the dean says, of the registrars, who are following their devious methods for denying the precious right to vote to the colored people in those areas of the South which now do not allow colored people to vote in any substantial number.

We have the problem before us. Are we going to vote for effective enforcement procedures, or are we going to vote for another label? The Clark-Javits amendment, which I am proud to cosponsor, comes to grips with this issue. It has in it a procedure to deal with the power of the southern registrars.

The dean is an expert witness on this phase of the matter, which is a highly complicated segment of constitutional law. He performs a great service to the Senate by making available to us this brief from which I am quoting.

He goes on to say:

I appreciate the Attorney General's dilemma; offhand, Congress does not appear to have the constitutional authority to regulate the manner in which purely local elections are held, without tying it to an implementation of the 15th amendment which may require a prior determination that a State has racially discriminated. Nevertheless, tying the use of Federal referees to the success of an action under section 1971 will, in my opinion, fatally restrict the practical application of this additional remedy, due to opportunities for maneuver and delay inherent in the judicial process.

Another critical objection to the proposal is that the Federal referees would not completely supplant local registrars, but would merely be empowered to register citizens who met State voting qualifications and who applied to them for certification, instead of applying to the local registrars. In effect, this would mean that only Negroes able to comply with State voting qualifications of a stringent and unreasonable nature could register with the Federal registrars, but that white citizens, applying to sympathetic local registrars, would not in fact be held to those qualifications, and thus could register with greater ease and in greater numbers. Consider, for example, the effect of this system as it accommodates a double standard for registration in Georgia, where a Negro applying for registration with a Federal referee must be able to answer the following questions, among others, as required by State law:

"What is a republican form of government?

"Who is the solicitor general of the State judicial circuit in which you live and who is the judge of such circuit? (If such circuit has more than one judge, name them all.)

"How does the constitution of Georgia provide that a county site may be changed?

"What are the names of the persons who occupy the following State offices in Georgia?

* * * * *

"Comptroller general; commissioner of agriculture; commissioner of labor; State school superintendent.

"What is treason against the State of Georgia?"

Those are the questions thrown at the colored applicant. That is what Dean Van Alstyne is talking about when he says we must face up to the question of the power of southern registrars, or registrars anywhere in the United States where it can be shown that they adopt discriminatory policies based upon race, color, or creed.

Mr. President, the administration's bill does not come to grips with the problem, but the Clark-Javits amendment before us does. I say most respectfully that I shall watch with great interest the rollcall on the Clark-Javits amendment. So far as the Senator from Oregon is concerned, that rollcall will mean to him just this: We shall separate those in the Senate who really believe we should enact legislation with effective enforcement of the right to vote in it from those who really do not believe in it. We are drawing that issue in this debate. That is the basis on which I intend to discuss that rollcall on the platforms of America in the great campaign ahead.

The American people must have brought to them the facts about what goes on in the Senate with regard to the matter of civil rights legislation. I intend to tell them what I think has been going on in the Senate, starting in 1957, when we passed a civil rights bill with no effective enforcement procedures in it, just as Dean Van Alstyne says in the brief from which I am quoting.

At this hour in the Senate we are given notice that there is a move on foot to lay on the table the Clark-Javits amendment, which is an amendment which seeks to come to grips with the power of southern registrars. As Dean Van Alstyne says, until we come to grips with that power and adopt a procedure that will check the misuse and abuse of that power, we cannot guarantee to the Negro citizens of America in the Southern States, where they are now being discriminated against, the right to vote. It is just that simple.

In support of the statement that Dean Van Alstyne makes concerning the type of questions that are asked colored people in some sections of the country when they apply for registration to vote, he suggests that we consult the committee hearings, at pages 169 and 170.

The dean continues:

According to our experience, we know that white applicants are not required to answer such questions before local registrars and that this could not change under the Rogers' bill; indeed, we may anticipate that this system of "alternative registrars" will encourage the States to add even more difficult registration qualifications, so that few Negroes could meet the standards as administered by impartial referees, while leaving local registrars free to ignore these requirements in registering white citizens who otherwise could not qualify. For these several reasons I am convinced the Attorney General's proposal is basically unsound, and that its passage would result merely in removing the existing demand for more efficacious legislation.

The Civil Rights Commission's proposal differs in several aspects:

(a) Registrars would be appointed by the President upon a finding of discrimination by the Civil Rights Commission.

(b) The registrars would be appointed from the area in which discrimination is established.

(c) Their authority would be limited to the certification of voters qualified to vote in Federal elections.

The defects here are (1) in limiting appointment of registrars to those who are resident to the geographic area in which discrimination is found, it is less likely that the Federal registrars would be neutral and unbiased than otherwise; (2) in limiting their authority to Federal elections, there is no assurance that hostile States might not establish separate registration and election procedures for local elections, and thus leave the ability of Negroes to influence local government and local police harassment unimproved; (3) in limiting the registrars' authority to registration procedures, it leaves local election officials as able to manipulate the voting procedure and election returns as before; (4) in requiring preliminary findings of discrimination by the Commission, this proposal assumes (a) the Commission will continue as a permanent body, and (b) that its determinations will not be subject to the same litigious weaknesses as are the courts; (5) States are left free to register white citizens who do not in fact meet registration requirements. These detractions, I submit, rob the Commission's proposal of its efficacy.

I think this is a very sound and scholarly analysis of the defects and weaknesses of both the registrar and referee proposals. I believe that the Clark-Javits amendment, of which I am proud to be one of the cosponsors, comes to grips with the problem of working out the best compromise we can now work out, in view of the unfortunate action taken by the Senate last Friday on the Douglas amendment. At least the Clark-Javits amendment would provide for some enforcement procedure, which I think would be effective, whereas, in my judgment, the referee proposal of the administration would not provide it.

Dean Van Alstyne did not limit himself to criticisms of the Rogers proposal. He went on to make some suggestions of his own for possible legislative remedies. Because we cannot tell yet what the final action may be taken by this body, I propose to take a few minutes now to place in the RECORD, with a few brief comments of my own, some of the suggestions of Dean Van Alstyne. He put it this way in his communication to me:

With considerable reservation, I should like to invite your attention to two alternative proposals which may presently not be within the contemplation of Congress, but which may hold out considerably more promise than legislation now before you.

The first of these is a proposed constitutional amendment, establishing voting qualifications for all elections, affirmatively stating the right to vote as constitutionally granted, and vastly increasing congressional power to assure the franchise:

"SECTION 1. Every citizen of the United States of the age of 21 years or older who has resided in any State or territory 6 months and in the voting precinct 3 months, immediately before offering to vote, shall be entitled to vote at any primary election or other election therein, in which candidates for any public office are nominated or elected, except that the privilege of voting shall not extend to persons in confinement for crime nor to persons adjudicated unsound of mind.

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

This amendment differs in many respects from that which the Civil Rights Commission has proposed (see Report, p. 144), and it appears at page 181 of McGovney, "The American Suffrage Medley" (1949). It clearly represents a substantial departure from the existing scheme of legislation, manifestly deserving more attention and explanation than can be developed in this letter. Without trying your patience with a prolix exegesis on the merits and consequences of this amendment, I should say that according to my own research, experience, and judgment, its adoption could secure more complete electoral participation with a minimum of stress on our Federal system. (Should you be interested in this proposal, its background and reason can be better understood through reading "The American Suffrage Medley," and "The Report of the U.S. Commission on Civil Rights," in connection with parts of this letter reviewing our difficulties under existing legislation.)

If, in your judgment, this amendment should appear to be either rationally imprudent or politically incapable of adoption, I would recommend that a bill be introduced in Congress based on a modification of the present Attorney General's bill. It should provide that the President be empowered to appoint Federal referees in his discretion, wherever he has reason to believe it necessary to assure access to the ballot. The referees would have the authority to supplant local registrars in every respect, to certify all qualified voters and to supervise elections, primary and general, in which candidates for Congress are involved.

I understand that this legislative proposal is being given serious consideration by some of my colleagues. I have made clear that I shall be happy to join in it if it is offered. The present strategy—and that is a proper use and a proper application of the word "strategy"—the present strategy in the Senate seems to be to try the Clark-Javits amendment first.

The Clark-Javits amendment, in my judgment, is preferable to this proposal of Dean Van Alstyne. If we lose out on the Clark-Javits amendment—and I hope we will not—then it seems to me that this is the next line of retreat in this battle that some of us are putting up in trying to bring to the Negro people of America the precious right of first-class citizenship, basic to which is, of course, the right to vote.

I think it is important that this possible alternative, as proposed by Dean Van Alstyne, be made a part of the RECORD before we come to a vote on the Clark-Javits amendment.

Dean Van Alstyne goes on to write:

A statute of this character would avoid the pitfalls of litigation presently a prerequisite to securing any kind of relief, in that no judicial determination that discrimination exists would be required. Thus, Executive discretion could be exercised to appoint referees on the basis of statistical disparities of the kind elsewhere reviewed in this letter (e.g., in the 16 counties possessing a majority of Negroes of voting age but where none are now registered). Moreover, it does not confine the selection of registrars to residents of the immediate area concerned, it would affect the registration of both white and Negro citizens, and it would reach the conduct of elections themselves, as well as the registration process. It would appear to be a legitimate exercise of congressional power under article I, section 4 of the Constitution, without violating traditional notions of separation of powers which somewhat limit the ability of Congress to delegate authority to the Executive. (Certainly, however, additional research is required before we could be confident in the complete constitutionality of such a bill.)

Its one obvious weakness inheres in the fact that the Federal referees would control the mechanics only of Federal elections, leaving the States free to establish separate procedures for local elections. Unhappily, until the Supreme Court broadens the scope of the 15th amendment so as to authorize Federal action against private discrimination in local elections, it is not easy to see how a law reaching local elections can be promulgated, unless the statute also requires that a court first determine that those acting under color of law have discriminated, so as to bring in relief in local elections as part of the judicial remedy in a proper 15th-amendment case. But the hopelessness of relying on judicial processes inherent in the pending bills impresses me as more serious and objectionable than the weakness of this statute.

In any event, without wishing to appear rhetorical or sentimental, I hope that you may find this letter helpful in your deliberations on civil rights. Racial discrimination with respect to the right to vote is galling to a democracy, stifling the very processes and philosophy which endow national power with national wisdom, and which protect those from whom power is derived from abuse by those to whom it has been entrusted.

Should you entertain any reactions to my letter, I would be pleased to hear from you at your convenience.

Sincerely,

WILLIAM W. VAN ALSTYNE.

Mr. President, I wish to say for the RECORD this afternoon that I not only thank Dean van Alstyne for the research and scholarly work he did in the preparation of this brief and for making it available to me for my study and my comments here this afteroon, but I want the RECORD to show, also, that I believe Dean van Alstyne performed a great public service which will be to his everlasting credit. This brief is a very fitting proof of his ability in carrying out the legal scholarship which he has demonstrated, not only in this instance, but on many other occasions.

I thank him very much. I say to the Senate, "You had better ponder what the dean says." I say to the Senate, "You had better watch out and see that you do not particpate in the same empty civil rights gesture made in 1957 when you pased a civil rights bill which has proved to be so impotent so far as voting and effective enforcement procedures are concerned."

I hope that I may have the opportunity of voting for a civil rights bill which deserves a vote for it.

I had hoped that we could have had a broad civil rights bill which would cover many subjects that would have been covered if part III had been adopted this year. However, once again, as in 1957, it was defeated. I say the vote on the bill will prove to be a very interesting vote in this session of Congress. That rollcall vote will be one the politicians are going to hear about time and time again in the historic campaign that will take place in this country between now and next November. That will be a rollcall the American people must come to understand, because it will be one which will show the extent to which the elected representatives of a free people in the Senate in the year 1960 are willing to vote for meaningful enforcement procedures in the field of civil rights.

That will be the basis of a political debate across this country.

So far as the senior Senator from Oregon is concerned, it does not make any difference whether the individual concerned with that rollcall is a Republican or a Democrat, because the rights of minorities in this country are so much greater than any partisan interest. I divorce myself from any partisan interest in connection with that rollcall or similar rollcalls here in the Senate on civil rights matters. I wish to say to the voters of America that if a Democrat does not vote for effective enforcement procedures, then it is important that they call him to account for his vote, as it is important that they call a Republican to account for his vote.

As one who thinks it is very much in the interest of this Republic that we have a Democratic victory in 1960, I wish to say it is my hope that in the rollcall vote on the Clark-Javits amendment my Democratic colleagues will recognize the importance of standing firm and voting for an amendment which provides for effective enforcement along the very lines of the argument advanced by Dean van Alstyne in his brief.

Oh, gentlemen say to me, "Senator, don't make a political issue out of civil rights."

My reply is, "Civil rights is the greatest domestic political issue facing the American people. We cannot escape its political significance. It is a political issue. We must measure up to this political issue in the great campaign ahead."

Mr. President, I do not want to close this speech on civil rights, which may be one of my last major efforts on this subject matter during the course of this particular debate, without referring once more, this time speaking as a member of the Committee on Foreign Relations, to the civil rights issue. In my judgment, not only is it the most important domestic issue confronting the American people, but it is also one of the two most important foreign policy issues confronting the American people. Until we put into practice in the United States the true meaning of the 14th and 15th amendments, which guarantee to the colored people of the United States equal protection of the laws and the right to vote, the two basic guarantees of those two great amendments, we shall continue more and more to lose prestige in southeast Asia, Latin America, and Africa, where the color of the skin of millions of people, far in excess of the total population of the United States, does not happen to be white. They understand the civil rights issue in the United States, and they understand the hypocrisy that stalks rampant across the United States in regard to the race issue. They are not interested in our pratings about freedom until we put those freedoms into practice in the United States.

Mr. President, today in the field of foreign policy we had better face up to the civil rights issue. We had better recognize that after more than 90 long years of waiting, the time has come for the politicians to stand up and face the issue, stop their ducking, stop their rationalizing and making excuses, stop their end runs around the issue, and come to grips with it and pass some legislation in the year 1960 which they did not pass in 1957, legislation which will really have some enforcement power in it. As Dean van Alstyne says, Congress should come to grips with the power of the southern registrars and adopt procedures which will either put those southern registrars in the position where they will keep faith with the constitutional rights of the colored people, or will supplant them under the administrative procedure provided for in the Clark-Javits amendment, so as to give effective meaning to the constitutional rights of the Negroes of America.

Mr. President, I have been heard to say on many occasions, and I repeat once more, that the primary obligation of every Member of the Senate is to translate into legislation great moral values. This is a moral issue, Mr. President. No amount of political patter can ever change the fact that we are dealing not with civil rights in the narrow sense, but that we are dealing with human rights. When we deal with human rights, we deal with great moral values.

I challenge the Senate to put into practice the professings which politicians are so frequently heard to enunciate, about how we always seek to protect human values. So long as we permit a voting situation to continue in the United States where millions of colored people are in practice denied the right to vote, we cannot say that we are protecting human values.

So I hope, from the standpoint of the domestic problem that it creates and from the standpoint of the foreign relations problem it has raised as a challenge to America's good faith, that the Senate will vote against any motion to lay the Clark-Javits amendment on the table, and will come to grips with the problem of enforcement. I hope we will adopt the amendment and will serve notice that at long last the Senate of the United States is ready to support effective enforcement procedure in the field of voting rights.

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

Mr. MORSE. I yield.

Mr. KUCHEL. The Senator from Oregon has made an effective speech. I can testify to the moving force in the world affairs today, of the manner in which all of us—in the Government and out of it—deal with the problems of race in America.

I think the Senator has highlighted one of the urgent reasons for passing at this session of Congress meaningful civil rights legislation. I have the honor to cosponsor with the Senator from Oregon, as he well knows, the pending amendment. Three years ago I stood with the Senator from Oregon and other Senators and voted in favor of part III. I did so again this year. I think it is a tragedy that on both occasions part III went down to defeat.

Well, the roll will be called tomorrow, and I venture to suggest that the argument which the Senator from Oregon has made so ably tonight may be one more reason to hope for a few more votes against tabling, and for the amendment, when the time comes to vote on those questions.

Mr. MORSE. I thank the Senator from California very much. I think the Senator knows that I always feel it is a great personal compliment to me when the senior Senator from California shares a common view with me. I always prefer to have him with me. I want him to know that I thank him very much for the gracious remarks he has just made. I am pleased to be standing shoulder to shoulder with him in support of what he and I recognize to be a responsibility of the Senate to protect human rights.

STRIKE INSURANCE

Mr. MORSE. Mr. President, the magazine the Nation, published in its issue of March 19, 1960, an article entitled "Strike Insurance," written by Mr. H. Howard Ostrin, a New York attorney.

The subject dealt with in this article is also the subject dealt with in Senate Resolution 271, submitted by me, which calls for an investigation by the Senate Committee on Labor and Public Welfare of the use of strike insurance in the newspaper industry.

In this article, Mr. Ostrin points out why strike insurance has been challenged in one State, New York, as being contrary to sound public policy. He also points out why the type of strike insurance provided in the airline carriers mutual assistance pact of 1958 amounts to a secondary boycott in reverse, one practiced by the airlines against the unions.

I also call attention to Mr. Ostrin's discussion of the strike which led to the demise of the Brooklyn Eagle, and its marked similarity to that occuring now in Portland, Oreg., against the Oregonian and the Oregon Journal.

So that the matter may receive the attention of Congress which I think it deserves, I ask unanimous consent to have this article printed in the body of the RECORD.

Mr. President, I have received a number of inquiries from persons who understandably do not understand the delay in the U.S. Senate in considering emergency matters in respect to Senate Resolution 271, submitted by me, and which calls for an investigation by the Committee on Labor and Public Welfare of certain union-busting practices allegedly engaged in by some newspaper publishers in the United States. I have written to them, but I state again, for the record, that the long civil rights debate, the filibuster which has characterized it, and the hours during which the Senate has been in session, have resulted in very few committee meetings being held during the past month. Of course, other proposed legislation is pending before the Committee on Labor and Public Welfare which I assume some persons might consider has priority, such as the minimum wage bill, of which I happen to be one of the authors, and other measures which the committee has been considering for some time past.

Mr. President, this newspaper strike story and the antiunion activities of some American employers deserve the early consideration of the Senate.

I see the Senator from Michigan [Mr. McNamara] on the floor, and I know he is concerned, and has been concerned, with the status of my resolution, and made inquiry of me sometime ago about it. I want him to know that just as soon as the Senate committee gets back to holding regular sessions, I shall continue to press for the earliest possible consideration, including public hearings, of my resolution, Senate Resolution 271, which calls for an investigation of the labor practices of newspaper publishers in the United States.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the body of the Record.

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

Strike Insurance

(By H. Howard Ostrin)

In a free society the right of employees to withhold their labor is inviolate and unassailable—no less basic, indeed, than the fundamental rights of "life, liberty, and the pursuit of happiness." One must recognize, however, that under our complex economy, a prolonged work stoppage, particularly in a key industry, may trespass upon the rights of the general public. Sound public policy, therefore, requires that every bona fide effort, short of compulsion, be made to accelerate the termination of all strikes.

Free collective bargaining first received the imprimatur of our Government in 1926, when Congress passed the Railway Labor Act. In addition to providing machinery for the settlement of railway and airline labor disputes through mediation, factfinding and voluntary arbitration, the act requires employers in these industries to bargain collectively with representatives of their employees. In 1935, the Wagner Act extended this concept to all other industries engaged in interstate commerce. Twelve years later, the Taft-Hartley Act extended the requirement of good-faith bargaining upon unions in their dealings with employers.

Mindful of the public's stake in industrial controversies, the Taft-Hartley Act is introduced by a succinct observation that strikes can be prevented or minimized if management and labor recognize that neither party, in its relations with the other, has the right "to engage in acts or practices which jeopardize the public health, safety, or interest."

Any device which prolongs a dispute or otherwise impinges upon the public interest should therefore be discouraged, if not rejected. By the same token, any tactics employed in the course of a labor-management impasse which contribute to, or result in, a combination to restrain or stifle free competition should be enjoined through the application of our antitrust laws.

It is within this frame of reference that the subject of strike insurance and its effect on the collective-bargaining process is here considered.

Subtly referred to as suspension insurance by the members of the American Newspaper Publishers' Association (ANPA), as a mutual assistance pact by our major airline companies, and as a service interruption agreement in the railroad industry (where its sponsors are presently seeking adherents), these industrywide strike-insurance arrangements manifestly are intended to provide self-help in the event of work stoppages.

As an economic counterweapon, doubtless beyond contemplation of Congress when it gave statutory approval to the collective-bargaining process, this stratagem may conceivably impede negotiated settlements, prolong strikes, and stifle competition—all to the detriment of the general public. In its relatively short lifetime, strike insurance may already have contributed to the demise of one company which perhaps relied too much upon its potential as a strikebreaking maneuver.

On June 30, 1955, the American Newspaper Guild, one of the first unions to be confronted with strike insurance, called upon the attorney general of the State of New York to investigate the subject of publishers' strike insurance "as a possible conspiracy in violation of the insurance and other laws of the State of New York." On August 2, 1956, the attorney general (the post was then occupied by Jacob K. Javits, now U.S. Senator) responded:

"Upon investigation, this office learned that insurance against business losses due to strikes did exist and was being made available to members of the American Newspaper Publishers' Association.

"The material which this department has acquired in the course of its investigation, including copies of the insurance policies then in use, was referred to the State department of insurance. On July 26, 1956, I was advised by that department that the filings of each insurance company involved were rejected on the ground that approval of such coverage would be contrary to public policy."

Referring to this rejection of a strike-insurance rate schedule by the New York State Insurance Department, Editor and Publisher, an organ of the ANPA, in its August 18, 1956, issue, noted that the ruling applied only to carriers licensed to do business in New York State. Said Editor and Publisher: "The strike insurance group merely transferred its insurance to other companies. * * *"

Available evidence supports the conclusion that strike insurance can be procured only from foreign firms.

Suspension insurance, though not generally publicized, has been available to members of the ANPA for many years. The details of the plan currently in effect are particularized in a 7-page memorandum issued by the Newspaper Publishing Premium Fund on May 29, 1958. The sponsoring committee anticipates "that the aggregate coverage issued by the underwriters will not be less than $17,500,000." Premium checks are payable in U.S. dollars to the order of the Montreal Trust Co.

In the event of total suspension of publication, the full daily indemnity will be paid beginning with the eighth publishing day after the strike starts and will continue thereafter for a period of 25, 50, or 100 days, depending upon the premium paid; or upon termination of the strike, whichever occurs first. Benefits are also payable in the event of a partial suspension of publication. These consist of reimbursement for actual losses such as fixed charges, expenses and loss of profits; provided that the total benefits paid do not exceed the amount that would have been paid in the event of total suspension.

The maximum daily benefit is fixed at $10,000 per publishing day and $500,000 in the aggregate, payable in U.S. dollars. (The underwriters are located in Canada.)

The cost of insurance is determined on the following basis: $123, $163.50 or $203 per $100 of premium indemnity, depending upon whether the insured desires 25, 50 or 100 days of coverage. Sunday insurance may be purchased by the payment of an additional premium.

Indemnity payments will be made only if the insured publisher offers to arbitrate his dispute with the striking union. He need not, however, offer to arbitrate where the strike issue involves news and editorial policy, assignments of editors, reporters or writers, pension or welfare plans, union shop or other forms of union security unless such provisions are already included in the collective bargaining agreement.

Whether strike insurance contributed to the demise in 1956 of the century-old Brooklyn Eagle and the consequent loss of more than 600 jobs is a debatable matter as to which reasonable men may differ. That it affected the course of negotiations and paradoxically led to an avoidable strike is much less subject to speculation.

After nearly 5 months of fruitless negotiations with the Eagle, the Newspaper Guild of New York offered to have an arbitrator determine whether its members were entitled to receive the wage increase they were then demanding. Had the publisher accepted, a strike would have been averted. Instead, the Eagle invited the guild to arbitrate the entire agreement. Since money was the only real dispute between them, the guild rejected the publisher's proposal and the strike ensued.

Were it not for a subsequent arbitration proceeding involving the guild's demand to recover severance pay and other fringe items on behalf of its members whose employment terminated with the suspension of the paper's publication, the publisher's offer to arbitrate the entire contract might well have been shrouded in mystery to this very day.

During the severance pay arbitration, where the writer appeared as counsel for the guild, the following admissions were elicited from the publisher:

The Eagle, as a member of the American Newspaper Publishers Association, had been carrying strike insurance for approximately 20 years at an annual premium cost of close to $10,000.

Receipt of the daily indemnity benefits under the insurance policy (in this case $5,000) was conditioned upon a firm offer by the publisher to submit its dispute with the guild "to a fair and impartial arbitration by a disinterested party. That is, any agency which can be shown to be fully disinterested, fair and impartial in the ordinary sense in which these words are commonly employed, and to abide by such arbitration." (The quoted words are taken verbatim from the insurance policy.)

Acceptance of the guild's offer to arbitrate would clearly have satisfied that condition. But this was not what the publisher wanted. In the first place, acceptance would have averted a strike and there obviously could not have been any recovery under the strike-insurance policy. Secondly, and this was admitted, the guild would have been successful in so limited an arbitration.

So the publisher, mindful of the language of its insurance policy, made the following proposal:

Management is willing to submit the settlement of this contract in its entirety, clause by clause, to a fair and impartial arbitration by a disinterested party. That is, by an agency which can be shown to be fully disinterested, fair and impartial in the ordinary sense in which those words are commonly employed, and to abide by such arbitration.

A strike occurred; the Eagle collected $250,000 in strike-insurance indemnities and, on March 6, 1955, went out of business. Commenting on the Eagle strike, Fortune, in its April 1957, issue, wrote:

"One reason why the Brooklyn Eagle, a large community newspaper, could afford to hold out during a month-and-a-half-long Newspaper Guild strike is strike insurance carried by the paper. ('It is true that the Eagle has strike insurance,' admits Publisher Frank B. Schroth. 'I also have burglary and fire insurance.') * * * Almost every major daily in New York as well as many in other cities carries strike insurance. The risk is spread among the American Newspaper

Publishers Association, Lloyds of London, and a U.S. insurance company."

The Airline Carriers Mutual Assistance Pact of October 1958, is simply another form of strike insurance with a slightly different twist. Sponsored by American, Capital, Eastern, Pan American, United, and Trans World Airlines, the agreement provides for mutual assistance in the event any participating company's flight operations are shut down by reason of:

"1. A strike called to enforce demands in excess of or opposed to the recommendations of the Board established by the President of the United States under the Railway Labor Act; or

"2. A strike called before the employees on strike shall have exhausted the procedures of the Railway Labor Act; or

"3. A strike which is otherwise unlawful."

Should any of these events occur, the parties not affected agree to pay over to the struck operator an amount equal to their increased revenues attributable to the strike, less expenses. Such payments are to be monthly or more frequently, if the parties so agree, for the duration.

The agreement obligates the struck company to make every reasonable effort to encourage the public to patronize the nonaffected operators during the strike period. This simply means that if a strike should be called against Capital Airlines, Capital will undertake to urge its customers to patronize its airline competitors to the exclusion of rail or bus facilities.

The Federal Aviation Act of 1958 mandates the Civil Aeronautics Board to reject an agreement between or among airline carriers which offends the Railway Labor Act or the public interest. Accordingly, and at the Board's invitation, the carriers and affected labor organizations participated in oral argument on the question as to whether the mutual assistance pact should be approved.

In its decision made public on May 20, 1959, the Board unanimously rejected that portion of the agreement which dealt with the diversion of traffic by a struck company to other subscribing carriers, saying that the "concerted effort to shuttle traffic among a restricted group of carriers is repugnant to antitrust principles." The remainder of the agreement, however, was qualifiedly approved by a vote of 4 to 1.

Rejecting the unions' contention that the agreement repudiates good-faith collective bargaining as required by the Railway Labor Act which has jurisdiction over labor relations in the airline industry, the majority observed:

"Nothing by the parties shows that the operation of the agreement will, in fact, induce the carriers to disregard the obligations imposed by law. * * * The record is devoid of any showing that the duration of any dispute was prolonged as a result of the agreement."

In this connection it is noteworthy that the majority was sharply criticized by the dissenting Board member. Minetti, for its failure to require an evidentiary hearing in order to explore the critical issues raised by the agreement.

The Board's majority also turned down the unions' argument that the pact, if allowed to stand, would bring carriers who were not parties to a particular controversy into a strike situation.

To fully appreciate the unions' position in this regard, one must understand that the Railway Labor Act prohibits multiemployer bargaining without employee consent. A collective labor agreement in the airline and railroad industries can be made only with a single company. Assume, therefore, that Airline Pilots Association strikes Capital Airlines to enforce its contract demands. Under the airlines mutual assistance pact, the nonstruck subscribing carriers are required to marshal their economic strength on behalf of Capital against the striking union. In these circumstances, the pilots association will necessarily be contending against a formidable group of carriers instead of the one with whom it has a dispute.

A striking union which enlists the support of unions having collective bargaining agreements with neutral employers is chargeable with unlawful secondary boycott activity. Apparently, so far as the CAB is concerned, a group of carriers having no immediate dispute with a union engaged in a strike against another company, may nevertheless lend economic force to the striking company. For the time being, at least, the secondary boycott in reverse has gained the imprimatur of one governmental agency.

The union also unsuccessfully attacked that portion of the agreement which provides for mutual assistance in the event a union calls a strike without accepting the recommendations of the Federal Emergency Board. Emphasizing that Congress intended such recommendations to be free from compulsion, the unions argue that the mere existence of the pact not only violated the concept of free collective bargaining, but also could so reduce or neutralize its economic potential as to compel acceptance to the alternative of striking against the combined economic strength of all parties to the agreement even though the dispute might be with one company.

Obviously impressed with this argument, Mr. Minetti wrote:

"The purpose of the agreement is to provide the combined economic power to enforce settlement of labor disputes on whatever terms an Emergency Board may recommend. The agreement thus aims at perpetuation of the tendency to defer bargaining until the issuance of an Emergency Board report, since its only effect on present bargaining practices is to make them more attractive.

"This increased use of Emergency Board recommendations as a carrier's first counteroffer is an unequivocal violation of the bargaining mandate of the Railway Labor Act, since the statute requires good-faith bargaining before the creation of an Emergency Board. No carrier can know, during the negotiating period which precedes the establishment of an Emergency Board, what recommendations an Emergency Board will make or even if the creation of an Emergency Board will be recommended. As a practical matter then, the carrier cannot freely bargain in good faith if it intends to rely on Emergency Board recommendations, since it would thereby risk offering its employees more than the Emergency Board will ultimately recommend. The absence of good-faith bargaining during this period, however, is in flat violation of the Railway Labor Act."

Strike insurance appears to have attracted the interest of the railroad industry as its most recent adherent. The Wall Street Journal of July 13, 1959, reported the fact under the following headline: "Railroads Devise Plan To Hedge Their Risks if Unions Walk Out; Secret Policy Would Pay Fixed Costs."

Referred to as a "service interruption agreement," the proposed policy of insurance is scheduled to become effective when railroad companies accounting for 65 percent of the industry's gross operating revenues agree to subscribe.

According to the Wall Street Journal, envelopes containing the proposed policies have been addressed to some 300 members of the Association of American Railroads—marked "Confidential." A memorandum preceding the mailing advises officials how to brush off the press in the event it learns of the plan.

The insurance provides for the pooling of funds with benefits as high as $600,000 per day payable to a struck carrier. Rejected by U.S. insurance companies, the policies are being underwritten by a newly formed Bahaman company known as the Imperial Insurance Co., Ltd., of Nassau, which in turn is associated with Lloyds of London.

This is how the plan is expected to function:

1. Each subscribing carrier, at the very outset, will be required to deposit with a Nassau bank the equivalent of its own fixed charges for 1 day. These are defined to include property taxes, pension and interest charges, sinking fund payments, equipment trust obligations, and all costs of supervisory forces necessary to preserve the railroad's properties in a standby position.

2. Premium costs will be determined by the frequency and duration of strikes in each year.

3. Annual administrative costs, presently estimated at $150,000, will be assumed by the participating companies.

4. In the event of a strike, the insured carrier will be fully protected against all of its fixed charges for the duration of the stoppage.

These are the limitations:

1. The plan will not become operative unless at least 65 percent of the industry's gross 1958 revenues sign up.

2. Benefits will not be paid if 50 percent of the industry participating in the plan is struck.

Other conditions are as follows: The strike must not be in conflict with the Railway Labor Act, and it must not be the result of the carrier's attempt to enforce demands contrary to the recommendations of a Presidential emergency board.

Guy L. Brown, president of the Engineers Union, is quoted as having said: "I think you would see quite a few of our lawyers in court if the companies try anything like strike insurance."

If current negotiations in the railroad industry should break down and a strike result, it is not inconceivable that railroad strike insurance may well affect its scope and duration. Insulated against fixed charge losses for the duration, the struck carriers will be less exposed to the normal economic pressures which produce early settlements. This, of course, will militate against the public interest.

Demonstrably, the propriety and legality of strike insurance is open to serious question. It has officially been declared to be against public policy in New York State. The Civil Aeronautics Board, after rejecting a key provision in the Airline Carriers' Mutual Assistance Pact, qualifiedly approved the remainder of the agreement.

There is little doubt but that the railroad unions will challenge the legality of the "service interruption agreement" in their industry by invoking the Railway Labor Act and possibly the antitrust laws.

Following a strike against the Ridder newspaper in St. Paul, Minn., the American Newspaper Guild requested a congressional investigation of strike insurance, and the matter was referred to the McClellan committee. So far as the writer is able to determine, the committee never got around to this question. Certainly no public hearings were held. Evidently the committee was so preoccupied with its concern to expose union abuses that it never could find the time to inquire into the subject of employer strike insurance.

It remains for the courts, or perhaps another congressional committee, to consider the effect of strike insurance upon the collective bargaining process and the public at large.

LEASING OF PORTION OF FORT CROWDER, MO.—CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 8315) to authorize the

Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools, R-I, Missouri.

During the delivery of Mr. MORSE's remarks,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon yield, in order to permit me to make an inquiry, if it is understood that in yielding for that purpose, he will not lose the floor?

Mr. MORSE. Yes, Mr. President; I yield.

Mr. JOHNSON of Texas. I wonder whether I may inquire of the Senators now present whether they think we can reach a vote at a reasonable hour this evening.

First, let me inquire how long the Senator from Oregon anticipates he may occupy the floor.

Mr. MORSE. In my judgment, approximately 30 minutes longer.

Mr. JOHNSON of Texas. I understand that the Senator from Connecticut [Mr. BUSH] and the Senator from New York [Mr. JAVITS] will also wish to address the Senate. Let me inquire of them how long tney anticipate they will speak.

Mr. JAVITS. I had planned to speak for three-quarters of an hour, but I could reduce that to 30 minutes or 20 minutes, if that were desired.

Mr. JOHNSON of Texas. Let me also inquire of the Senator from Illinois.

Mr. DIRKSEN. I would need sufficient time to make the case in chief in opposition to this amendment; and I think that would require an hour.

Mr. JOHNSON of Texas. How much time will the junior Senator from New York require?

Mr. KEATING. I would say 3 minutes would be sufficient.

Mr. JOHNSON of Texas. How much time does the Senator from Mississippi need?

Mr. STENNIS. The Senator from Mississippi does not expect to speak, but the Senator from Virginia [Mr. ROBERTSON] has prepared a statement on the merits of this matter, and he will speak 40 to 50 minutes.

Mr. JOHNSON of Texas. How much time does the Senator from Michigan need?

Mr. McNAMARA. About 15 to 20 minutes.

Mr. JOHNSON of Texas. In view of the indications, we shall be here until a rather late hour. I will keep the Senate in session for as long as Senators desire to stay, but I will not ask for a record vote this evening, so all Senators may be informed.

I thank the Senator from Oregon for yielding to me.

Mr. McNAMARA. Mr. President, if the debate in recent weeks on civil rights and voting rights has proved one thing, it is this:

Members of the Senate who are interested in guaranteeing these rights do not lack imagination in drawing up proposed solutions to the problem.

We now have before us the latest suggestion for insuring voting rights. This one has been submitted by the senior Senator from Pennsylvania [Mr. CLARK], and I have joined in sponsoring it.

Previously, other plans have been presented to the Senate. If this one fails of adoption, I am sure there are others that will follow.

While personally I would prefer that we concentrate all our efforts on a single voting-rights section, the fact that so many variations have been proposed is a healthy sign.

First, I believe it demonstrates a firm desire on the part of many Members of the Senate to include a voting rights section in any civil rights legislation.

The question is not whether there will be such a section. The question is which one, and how effective will it be?

It is vitally important, of course, that we do not permit a voting-rights label to be attached to a watered-down, ineffective provision that will give only lip-service to the enforcement of this constitutional right.

Second, the fact that so many voting-rights proposals have been submitted indicates that Senators are eager to take the right course, and not to force upon anyone something unfair or unworkable.

It seems to me that at least four basic requirements of a voting-rights section must be present if Congress is going to do the job of implementing the 15th amendment. The four criteria, as I view the matter, are these:

There must be a fair method for determining that there is a pattern or practice of depriving persons of their right to register and to vote because of their race or color, or that a substantial number have been denied this right.

Next, once this pattern or practice is found to exist, applicants must be allowed to register directly with the governmental officials designated by the law, without first going through the degrading practice of being turned down by a local or State registrar.

It is essential that the registration and the right to vote provided for under any new Federal law shall apply both to State elections and Federal elections, and not to Federal elections alone.

Finally, I feel that it definitely is necessary that one who registers and votes under such a law shall be permitted to cast his vote and have it counted, prior to the determination of any challenge.

I think all those who are seriously interested in protecting the right to vote of all eligible American citizens will agree with me that these criteria are essential in a voting-rights section.

The framework of such a bill—regardless of whether there are to be enrollment officers, registrars, and referees, and regardless of how they are appointed—is open to question and debate.

But I firmly believe that if any one of the criteria I have listed is missing from the final bill, the effectiveness of the legislation will have been seriously weakened.

Under these criteria, the pattern or practice of voting discrimination will have been proved in a case brought before a Federal district court.

If we have any confidence in our judicial system—and we must have, if we are to believe in the Constitution—we can expect that the court will do justice. If no such pattern or practice exists, the court will so find. But if there is discrimination in significant proportions because of race or color, the court will determine that, too.

We should not expect American citizens for whom the court has determined there has been an illegal deprivation of the constitutional rights, to be forced to go, one by one, to the local registrar, and be turned down, before they can retrieve their rights. The finding of a pattern or practice should be enough to permit these citizens to go directly to the Federal official.

Neither should there be any argument over the application of these voting rights to local elections, as well as Federal elections. To restrict the right to vote to a Federal election would be to make a mockery of citizenship responsibilities, as well as of the meaning of the 15th amendment.

Neither should there be controversy over the necessity of having a challenged vote counted in such cases, and then having the vote impounded until the validity of the challenge is determined. To do otherwise would be to offer many avenues for delay and interference, which could, at the last moment, nullify the intent of the voting-rights law.

The Clark amendment now pending before the Senate contains the criteria which I have listed; and for that reason I will support it.

In addition, the Clark amendment offers a choice between the referee proposal and the enrollment officer plan, either one of which could be put into effect as the circumstances warrant.

As I have said, Mr. President, the framework of the bill can be discussed and altered so as to make it the most effective. But the principle is plain and was endorsed by the Civil Rights Commission by a 5 to 1 vote.

However, it seems to me we are faced with one fundamental proposition: If there is no wholesale deprivation of the right to vote, then—no matter which voting-rights plan we enact—the plan will not have to be applied. But if there is such discrimination—and we have ample evidence that there is—then we must have at hand the tools with which to take fast and effective action.

RECESS

The PRESIDING OFFICER (Mr. BARTLETT in the chair). What is the will of the Senate?

Mr. KUCHEL. Mr. President, in accordance with the order previously entered, I move that the Senate now stand in recess until tomorrow at 12 o'clock meridian.

The motion was agreed to; and (at 7 o'clock and 6 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Tuesday, March 22, 1960, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 21, 1960:

PUBLIC HOUSING COMMISSIONER

Bruce Savage, of Indiana, to be Public Housing Commissioner, vice Charles E. Slusser, resigned.

U.S. DISTRICT JUDGE

Oren R. Lewis of Virginia to be U.S. district judge for the eastern district of Virginia, vice Sterling Hutcheson, retired.

U.S. MARSHALS

Oliver H. Metcalf, of Pennsylvania, to be U.S. marshal for the middle district of Pennsylvania for the term of 4 years. He is now serving in this office under an appointment which expires March 1, 1960.

James Crawford, Jr., of Texas, to be U.S. marshal for the eastern district of Texas for a term of 4 years. He is now serving in this office under an appointment which expires April 24, 1960.

BOARD OF PAROLE

Richard A. Chappell, of Georgia, to be a member of the Board of Parole for the term expiring September 30, 1966. He is now serving in this post under an appointment which expires September 30, 1960.

William F. Howland, Jr., of Virginia, to be a member of the Board of Parole for the term expiring September 30, 1966. He is now serving in this post under an appointment which expires September 30, 1960.

POSTMASTERS

CALIFORNIA

Joseph T. Collins, Fair Oaks, Calif., in place of L. I. Webb, retired.

John R. Riley, Orange Cove, Calif., in place of A. L. Schoepf, deceased.

Hazel L. Gill, Seven Oaks, Calif., in place of W. W. Glass, retired.

CONNECTICUT

Edward E. Moseley, Rowayton, Conn., in place of H. L. vonDwingelo, deceased.

GEORGIA

Alexander P. Dempster, Milledgeville, Ga., in place of B. E. Harrison, deceased.

Ann S. Cole, Montezuma, Ga., in place of G. S. Gardner, retired.

IDAHO

Levin H. Benson, Cobalt, Idaho, in place of V. M. McPherson, resigned.

Jesse L. Dobbs, Kuna, Idaho, in place of H. N. Hinckley, removed.

ILLINOIS

J. Howard Meade, Enfield, Ill., in place of C. M. Jordan, deceased.

Robert L. Delap, Piper City, Ill., in place of S. W. Lane, deceased.

INDIANA

Virgil R. Myers, Francesville, Ind., in place of O. O. Welden, retired.

IOWA

Jonas Christianson, Slater, Iowa, in place of M. B. Chader, deceased.

Lyle E. Rafferty, Mankato, Kans., in place of E. L. Brinkworth, deceased.

Howard L. Robinson, Sabetha, Kans., in place of G. I. Althouse, retired.

Clyde F. Christenson, Tescott, Kans., in place of C. C. Chambers, retired.

Carl L. Synder, Jr., Wilmore, Kans., in place of C. O. Masterson, retired.

KENTUCKY

Joseph R. Powers, Cloverport, Ky., in place of R. H. Miller, deceased.

Pauline A. Clift, Fredonia, Ky., in place of L. B. Young, retired.

MARYLAND

Bernard L. Seger, Muirkirk, Md., in place of Alvin Parsons, retired.

MICHIGAN

James A. Mitchell, Hadley, Mich., in place of E. A. Hadley, retired.

MINNESOTA

Henry S. Blexrud, Caledonia, Minn., in place of E. J. Crotty, retired.

Leonard W. Stanton, Graceville, Minn., in place of V. P. Fermoyle, deceased.

Marvin L. Lorentz, Hastings, Minn., in place of A. L. Erickson, deceased.

MONTANA

Pearl M. Murr, Flaxville, Mont., in place of R. E. Hewett, retired.

NEBRASKA

Leslie F. DeLashmutt, Burwell, Nebr., in place of, N. G. Fackler, resigned.

John W. Putman, Tecumseh, Nebr., in place of L. C. Kuster, retired.

NEW JERSEY

Arthur Boertmann, Cranford, N.J., in place of A. F. Metz, retired.

Elwood B. Croll, Milford, N.J., in place of Wilmer Lawrence, retired.

Arlton W. Pilling, Woodbury, N.J., in place of L. A. Pirne, retired.

NEW YORK

Anna M. Phillips, Ellington, N.Y., in place of R. M. Seekins, retired.

Mary L. Galpin, Kanona, N.Y., in place of D. K. Griesa, resigned.

Shirley C. Egler, Mountainville, N. Y., in place of B. S. Ketcham, retired.

William H. Dunn, Schenectady, N.Y., in place of J. F. Connelly, deceased.

NORTH CAROLINA

Hugh C. Greenwood, Roaring River, N.C., in place of Bessie Caudill, retired.

NORTH DAKOTA

Robert G. Follis, New Town, N. Dak., in place of H. L. Olsen, retired.

OHIO

Frank P. Jackson, Jr., Ashley, Ohio, in place of R. A. Whipple, deceased.

Ronald R. Rose, Hudson, Ohio, in place of W. A. Ellsworth, retired.

Jacque E. Mintchell, Jackson Center, Ohio, in place of P. L. Sailor, resigned.

OKLAHOMA

Hugh D. Cockrell, Eagletown, Okla., in place of Mattie Graham, retired.

Jimmie L. White, Langston, Okla., in place of P. P. Edgar, removed.

E. Blake Grennell, Okeene, Okla., in place of A. M. Farhar, deceased.

Louis L. Henson, Spavinaw, Okla., in place of L. V. Walker, retired.

PENNSYLVANIA

Arnold J. Polidori, Archbald, Pa., in place of R. A. McHale, retired.

PUERTO RICO

Ramon Alvarez, Fajardo, P.R., in place of Adela Delpin, retired.

SOUTH CAROLINA

Thomas P. Edwards, Gresham, S.C., in place of V. W. Edwards, retired.

TEXAS

Fearnon L. Miller, Shelbyville, Tex., in place of S. A. Cannon, resigned.

Grady E. Martin, Silverton, Tex., in place of E. C. Fowler, deceased.

UTAH

Fred W. Cooper, Provo, Utah, in place of W. R. Green, retired.

WEST VIRGINIA

Ison T. White, Jr., Hopemont, W. Va., in place of Herman Taylor, retired.

WISCONSIN

James M. Rumpf, Cambridge, Wis., in place of L. C. Porter, retired.

Roger W. Novy, Hillsboro, Wis., in place of E. C. Hammer, transferred.

Stanley E. Trachte, Marshall, Wis., in place of M. E. Lazers, retired.

Emil W. Matter, Pittsville, Wis., in place of J. P. Pabst, retired.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 21, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

John 6: 38: *I came not to do mine own will, but the will of Him that sent me.*

Our Heavenly Father, as we again come unto Thee in prayer, may we not seek Thy strength and guidance to achieve our own personal wishes and desires but that we may know how to bring to fulfillment Thy beneficent plans and purposes for mankind.

Grant that it may be the goal of all our hopes and the deepest longing of our hearts to be worthy and faithful coworkers with Thee in doing Thy will.

Inspire us with the wisdom and the will to hasten the dawning of that blessed day when there shall be peace on earth.

We penitently confess that to establish peace appears at times so visionary that we have not the faith and courage to try it.

Open our minds and hearts that we may understand that love and peace are the divine and natural order of things in human society and that hatred and ill-will are a delusion and a snare of the devil.

Hear us in our Saviour's name. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, March 18, 1960, was read and approved.

MESSAGE FROM THE PRESIDENT

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

ESTATE OF SINCLAIR G. STANLEY

Mr. LANE. Mr. Speaker, I call up the conference report on the bill (S. 607) for the relief of Sinclair G. Stanley, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1405)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) for the relief of the estate of Sinclair G. Stanley, having met, after full and free conference, have agreed to recommend and do

recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

THOMAS J. LANE,
HAROLD D. DONOHUE,
JOHN E. HENDERSON,
Managers on the Part of the House.

JOHN A. CARROLL,
PHILIP A. HART,
EVERETT M. DIRKSEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) for the relief of the estate of Sinclair G. Stanley, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

When this proposed measure passed the House it was amended by striking all of the language in the first sentence following the figure "$33,333" in page 1, line 6 of the bill down through and including "1946" in line 8. This amendment eliminated the provision for the payment of simple interest at the rate of 3 percent per annum from November 1, 1946. In the committee of conference it was agreed that the Senate recede from its disagreement to the amendment of the House.

THOMAS J. LANE,
HAROLD D. DONOHUE,
JOHN E. HENDERSON,
Managers on the Part of the House.

Mr. LANE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—CASE OF UNITED STATES OF AMERICA AGAINST BERNARD SILBER

Mr. WALTER. Mr. Speaker, I rise to a question of the privilege of the House.

The SPEAKER. The gentleman from Pennsylvania will state the question.

Mr. WALTER. Mr. Speaker, I have been subpenaed to appear before the U.S. District Court for the District of Columbia to testify on the 21st day of March 1960, at 10 a.m., in the case of the United States of America against Bernard Silber. Under the precedents of the House, I am unable to comply with this subpena without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

Mr. Speaker, I send to the desk the subpena.

The SPEAKER. The Clerk will report the subpena.

The Clerk read as follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA *v.* BERNARD SILBER—CRIMINAL No. 753-58

To Representative FRANCIS E. WALTER,
House Office Building:

You are hereby commanded to appear in the U.S. District Court for the District of Columbia at Third and Constitution Avenue NW., fourth floor, courtroom 8 in the city of Washington on the 21st day of March 1960 at 10 o'clock a.m. to testify in the above-entitled case.

This subpena is issued on application of the defendant.

HARRY M. HULL, *Clerk.*
By JOHN A. O'BRIEN,
Deputy Clerk.

MARCH 4, 1960.

David Rein, attorney for defendant, Washington, D.C.

REREFERENCE OF BILL

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent that the bill (H.R. 10432) for the relief of Arthur B. Tindell, which was referred to the Post Office and Civil Service Committee, be rereferred to the Committee on the Judiciary.

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

There was no objection.

THIRD SEMIANNUAL REPORT FROM SECRETARY OF THE INTERIOR—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the Third Semiannual Report of the Secretary of the Interior prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its Territories, and possessions by encouraging exploration for minerals, and for other purposes."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *March 21, 1960.*

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the Consent Calendar.

PROMOTING EFFECTUAL PLANNING, DEVELOPMENT, MAINTENANCE, AND COORDINATION OF WILDLIFE, FISH, AND GAME CONSERVATION AND REHABILITATION IN MILITARY RESERVATIONS

The Clerk called the bill (H.R. 2565) to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DINGELL. Mr. Speaker, reserving the right to object, I note that the author of the bill is on the floor. I may say to the House that I ask these questions not out of objection to the bill or the position of the distinguished gentleman from Florida, but for the information of the House. I understand there have been some objections to one part of this bill. I would greatly appreciate it if the gentleman would tell us whether he has an amendment which will correct those objections.

Mr. SIKES. If my distinguished colleague will yield, may I state that is exactly the situation. The bill (H.R. 2565) is designed to expand and develop the program of wildlife, fish, and game conservation on military reservations, and to improve wildlife management practices. There has been some apprehension that this legislation would invade the jurisdiction of the States in the matter of licensing and in the field of game and fish laws. I am glad to state that these problems have, we believe, been cleared up to everyone's satisfaction, through an amendment which I have at the Clerk's desk. The amendment has been approved by the Committee on Merchant Marine and Fisheries and I plan to offer it at the proper time.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Defense is hereby authorized and directed to carry out a program of planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations in cooperation with the Secretary of the Interior through the Fish and Wildlife Service. The Secretary of Defense is hereby authorized and directed to adopt suitable regulations for such conservation and rehabilitation in accordance with a general plan agreed upon between the Secretary of Defense and the Secretary of the Interior, including provisions for the restocking, propagation, and conservation of game and fish in said reservations. Such regulations shall provide for the issuance of hunting and fishing permits to individuals and shall require the payment of a nominal fee therefor, which fees shall be utilized for restocking, propagation, and other related wildlife activities in said reservations. Such regulations shall not be inconsistent with, insofar as possible, the law and regulations of the respective States relating to hunting and fishing.

SEC. 2. That the Secretary of Defense is hereby authorized and directed to expand a sum equal to all sums hereafter accumulated from money collected through the sale of game and fishing permits in military reservations after the adoption of the program authorized by this Act for the purpose of said program. Proper accounting of funds thus expended shall be made at the direction of the Secretary.

SEC. 3. That the Department of Defense is held free from any liability to pay into the Treasury of the United States upon the operation of said program authorized by this Act any funds which may have been or may hereafter be expended to carry out the purposes of said program, and which expenditure has been properly accounted for to the Comptroller General of the United States.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of Defense is hereby authorized and directed to carry out a program of planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation

in military reservations located in a State, territory, or possession of the United States. Such a program shall be carried out, with respect to each such military reservation, in cooperation with the Secretary of the Interior through the Fish and Wildlife Service and with an appropriate State agency designated by the State in which the reservation is located. The Secretary of Defense is hereby authorized and directed to adopt suitable regulations for such conservation and rehabilitation in accordance with a general plan agreed upon between the Secretary of Defense and the Secretary of the Interior, including provisions for the restocking, propagation, and conservation of game and fish in said reservations. Such regulations shall provide for the issuance of hunting and fishing permits to individuals and shall require the payment of a nominal fee therefor, which fees shall be utilized for restocking, propagation, and other related wildlife activities in said reservations. Such regulations shall require that all hunting, fishing, and trapping at any reservation shall be in accordance with the fish and game laws of the State, territory, or possession in which it is located; except that the Secretary of Defense, after consultation with the Secretary of the Interior through the Fish and Wildlife Service and with the appropriate State agency may make exceptions thereto if necessary in carrying out the program prescribed by this Act.

"SEC. 2. That the Secretary of Defense is hereby authorized and directed to expend all sums heretofore unexpended or hereafter accumulated from money collected though the sale of game and fishing permits in military reservations after the adoption of the program authorized by this Act for the purpose of said program. Proper accounting of funds thus expended shall be made at the direction of the Secretary, and the Secretary shall report annually to the Congress concerning operations and expenditures under this Act.

"SEC. 3. That the Department of Defense is held free from any liability to pay into the Treasury of the United States upon the operation of said program authorized by this Act any funds which may have been or may hereafter be expended to carry out the purposes of said program, and which expenditure has been properly accounted for to the Comptroller General of the United States.

"SEC. 4. Nothing herein contained shall modify, amend or repeal any authority heretofore granted under the provisions of Public Law 85-337."

Mr. SIKES. Mr. Speaker, I offer a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SIKES as a substitute for the Committee amendment:

"Section 1. The Secretary of Defense is hereby authorized to carry out a program of planning, development, maintenance, and coordination of wildlife, fish and game conservation and rehabilitation in military reservations in accordance with a cooperative plan mutually agreed upon by the Secretary of Defense, the Secretary of Interior and the appropriate State agency designated by the State in which the reservation is located. Such cooperative plan may stipulate the issuance of special State hunting and fishing permits to individuals and require this payment of a nominal fee therefor, which fees shall be utilized for the protection, conservation and management of fish and wildlife, including habitat improvement and related activities in accordance with the cooperative plan: *Provided*, The commanding officer of the reservation or persons designated by him are authorized to enforce such special hunting and fishing permits and to collect the fees therefor, acting as agent or agents for the State if the cooperative plan so provides.

"SEC. 2. The Secretary of Defense in cooperation with the Secretary of Interior and the appropriate State agency is authorized to carry out a program for the conservation, restoration and management of migratory game birds on military reservations, including the issuance of special hunting permits and the collection of fees therefor, in accordance with a cooperative plan mutually agreed upon by the Secretary of Defense, the Secretary of the Interior and the appropriate State agency: *Provided*, That possession of a special permit for hunting migratory game birds issued pursuant to this act shall not relieve the permittee of the requirements of the Migratory Bird Hunting Stamp Act as amended nor of the requirements pertaining to State law set forth in Public Law 85-337.

"SEC. 3. The Secretary of Defense is directed to expend such funds as may be collected or transferred in accordance with the cooperative plans agreed to pursuant to this act, such expenditures to be made in furtherance of the purposes of this act and for no other purpose.

"SEC. 4. The Department of Defense is held free from any liability to pay into the Treasury of the United States upon the operation of the program or programs authorized by this act any funds which may have been or may hereafter be collected, received or expended pursuant to, and for the purposes of, this act, and which collections, receipts and expenditures have been properly accounted for to the Comptroller General of the United States.

"SEC. 5. Nothing herein contained shall be construed to modify, amend or repeal any provision of Public Law 85-337."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GREAT LAKES PILOTAGE

The Clerk called the bill (H.R. 57) to require pilots on certain vessels navigating U.S. waters of the Great Lakes, and for other purposes.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

INCLUDING FLOATING DRYDOCKS UNDER THE TERM "VESSEL"

The Clerk called the bill (S. 107) to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

AGRICULTURAL ATTACHÉ ROTATION

The Clerk called the bill (H.R. 8074) to amend section 602 of the Agricultural Act of 1954.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

PROMOTING PEACE THROUGH REDUCTION OF ARMAMENTS

The Clerk called the resolution (H. Con. Res. 393) to promote peace through the reduction of armaments.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the joint resolution be stricken from the Consent Calendar.

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

There was no objection.

HUBBELL TRADING POST NATIONAL HISTORIC SITE, ARIZ.

The Clerk called the bill (H.R. 7279) to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

LAND FOR PAN AMERICAN HEALTH ORGANIZATION HEADQUARTERS

The Clerk called the bill (H.R. 7579) to authorize the acquisition of land for donation to the Pan American Health Organization as a headquarters site.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

OPTOMETRISTS IN VA OUTPATIENT PROGRAM

The Clerk called the bill (H.R. 7966) to amend section 601 of title 38, United States Code, to provide for the furnishing of needed services of optometrists to veterans having service-connected eye conditions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601(6) of title 38, United States Code, is amended by inserting immediately after "medical examination and treatment," the following: "optometrists' services,".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND SOLDIERS AND SAILORS CIVIL RELIEF ACT

The Clerk called the bill (H.R. 3313) to amend section 200 of the Soldiers and Sailors Civil Relief Act of 1940 to permit the establishment of certain facts by a declaration under penalty of perjury in lieu of an affidavit.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (1) of section 200 of the Soldiers and Sailors Civil Relief Act of 1940 (50 U.S.C. App. 520) is amended by adding at the end thereof the following new sentence: "Whenever, under the laws applicable with respect to any court, facts may be evidenced, established, or proved by an unsworn statement, declaration, verification, or certificate, in writing, subscribed and certified or declared to be true under penalty of perjury, the filing of such an unsworn statement, declaration, verification, or certificate shall satisfy the requirement of this subdivision that facts be established by affidavit."

SEC. 2. Subdivision (2) of such section 200 is amended by inserting immediately after "affidavit required under this section," the following: "or a statement, declaration, verification, or certificate certified or declared to be true under penalty of perjury permitted under subdivision (1),".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMISSION OF INDEBTEDNESS OF MEMBERS OF THE NAVY

The Clerk called the bill (H.R. 471) to amend chapter 561 of title 10, United States Code, to provide that the Secretary of the Navy shall have the same authority to remit indebtedness of enlisted members upon discharge as the Secretaries of the Army and the Air Force have.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 561 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 6161. Remission of indebtedness of enlisted members upon discharge

"If he considers it in the best interest of the United States, the Secretary may have remitted or canceled any part of an enlisted member's indebtedness to the United States or any of its instrumentalities remaining unpaid before, or at the time of, that member's honorable discharge."

(b) The analysis of such chapter 561 is amended by adding at the foot thereof the following:

"6161. Remission of indebtedness of enlisted members upon discharge."

With the following committee amendments:

Page 1, line 7, insert a period after the word "discharge."

Page 2, line 1, insert the words "of the Navy" after the word "Secretary".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOOD COUNTY, TEX.

The Clerk called the bill (H.R. 5726) for the relief of Hood County, Tex.

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

FORD CITY, PA.

The Clerk called the bill (H.R. 5850) for the relief of the borough of Ford City, Pa.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

ALBERTSON WATER DISTRICT, NEW YORK

The Clerk called the bill (H.R. 8868) for the relief of the Albertson Water District, Nassau County, N.Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Albertson Water District, Nassau County, New York, the sum of $765.97. The payment of such sum shall be in full settlement of all claims of the Albertson Water District against the United States for reimbursement, in accordance with the provisions of the Federal Civil Defense Act of 1950, of one-half the cost to such district of leasing communications equipment, maintained for civil defense purposes in event of an emergency, for the period beginning July 1, 1956, and ending June 30, 1957, both dates inclusive: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 4, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENTS OF ADDITIONAL PAY FOR SEA DUTY—MEMBERS OF THE U.S. COAST GUARD

The Clerk called the bill (H.R. 9921) to validate certain payments of additional pay for sea duty made to members and former members of the U.S. Coast Guard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all payments of additional pay for sea duty made prior to June 30, 1956, to enlisted members of the United States Coast Guard who served on Coast Guard vessels less than one hundred and twenty-five feet in length are hereby validated. Any such member or former member who has made repayment to the United States of any amount so paid to him as additional pay for sea duty is entitled to have refunded to him the amount paid.

SEC. 2. The Comptroller General of the United States, or his designee, shall relieve authorized certifying officers of the United States Coast Guard from accountability or responsibility for any payments described in section 1 of this Act, and shall allow credits in the settlement of the accounts of those officers for payments which are found to be free from fraud and collusion.

SEC. 3. Appropriations available to the United States Coast Guard for the pay and allowances of enlisted personnel are available for payments under this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL TRANSPORTATION WEEK

The Clerk called the bill (H.J. Res. 602) authorizing the President to proclaim henceforth the week in May of each year which falls the third Friday of that month as National Transportation Week.

The SPEAKER. Is there objection to the present consideration of the House joint resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, I notice from a perusal of the House records that there are bills to provide for the observance of 82 days, weeks, and years pending before the House of Representatives.

I notice that there is a Captive Nations Day bill and Captive Nations Week bill. I do not find any Captive Taxpayers Week, Year, or Day bill, nor do I find a bill to commemorate the vanishing specie known as "Real Americans."

There is a Cleaner Air Week bill, there is a Fathers' Day bill, a Friendship Day bill, a Good Neighbor Day bill, a Grandmothers' Day bill, and a Great Seal Day bill. There is a bill to provide a National Allergy Month, there is a National Dress Right Week bill, there is a National Welded Products Month bill, there is a United Nations Week bill, there is a bill

to provide for a National Fraternal Day and a National Zoo Week, and a Pony Express Year.

I wonder if the sponsors of this bill can tell me when the 82 other bills of this nature will come up?

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

Mr. GROSS. I yield to the gentleman from New York.

Mr. CELLER. I may say to the gentleman all of those bills or practically all of the bills that he read off have been tabled by the Committee on the Judiciary. We realize, as the gentleman does, the difficulty concerning these bills. I agree with the gentleman we would not have enough days on the calendar to set apart for the celebration of all of these days. That does not mean, however, that we must shut our eyes to some of the bills that have been offered which we feel are of importance, like, for example, the one now being considered on the Consent Calendar concerning National Transportation Week.

Almost all of the larger and even the smaller railroads appeared or, rather, importuned us in various ways to set apart some day to focus the Nation's attention upon the plight of the railroads. They thought we should do something for the railroads and we have set aside that week, and I suggest that the House adopt the resolution.

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

Mr. GROSS. I yield to the gentleman from Georgia.

Mr. FORRESTER. I was going to say to the gentleman that of the 69 bills, 67 of them have been tabled.

Mr. GROSS. Eighty-two, I will say to the gentleman.

Mr. FORRESTER. At the last count I had, the committee had 69, and 67 of those bills have been tabled. I think that of itself is a recommendation for the bill which we have before us now. It was one of two that survived.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. In connection with this matter, I want to say that the committee here, I think, has reached a conclusive presumption. I happened to have been the victim, so to speak. I had a bill that was similar that I introduced in the last session which would have set up and authorized a National Poison Prevention Week which would, I think, have helped save the lives of children. I got that cleared by the subcommittee. I write to the distinguished chairman of the full committee and I have received verbal assurances I would be given an opportunity to appear before the full committee. I have had considerable correspondence with the chairman of the committee in which, among other things, he told me that my letter would be read to the full committee. It was not.

I want to say, Mr. Speaker, the chairman has reached a conclusive presumption that all of these bills ought to be put in one pile regardless of the merit of the bill. I resent the action that the gentleman has taken. I have told him this personally. I have written to him. And, I am goin to continue to "raise Cain" until I have an opportunity to tell about this particular resolution which has the support of many worthwhile organizations throughout this country. It is not for the purpose of helping any particular corporation or any group to sell something. It does not have that kind of an intent. This bill was approved one time by the subcommittee headed by the gentleman from Georgia [Mr. FORRESTER], but I have not been given the courtesy by the chairman to appear before the full committee. And, I want to say that publicly right now, Mr. Speaker.

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

Mr. JONES of Missouri. Yes; I yield.

Mr. CELLER. I think the gentleman has been wholly in error in what he said.

Mr. JONES of Missouri. In what way? Point out one place I have been in error.

Mr. CELLER. In the first place, the gentleman did have a hearing before the subcommittee.

Mr. JONES of Missouri. And it was approved by the subcommittee.

Mr. CELLER. The gentleman made the statement he did not have a hearing. Now, he did have a hearing on his own admission now. When the report came before the full committee, the full committee reversed the subcommittee, as was its right. Beyond that, the gentleman deliberately failed to state this to the Members of the House. After he had complained to me, I said to him, as a matter of courtesy to him—as a matter of grace, not as a matter of law—I would give him an opportunity to appear before the full committee, and I told him he could have the right to appear before my committee tomorrow morning. And, he is supposed to appear tomorrow morning. Now, the gentleman prejudices his case beyond the peradventure of a doubt when he makes these statements which have no foundation whatsoever.

Mr. JONES of Missouri. I want to say to the gentleman that that letter has never been received by me. I have a letter from you telling me that you had read a letter before the full committee. I have checked many members of the committee, and they have not heard that letter read.

Mr. CELLER. Did the gentleman get a statement from me to the effect that he would be permitted to appear before the full committee tomorrow morning?

Mr. JONES of Missouri. I did not.

The SPEAKER. The Chair asks for the regular order. Is there objection to the present consideration of the bill?

Mr. HOFFMAN of Michigan. I object, Mr. Speaker.

WEST VIRGINIA CENTENNIAL CELEBRATION

The Clerk called the joint resolution (H.J. Res. 208) providing for participation by the United States in the West Virginia centennial celebration to be held in 1963 at various locations in the State of West Virginia, and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the joint resolution may be passed over without prejudice.

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

There was no objection.

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF U.S. CONSTITUTION

The Clerk called the joint resolution (H.J. Res. 605) providing for the preparation and completion of plans for a comprehensive observance of the 175th anniversary of the formation of the Constitution of the United States.

There being no objection, the clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission, to be known as the "United States Constitution One Hundred and Seventy-fifth Anniversary Commission" (hereinafter referred to as the "Commission") for the celebration of the one hundred and seventy-fifth anniversary of the existence of the Constitution, and to be composed of twelve Commissioners, as follows: The President of the United States; the President of the Senate and the Speaker of the House of Representatives, ex officio; three persons to be appointed by the President of the United States; three Senators to be appointed by the President of the Senate; and three Representatives by the Speaker of the House of Representatives.

SEC. 2. The Commissioners shall receive no compensation for their services but shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties.

SEC. 3. The Commission shall select a Chairman and appoint a Director, who shall appoint, with the approval of the Commission, such assistants and subordinates as he deems necessary.

SEC. 4. That it shall be the duty of the Commissioners, after promulgating to the American people an address relative to the reason of its creation and of its purpose, to prepare a plan or plans, and a program for the adequate celebration of the one hundred and seventy-fifth anniversary, and to give due and proper consideration to any plan or plans which may be submitted to them; and to take such steps as may be necessary in the coordination and correlation of plans prepared by State commissions, or by bodies created under appointment by the Governors of the respective States, and by representative civic bodies.

SEC. 5. That the Commission shall, on or before the adjournment of the present session of the Eighty-sixth Congress, make a report to the Congress, in order that enabling legislation may be enacted.

SEC. 6. That the Commission hereby created shall expire upon the appointment of a permanent Commission to execute the complete arrangements for this celebration.

SEC. 7. That the Commission may receive from any source contributions to aid in carrying out the general purpose of this resolution, but the same shall be expended and accounted for in the same manner as any appropriation which may be made under authority of this Act.

SEC. 8. There is hereby authorized to be appropriated the sum of $10,000 to defray expenses.

Mr. BYRNE of Pennsylvania. Mr. Speaker, during the 1st session of the present 86th Congress, it was my great privilege to introduce a resolution in the House to provide for the preparation and completion of plans for the celebration of the 175th anniversary of the Constitution of the United States.

The resolution was reported by the House Judiciary Committee and, under a suspension of the rules, is being considered in the floor of the House today, Monday, March 21, 1960.

This resolution is of utmost importance, particularly in these trying times which, in very truth, are such as "to try men's souls."

It is of the utmost urgency that the American people come once again to know, and, in knowing, love this immortal document which has made the United States, despite much travail, in spite of the many pains, all-too-many frustrations, baseless jealousies and venomous hatreds in our growing years, a nation great and strong.

The United States, Mr. Speaker, is the finest land in all the world; its people are the freest to be found anywhere upon the earth. And we cannot revere too highly the ageless document which has made all this possible.

In these uncertain hours of economic turmoil at home and abroad, in these trying days beset with unknown fears—days fraught with a constant threat of a seeming unending cold war, it is mandatory that our people be brought back to serious contemplation of our Constitution and a renewed dedication to those priceless principles for which it stands.

During this very century the United States has withstood two World Wars, a real blood-soaked military action in Korea and the current cold war.

We have emerged from the so-called industrial revolution into an age of scientific wonders that finds us literally "reaching for the stars"; our population, in but little more than half a century, has increased by nearly 50 million persons—and who can gage the unbelievable growth of our wealth.

Yes, Mr. Speaker, our American inheritance—in every facet of human life—in both the spiritual and mundane aspects of existence—in business and in commerce, in industry and in the money mart, in education and in science—surpasses even the most fantastic dreams of yesteryear. We are rich in everything but peace.

There has risen to challenge our leadership in world affairs a godless conspiracy, a power-hungry community of dictatorships that hold in thrall many millions of human beings living in many subjugated countries. This conspiratorial group constitutes atheistic communism and are a real threat to our bright hopes of a world of peace and justice under the brotherhood of man and the fatherhood of God.

Now, more than ever before, we need to renew at the well springs of faith and patriotism that spirit which moved our Founding Fathers to establish the blessings of liberty to ourselves and our posterity.

Congressman WILLIAM J. GREEN, JR., representing the Fifth Pennsylvania District, in this House, as well as the other four Congressmen—WILLIAM A. BARRETT, KATHRYN E. GRANAHAN, ROBERT N. C. NIX, and HERMAN TOLL—of Philadelphia, have endorsed this resolution, which each believes proposes an appropriate celebration of that greatest of American documents, which was drawn up and adopted in Philadelphia, the cradle of American liberties.

Congressman GREEN, recognizing that this country is, indeed, passing through dolorous days, said only a year ago that the proposal for celebrating the 175th anniversary of the Constitution "comes at a time when the Nation, in the midst of its greatest prosperity, is nonetheless passing through tragic days for a large segment of the population."

How true: Here we are in a period when big business enterprises are enjoying more success, greater profits, juicier dividends, than ever before, while, at the same time a large part of the population is either unemployed or engaged in part-time work, or in shamefully simulated temporary work which but marks an unhappy phase of our manipulated economy—false economy, that is—indifferent to the needs of our older citizens.

Mr. Speaker, it is indeed time that we got back to the Constitution and that each and every one of us learns well its meaning; absorbs thoroughly the high ideals it would inculcate into the electorate.

Let us not be blinded to the fact that in these perilous hours, we are besieged on all fronts by vicious, diabolical threats to our independence as a Nation. It is time to take stock of our treasures and refresh our thinking at the fount of enlightenment, so that we shall once more scintillate with such patriotic fervor as only a study of the Constitution will give us. That document is our greatest bulwark against enforced slavery—and the many other national evils that may and do beset the Nation.

It is my sincere hope—and I trust it is yours, likewise, that this proposed celebration will become a reality and that it will reach into every nook and corner of this vast country of ours—into our homes, our factories, our schools, and churches; into every business, civic, social, religious, and political group in the land; into the heart and the mind of every citizen, of every man, woman, and child; into every governmental agency—local, State, and National—that all may be induced to pay fitting homage to this charter of freedom.

Let every resident of the 50 States renew acquaintance with this great guardian of our liberties and come to a conscious realization that this Nation—and their own individual safety and welfare—stands or falls on the Constitution.

No more fitting vehicle could be made available to the people, to awaken them from their apparent lethargy, their studied indifference to the momentous happenings of our day, for the Constitution is our Magna Carta, our guarantee of national security and human rights.

Congressman GREEN has said that the gravest danger to our entity as a Nation, is the indifference of our people, that great segment of voters, as an instance, who year after year, fail for one reason or another to exercise the priceless franchise of a free ballot. The Congressman, who I am proud to hail as a colleague, has often warned that our people must be alerted to the very real dangers that will confront the Nation during the next quarter of a century—and beyond.

"Citizens," he has warned, "must be made to realize that we cannot afford to be smug, satisfied, indifferent to or contented with things as they are. If we are to continue as a progressive Nation we must be active, alive, pushing ever onward and upward and never content to follow in the wake of false leaders."

That is true. And if we are to adhere to the truth, we must be true to ourselves, to our principles, to our ideals. We must feel in every fiber of our being, the true meaning of the Constitution. We must, literally, love it, as it deserves to be loved; respect it, as it must be respected; cling to it as though it were the one safe and sure lifeline to national salvation and to personal security; the one remaining hope for the perpetuation of those policies and ideals which have brought us through 175 years of virtually unending world turbulence, to become the world's first, great humanitarian power.

Mr. Speaker, I urge the Congress to adopt this resolution and I further ask that the celebration, centering in Philadelphia, be nationwide.

Philadelphia has inherent priority in any celebration commemorating the formulation and adoption of the Constitution. This great document is the priceless heritage of the first city of the Keystone State. Here you will find many of the Nation's most cherished patriotic shrines—Congress Hall, Independence Hall, Carpenters' Hall, the Betsy Ross House, and many other hallowed spots which played such a great part in the Revolutionary period of the country's history.

As the Representative in this Congress of the Third Pennsylvania District which includes virtually all of the traditional shrines of American independence, I naturally am much interested in focusing the attention of the Nation upon this historic area and I feel that every citizen who possibly can do so, should spend some time in visiting these halls so often trod by the Founding Fathers. The Government already has taken the initiative in beautifying the entire neighborhood, constructing parks, restoring old buildings in cooperation with Philadelphia and Pennsylvania. This improvement, being carried on as the National Historic Parks program will be completed just before the anniversary date of the signing of the Constitution. What could be more fitting than to have completion ceremonies of the parks program coincide with the celebration proposed in this resolution now before the House?

Mr. Speaker, it is fitting at this time for the Congress to place special stress on the greatness of our Nation and rejoice in that "pearl of great price" that is our proud possession: the Constitution.

Further, it would be appropriate, too, to conduct a nationwide contest in our schools, awarding scholarships or other awards to the authors of winning essays on the general subject of "What the Constitution Means to Me."

Every day we live here in America; every breath we draw in freedom; every tranquil moment we have to enjoy;

every success we achieve, is due, Mr. Speaker, primarily to that hallowed charter of freedom for which our forefathers fought and died and for which succeeding generations have suffered, not hesitating even to make the supreme sacrifice, to preserve.

Mr. Speaker, I ask unanimous consent for the adoption of this resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ONE HUNDREDTH ANNIVERSARY OF THE BIRTH OF GENERAL OF THE ARMIES JOHN J. PERSHING

The Clerk called the joint resolution (H.J. Res. 640) to authorize and request the President to issue a proclamation in connection with the centennial of the birth of General of the Armies John J. Pershing.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas September 13, 1960, will mark the one hundredth anniversary of the birth of General of the Armies John J. Pershing; and

Whereas the achievements of General Pershing in the creation of the American Expeditionary Force in France in 1917–1918 and its effective deployment in battle have been universally considered the decisive factor in the Allied victory of 1918; and

Whereas General Pershing above any other person symbolizes America's part in World War I; and

Whereas the ranks of those who served under him in France in 1917–1918 grow thinner with each passing year; and

Whereas the one hundredth anniversary of the birth of General Pershing will furnish a most appropriate occasion for the American public to show honor to General Pershing and to the men and officers who served under him: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to proclaim September 13, 1960, as a day upon which all Americans should pay honor and respect to General of the Armies John J. Pershing and the men who served under him.

SEC. 2. All departments and agencies of the Government are hereby authorized to cooperate with any civic and patriotic organizations which may be conducting ceremonies in commemoration of the birth of General Pershing. The Secretary of the Army is hereby authorized and directed to act as the coordinating officer between such civic and patriotic organizations and the departments and agencies of the Government.

With the following committee amendment:

Strike out all the whereas clauses.

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

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

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

There was no objection.

Mr. WHITENER. Mr. Speaker, House Joint Resolution 640 is now before us for consideration. It is my considered opinion that it fills an unpardonable void in the area of paying appropriate tribute to our great leaders of past years.

Certainly, none can question that the late Gen. John J. Pershing is entitled to the continuing and perpetual appreciation, honor and respect of every liberty loving citizen of the United States. His mark is indelibly carved upon the pages of our history.

The resolution which we are now considering is accompanied by Report No. 1384, which was submitted by me for the Committee on the Judiciary. That report succinctly states the case for this resolution when it, in part, says:

September 13, 1960, is the 100th anniversary of the birth of General of the Armies John J. Pershing. The contribution of General Pershing in organizing the American Expeditionary Forces in 1917 and its subsequent participation in the battles in France are too well known to require comment.

In view of the significant contribution which General Pershing made to the American victory in World War I and in view of the fact that he symbolizes the men of the AEF who fought under him, this resolution would authorize and request the President to proclaim September 13, 1960, as a day upon which all Americans should pay honor and respect to General Pershing and the men who served under him.

The bill also authorizes departments and agencies of the Government to cooperate with civic and partriotic organizations in ceremonies commemorating General Pershing's birth. In addition, it specifically authorizes and directs the Secretary of the Army to act as the coordinating officer between civic and patriotic organizations and the departments and agencies of the Government.

Mr. Speaker, it is my earnest hope that Americans everywhere will on September 13, 1960, take due note of the 100th anniversary of the birth of the late beloved Gen. John J. Pershing.

The gentleman from Missouri [Mr. HULL] has brought forward a splendid suggestion in the form of this resolution. I commend him for the leadership that he is taking in doing proper honor to a great American and the men who served under him.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HULL] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. HULL. Mr. Speaker, I wish to call attention to the forthcoming centennial celebration of the birth of a great American patriot, General of the Armies John J. Pershing.

General Pershing was born September 13, 1860, near the small community of Laclede, Linn County, Mo., in my congressional district.

A centennial observance worthy of this great American will be held next September 13 in this town of his birth and boyhood years. Plans for the celebration are going ahead rapidly under the able leadership of Mr. L. F. Moore of Laclede working in cooperation with veterans organizations and interested individuals.

A bill I recently introduced, House Joint Resolution 640, provides a vehicle by which all Americans may join with his friends and neighbors in Missouri in celebrating General Pershing's birth centennial.

The bill recognizes the significant contributions which General Pershing made to the Allied victory in World War I in organizing and leading the American Expeditionary Forces.

It recognizes the fact that his memory symbolizes the proud achievements and great sacrifices of the gallant men who served under him.

By authorizing and requesting the President of the United States to proclaim September 13 as a day upon which Americans should pay tribute to General Pershing and the men whom he led, it enables Americans everywhere to take proper note of their heroic contributions to the peace of the world and freedom of man.

I am deeply gratified that House Joint Resolution 640 passed the House of Representatives on March 21 and look forward to its approval by the Senate and the Executive.

Mr. Speaker, as long as men cherish the ideals of democracy, the memory of Gen. John J. Pershing will be revered. Although his reputation was forged in the furnace of war, he was a man of peace, a humanitarian.

General Pershing and his men destroyed the military power of his foes, but when the way lay clear to annihilate them and lay waste their lands, he and his comrades stayed their hands.

He gained victory without malice and justice without vindictiveness. There can be no greater achievement.

MEMBERSHIP ROLL OF INDIANS OF THE YAKIMA RESERVATION

The Clerk called the bill (H.R. 1176) to amend the act of August 9, 1946 (60 Stat. 968), providing for the preparation of a membership roll of the Indians of the Yakima Reservation.

Mr. FORD. Mr. Speaker, at the request of another Member, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

HEADQUARTERS FOR MOUNT RAINIER NATIONAL PARK

The Clerk called the bill (S. 1358) to authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Wash., and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

STONES RIVER NATIONAL MILITARY PARK, TENN.

The Clerk called the bill (H.R. 9543) to revise the boundaries and change the name of the Stones River National Military Park, Tenn., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the purposes of the Act of March 3, 1927 (44 Stat. 1399), authorizing establishment of the Stones River National Military Park, the Secretary of the Interior is authorized to acquire by such means as he may deem to be in the public interest, for inclusion in the Stones River National Military Park, such additional lands and interests in lands, not to exceed seven acres, as in the discretion of the Secretary are necessary for the preservation and interpretation of the battlefield of Stones River, Tennessee.

SEC. 2. Stones River National Military Park is hereby redesignated as the Stones River National Battlefield, and any remaining balance of funds appropriated for the purpose of the Stones River National Military Park shall be available for the purpose of Stones River National Battlefield.

SEC. 3. The administration, protection, and development of the Stones River National Battlefield shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. EVINS. 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 Tennessee?

There was no objection.

Mr. EVINS. Mr. Speaker, this bill, H.R. 9543, which I am sponsoring and which has been unanimously approved by the House Committee on Interior and Insular Affairs, would add to the beauty and usefulness of one of our great national parks—the Stones River National Military Park—located near Murfreesboro in the Fourth District of Tennessee which I have the honor to represent in the Congress.

This bill would change the name of Stones River National Military Park near Murfreesboro, Tenn., to Stones River National Battlefield, and would add approximately 6 acres to the present park in order to enhance greatly the beauty and preserve the historical significance of the park.

The Stones River National Military Park was established pursuant to the act of Congress of March 3, 1927 (44 Stat. 1399) with a view to preserving the battlefield for historical and professional study and, generally, to commemorate the important events that took place on this field of battle. Stones River was the scene of a hard-fought encounter between General Bragg's Confederate Army of Tennessee and General Rosecran's Union Army of the Cumberland, from December 31, 1862, to January 2, 1863. It was the first big conflict in the 2-year campaign in the West that cut the Confederacy in two and reached its climax in Sherman's march to the sea—and considered one of the decisive battles of the War Between the States.

The change in name to Stones River National Battlefield would better reflect and describe the type of area which is included in the park and has been recommended by the Department of Interior as being in line with their policy of naming parks so they will better reflect the types of areas involved.

A tract of land of approximately 6 acres on which was located a detached Union artillery site is necessary to preserve the historic scene and increase the usefulness, for interpretive purposes, of this section of the park. As the report indicates, the bill has the approval of the Department concerned, the Budget Bureau, and the full approval of the committee.

The estimated cost of the approximately 6 acres which would be added to the park under this bill would be $1,500, a very small and insignificant sum—commensurate with the historical importance.

I trust the bill may be approved.

RESERVATION OF HISTORICAL AND ARCHEOLOGICAL DATA

The Clerk called the bill (S. 1185) to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

NATIONAL HISTORIC SITE AT BENT'S OLD FORT, COLO.

The Clerk called the bill (H.R. 6851) authorizing the establishing of a national historic site at Bent's Old Fort near La Junta, Colo.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

EXTENDING APPLICATION OF THE MOTORBOAT ACT OF 1940

The Clerk called the bill (S. 1712) to extend the application of the Motorboat Act of 1940 to certain possessions of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 6 of the Federal Boating Act of 1958, approved September 2, 1958 (72 Stat. 1754), is amended to read as follows:

"(c) Such Act of April 25, 1940 (46 U.S.C. 526-526t), is further amended by adding at the end thereof the following new section:

"'SEC. 22. (a) This Act shall apply to every motorboat or vessel on the navigable waters of the United States, Guam, the Virgin Islands, the Commonwealth of Puerto Rico, and the District of Columbia, and every motorboat or vessel owned in a State and using the high seas.

"'(b) As used in this Act—

"'The term "State" means a State of the United States, Guam, the Virgin Islands, the Commonwealth of Puerto Rico, and the District of Columbia.'"

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

RECOGNITION OF THE GALLANT ACTION OF SS "MEREDITH VICTORY"

The Clerk called the bill (S. 2185) to provide appropriate public recognition of the gallant action of the steamship *Meredith Victory* in the December 1950 evacuation of Hungnam, Korea.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I should like to ask the chairman of the committee a question about this legislation. I think it has a fine purpose, but I understand it would cost $175,000. I do not understand how this could cost that much.

Mr. BONNER. The cost is $175. This is one of the outstanding events of the Korean war. This merchant ship went in to shore and brought out 14,000 Korean civilians. Nobody can understand how they got them on the ship. During the movement there were four or five children born. The purpose here is to recognize this marvelous feat executed by American seamen on a private merchant marine ship. This was not a naval ship.

Mr. FORD. Mr. Speaker, as I indicated previously, I have no objection to the merits of the legislation. It was a wonderful illustration of daring and heroism. Based on the information given to me here on the floor, I certainly withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the gallant action of the Steamship Meredith Victory in saving the lives of over fourteen thousand Korean civilians by transporting them in a single voyage from Hungnam to Pusan in December of 1950, the Secretary of Commerce shall issue a citation and award a plaque to the Steamship Meredith Victory, and shall award an appropriate citation ribbon bar to each person serving on board her at that time, and shall award a Merchant Marine Meritorious Service Medal to the master of the vessel at the time of the action, under the authority of sections 1a and 3 of the Act entitled "An Act to authorize medals and decorations for outstanding and meritorious conduct and service in the United States merchant marine, and for other purposes", approved July 24, 1956 (46 U.S.C. 249b), notwithstanding that such Act was not then in effect.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEOGRAPHICAL LIMITATIONS ON COAST AND GEODETIC SURVEY

The Clerk called the bill (S. 2482) to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 6, 1947 (ch. 504, 61 Stat. 787; 33 U.S.C. 883a–883i), is amended by adding at the end thereof a new section reading as follows:

"SEC. 11. The Secretary of Commerce may conduct activities authorized by this Act without regard to the geographical limitations set forth herein in connection with projects designated as essential to the national interest by the head of an executive department or agency."

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the first section of the Act entitled 'An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes', approved August 6, 1947 (33 U.S.C., sec. 883a), is amended—

"(1) by striking out 'in the United States, its Territories, and possessions';

"(2) by striking out 'of coastal water and land areas (including survey of off-lying islands, banks, shoals, and other offshore areas)'; and

"(3) by striking out all of paragraph (2), and by renumbering paragraphs (3), (4), (5), and (6) as (2), (3), (4), and (5) respectively."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESTRICTION OF REAL PROPERTY IN ST. AUGUSTINE, FLA.

The Clerk called the bill (H.R. 5055) to remove a restriction on the use of certain real property heretofore conveyed to the city of St. Augustine, Fla., by the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. THOMSON of Wyoming. Mr. Speaker, reserving the right to object, I wonder if the chairman of the committee can answer a few questions for me with reference to this legislation. I notice the committee report on page 2 says:

By the terms of Public Law 615 of the 84th Congress, land constituting a portion of the Anastasia Island Lighthouse property, which had become surplus to the needs of the Coast Guard, was conveyed to the city of St. Augustine for park purposes.

Do I correctly understand that the purpose of this legislation is to remove that restriction so it can be used for a school?

Mr. BONNER. Not entirely to remove the full restriction but only to permit that it be used for educational purposes.

Mr. THOMSON of Wyoming. For educational purposes?

Mr. BONNER. Only for educational purposes, not to remove the full restriction.

Mr. THOMSON of Wyoming. Did the bill that was passed in the 84th Congress convey this property to the city of St. Augustine?

Mr. BONNER. For recreational purposes. We feel that the testimony that was offered indicates that with the great expansion in the area certainly education goes hand in hand with recreation. Around a school you have to have recreation.

Mr. THOMSON of Wyoming. Was the bill in the 84th Congress referred to the gentleman's committee and reported by it?

Mr. BONNER. Yes.

Mr. THOMSON of Wyoming. Was any consideration paid for that conveyance?

Mr. BONNER. There is the reservation in all of these types of transfer that if the time comes that the U.S. Government needs it for defense or for other purposes, then the Government would have the privilege of repossessing it.

Mr. THOMSON of Wyoming. Was any consideration paid to the U.S. Government?

Mr. BONNER. I do not think there was. It was surplus property. There are many instances where this same thing has been done before.

Mr. THOMSON of Wyoming. That is the thing that concerns me. In this particular case the property had been declared surplus. The bill was referred to the gentleman's committee. That committee reported the bill out. I thought it had merit. I agreed with the principle involved. I did not object then. I am constrained to object now, but I do not think I will.

On the other hand, in the city of Cheyenne, which is within the district I represent, land was found to be surplus to the Veterans' Hospital there. The land was originally donated to the Federal Government by the city of Cheyenne as a site for the hospital. I introduced legislation to convey it to the city of Cheyenne for identical purposes to that for which this property was conveyed to St. Augustine, that is for park purposes. It was referred to the Committee on Government Operations and to the Brooks Subcommittee of that committee. The department report, as usual, is unfavorable. The bill has been held up there and the position of the subcommittee as expressed by its chairman is unfavorable. I do not know why it did not go to the Committee on Veterans' Affairs as this bill went to the Committee on Merchant Marine and Fisheries. But what we are running into here, which I do not think is right, and I intend to look into it and am going to have to start to object to some of these bills, is that if it happens to go to one committee it can be done but if it goes to another committee it cannot be done. I think the whole Nation is entitled to be treated fairly and the same. The land in the city of Cheyenne was donated to the Government in the first instance. Is that true in this case?

Mr. BONNER. That was true in this case. There was a favorable report. The reason it happened to come to this committee is that the Coast Guard is under the Treasury and is under the jurisdiction of the Committee on Merchant Marine and Fisheries.

Mr. THOMSON of Wyoming. I appreciate that. This other bill was not referred to the Committee on Veterans' Affairs. I realize that is not within the prerogatives of the committee. But every district and each Member are entitled to be treated alike and the law and the policy of Congress should be uniform in principle and practice.

Mr. BONNER. I can understand the gentleman's attitude.

Mr. THOMSON of Wyoming. I am not going to object, but if this situation continues to develop I am going to object to all similar bills in the future because of the principle involved.

The SPEAKER. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized and directed to convey to the city of Saint Augustine, Florida, without consideration therefor, all right, title, and interest of the United States in and to the real property heretofore conveyed to such city for public park purposes and described in section 2 of this Act, reserving to the United States a perpetual easement for beams of light across any part of such real property that may be between the lighthouse located on the Anastasia Island Lighthouse Reservation, Florida, and the sea.

SEC. 2. The real property referred to in the first section of this Act is situated in Anastasia Island, in the county of Saint Johns, in the State of Florida, and is more particularly described as follows: Commencing at General Land Office monument center of section 21, township 7 south, range 30 east, and being the southeast corner of Government lot numbered 2, thence north 1 degree 00 minutes west along the east line of said lot 2, 321.43 feet to the point of beginning, thence south 89 degrees 00 minutes west across lot 2, 416.33 feet to the west line of said lot 2, thence north 7 degrees 54 minutes west along the west line of said lot 2, 825.0 feet, thence north 89 degrees 00 minutes east across lot 2 and parallel to the south line 514.24 feet to the east line of said lot 2, thence south 1 degree 00 minutes west, 819.03 feet along east line of said lot 2 to the point of beginning.

With the following committee amendments:

On page 1, line 3, after the word "That" insert the following: "subject to the provisions of section 3 hereof".

On page 1, line 3, delete the word "Commerce" and insert in lieu thereof the word "Treasury".

On page 1, line 10, after the word "lighthouse" insert the following: "or any replacement thereof or any other aid to navigation".

On page 2, after section 2, add a new section as follows:

"SEC. 3. Any conveyance made under authority of the first section of this Act shall contain a covenant that the property described in such conveyance shall be used solely for educational purposes."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill to change a certain restriction on the use of certain real property con-

veyed to the city of Saint Augustine, Fla., by the United States."

A motion to reconsider was laid on the table.

COAST AND GEODETIC SURVEY

The Clerk called the bill (H.R. 9084) to repeal certain retirement promotion authority of the Coast and Geodetic Survey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 6, 1942 (ch. 383, 56 Stat. 328, as amended (33 U.S.C. 864e)) is hereby repealed.

SEC. 2. This Act becomes effective on November 1, 1959.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SERVICE FOR CANADIAN VESSELS FOR CERTAIN ALASKA PORTS

The Clerk called the bill (H.R. 9599) to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska, either directly or via a foreign port, or for any part of the transportation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, until June 30, 1961, notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port in the United States to another port of the United States, passengers may be transported on Canadian vessels between ports in southeastern Alaska, and passengers and merchandise may be transported on Canadian vessels between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska, either directly or via a foreign port, or for any part of the transportation, unless the Secretary of Commerce determines that United States-flag service is available to provide such transportation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE MINERAL LEASING ACT OF FEBRUARY 25, 1920

The Clerk called the bill (H.R. 10455) to amend the Mineral Leasing Act of February 25, 1920.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mineral Leasing Act Revision of 1960".

SEC. 2. Section 17 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (30 U.S.C. 226), is further amended to read as follows:

"SEC. 17. (a) All lands subject to disposition under this Act which are known or believed to contain oil or gas deposits may be leased by the Secretary.

"(b) If the lands to be leased are within any known geological structure of a producing oil or gas field, they shall be leased to the highest responsible qualified bidder by competitive bidding under general regulations in units of not more than six hundred and forty acres, which shall be as nearly compact in form as possible, upon the payment by the lessee of such bonus as may be accepted by the Secretary and of such royalty as may be fixed in the lease, which shall be not less than 12½ per centum in amount or value of the production removed or sold from the lease.

"(c) If the lands to be leased are not within any known geological structure of a producing oil or gas field, the person first making application for the lease who is qualified to hold a lease under this Act shall be entitled to a lease of such lands without competitive bidding. Such leases shall be conditioned upon the payment by the lessee of a royalty of 12½ per centum in amount or value of the production removed or sold from the lease.

"(d) All leases issued under this section shall be conditioned upon payment by the lessee of a rental of not less than 50 cents per acre for each year of the lease. Each year's lease rental shall be paid in advance. A minimum royalty of $1 per acre in lieu of rental shall be payable at the expiration of each lease year beginning on or after a discovery of oil or gas in paying quantities on the lands leased.

"(e) Competitive leases issued under this section shall be for a primary term of five years and noncompetitive leases for a primary term of ten years. Each such lease shall continue so long after its primary term as oil or gas is produced in paying quantities. Any lease issued under this section for land on which actual drilling operations were commenced prior to the end of its primary term and are being diligently prosecuted at that time shall be extended for two years and so long thereafter as oil or gas is produced in paying quantities.

"(f) No lease issued under this section which is subject to termination because of cessation of production shall be terminated for this cause so long as reworking or drilling operations which were commenced on the land prior to or within sixty days after cessation of production are conducted thereon with reasonable diligence, or so long as oil and gas is produced in paying quantities as a result of such operations. No lease issued under this section shall expire because operations or production is suspended under any order, or with the consent, of the Secretary. No lease issued under this section covering lands on which there is a well capable of producing oil or gas in paying quantities shall expire because the lessee fails to produce the same unless the lessee is allowed a reasonable time, which shall be not less than sixty days after notice by registered or certified mail, within which to place such well in producing status or unless, after such status is established, production is discontinued on the leased premises without permission granted by the Secretary under the provisions of this Act.

"(g) Whenever it appears to the Secretary that lands owned by the United States are being drained of oil or gas by wells drilled on adjacent lands, he may negotiate agreements whereby the United States, or the United States and its lessees, shall be compensated for such drainage. Such agreements shall be made with the consent of the lessees, if any, affected thereby. If such agreement is entered into, the primary term of any lease for which compensatory royalty is being paid, or any extension of such primary term, shall be extended for the period during which such compensatory royalty is paid and for a period of one year from discontinuance of such payment and so long thereafter as oil or gas is produced in paying quantities. The Secretary shall report to Congress at the beginning of each regular session all such agreements entered into during the previous year which involve unleased Government lands."

SEC. 3. Section 27 of said Act, as amended (30 U.S.C. 184), is further amended to read as follows:

"SEC. 27. (a)(1) No person, association, or corporation, except as otherwise provided in this subsection, shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, coal leases or permits on an aggregate of more than ten thousand two hundred and forty acres in any one State.

"(2) A person, association, or corporation may apply for coal leases or permits for acreage in addition to that which is permissible under paragraph (1) of this subsection, but the additional acreage shall not exceed five thousand one hundred and twenty acres in any one State. Each application shall be for forty acres or a multiple thereof and shall contain a statement that the granting of a lease or permit for the additional lands is necessary to enable the applicant to carry on business economically and that it is believed to be in the public interest. On the filing of such an application, the coal deposits in the lands covered by it shall be temporarily set aside and withdrawn from all forms of disposal under this Act. The Secretary shall, after posting notice of the pending application in the local land office, conduct public hearings on it. After such hearings the Secretary may, under such regulations as he may prescribe and to such extent as he finds to be in the public interest and necessary to enable the applicant to carry on business economically, permit the applicant to take and hold coal leases or permits for additional acreage as hereinbefore provided. The Secretary may, in his own discretion or whenever sufficient public interest is manifested, reevaluate a lessee's or permittee's need for all or any part of the additional acreage and may cancel any lease or permit covering all or any part of such acreage if he finds that cancellation is in the public interest or that the coal deposits in said acreage are no longer necessary for the lessee or permittee to carry on business economically or that the lessee or permittee has divested himself of all or any part of his first ten thousand two hundred and forty acres or no longer has facilities which, in the Secretary's opinion, enable him to exploit the deposits under lease or permit. No assignment, transfer, or sale of any part of the additional acreage may be made without the approval of the Secretary.

"(b)(1) No person, association, or corporation, except as otherwise provided in this subsection, shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, sodium leases or permits on an aggregate of more than five thousand one hundred and twenty acres in any one State.

"(2) The Secretary may, in his discretion, where the same is necessary in order to secure the economic mining of sodium compounds leasable under this Act, permit a person, association, or corporation to take or hold sodium leases or permits on up to fifteen thousand three hundred and sixty acres in any one State.

"(c) No person, association, or corporation shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, phosphate leases

or permits on an aggregate of more than ten thousand two hundred and forty acres in the United States.

"(d)(1) No person, association, or corporation, except as otherwise provided in this Act, shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, oil or gas leases issued under the provisions of this Act, or options to acquire such leases or any interest therein, on an aggregate of more than two hundred forty-six thousand and eighty acres in any one State other than Alaska. In the case of the State of Alaska, the limit shall be three hundred thousand acres in the northern leasing district and three hundred thousand acres in the southern leasing district, and the boundary between said two districts, shall be the Tanana River from the border between the United States and Canada to the confluence of the Tanana and Yukon Rivers, and the Yukon River from said confluence to its principal southern mouth.

"(2) No person, association, or corporation shall take, hold, own, or control at one time options to acquire interests in oil or gas leases under the provisions of this Act which involve, in the aggregate, more than two hundred thousand acres of land in any one State other than Alaska or, in the case of Alaska, more than two hundred thousand acres in each of its two leasing districts, as hereinbefore described. No option to acquire any interest in such an oil or gas lease shall be valid or enforcible if entered into for a period of more than three years (which three years shall be inclusive of any renewal period if a right to renew is reserved by any party to the option) without the prior approval of the Secretary. In any case in which an option to acquire the optionor's entire interest in the whole or a part of the acreage under a lease is entered into, the acreage to which the option is applicable shall be charged both to the optionor and to the optionee, but the charge to the optionor shall cease when the option is exercised. In any case in which an option to acquire a part of the optionor's interest in the whole or a part of the acreage under a lease is entered into, the acreage to which the option is applicable shall be charged both to the optionor and to the optionee, but after the option is exercised, said acreage shall be charged to the parties pro rata as their interests may appear. No option or renewal thereof shall be valid or enforcible until notice thereof has been filed with the Secretary or an officer or employee of the Department of the Interior designated by him to receive the same. Each such notice shall include, in addition to any other matters prescribed by the Secretary, the names and addresses of the parties thereto, the serial number of the lease or application for a lease to which the option is applicable, and a statement of the number of acres covered thereby and of the interests and obligations of the parties thereto and shall be subscribed by all parties to the option or their duly authorized agents. In addition, each grantor and holder of any such option shall file with the Secretary or an officer or employee of the Department of the Interior as aforesaid within ninety days after the 30th day of June and the 31st day of December in each year a statement showing, in addition to any other matters prescribed by the Secretary, (i) in the case of a grantor of an option, his name and the serial number of every lease or application for a lease to which an option granted by him is applicable, the name, address, and interest of each holder of any such option, the original date and the expiration date thereof, his obligations thereunder, and the number of acres covered thereby, and (ii) in the case of the holder of an option, his name, the name and address of each grantor of an option held by him, the serial number of every lease or application for a lease to which such an option is applicable, the number of acres covered by each such option, the total acreage in each State to which such options are applicable, and his interest and obligation under each such option. The failure of the grantor to make a timely filing as aforesaid shall render the option unenforceable by him, and the failure of the holder of an option so to file shall render the option unenforceable by him. The invalidity or unenforcibility of any option under the provisions of this paragraph shall not diminish the number of acres deemed to be held under option by any person, association, or corporation in computing the amount chargeable under the first sentence of this paragraph and shall not relieve any party thereto of any liability to cancellation, forfeiture, forced disposition, or other sanction provided by law. The Secretary may prescribe forms on which the notice and statements required by this paragraph shall be made.

"(e) (1) No person, association, or corporation shall take, hold, own or control at one time any interest as a member of an association or as a stockholder in a corporation holding a lease, option, or permit under the provisions of this Act which, together with the area embraced in any direct holding, ownership or control by him of such a lease, option, or permit or any other interest which he may have as a member of other associations or as a stockholder in other corporations holding, owning or controlling such leases, options, or permits for any kind of minerals, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kind of minerals allowed to any one lessee; optionee, or permittee under this Act.

"(2) No contract for development and operation of any lands leased under this Act, whether or not coupled with an interest in such lease, and no lease held, owned, or controlled in common by two or more persons, associations, or corporations shall be deemed to create a separate association under the preceding paragraph of this subsection between or among the contracting parties or those who hold, own or control the lease in common, but the proportionate interest of each such party shall be charged against the total acreage permitted to be held, owned or controlled by such party under this Act. The total acreage so held, owned, or controlled in common by two or more parties shall not exceed, in the aggregate, an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee, optionee, or permittee under this Act.

"(f) Nothing contained in subsection (e) of this section shall be construed (i) to limit sections 18, 19, and 22 of this Act or (ii), subject to the approval of the Secretary, to prevent any number of lessees under this Act from combining their several interests so far as may be necessary for the purpose of constructing and carrying on the business of a refinery or of establishing and constructing, as a common carrier, a pipeline or railroad to be operated and used by them jointly in the transportation of oil from their several wells or from the wells of other lesses under this Act or in the transportation of coal or (iii) to increase the acreage which may be taken, held, owned, or controlled under section 27 of this Act.

"(g) Any ownership or interest otherwise forbidden in this Act which may be acquired by descent, will, judgment, decree may be held for two years after its acquisition and no longer.

"(h)(1) If any lease, option, permit, or other interest in or pertaining to land which is subject to the provisions of this Act is acquired, owned, or controlled, directly or indirectly, by means of stock, or otherwise, in violation of any of the provisions of this Act, the same may be canceled or forfeited, or the person, association or corporation owning or controlling the same may be compelled to dispose of it, by the Secretary in an administrative proceeding.

"(2) Notwithstanding the provisions of paragraph (1) of this subsection, no lease, option, or other interest in or pertaining to lands producing oil or gas or known to contain valuable deposits of oil or gas and no lease, option or interest which respect to the acquisition or holding of which the Secretary alleges or charges the commission of fraud against the United States shall be canceled, forfeited, or ordered to be disposed of except in an appropriate proceeding instituted by the Attorney General in the United States district court for the district in which the land, or some part of it, is located or in which the defendant may be found. The court, in any proceeding in which fraud is found, may (in addition to imposing any other penalties provided by law) direct that the defendant shall thereafter be ineligible, either permanently or for a shorter period, to acquire or hold any lease, option, permit or other interest in or pertaining to land to which the provisions of this Act are applicable. Administrative proceedings to cancel, forfeit, or compel disposition under paragraph (1) of this subsection shall not be a bar to subsequent or simultaneous judicial proceedings under paragraph (2) of this subsection.

"(3) The right to cancel or forfeit for violation of any of the provisions of this Act shall not apply so as to affect adversely the title or interest of a bona fide purchaser of any lease, interest in a lease, option to acquire a lease or an interest therein, or permit which lease, interest, option, or permit was acquired and is held by a qualified person, association, or corporation in conformity with those provisions, even though the holdings of the person, association, or corporation from which the lease, interest, option, or permit was acquired, or of his predecessor in title (including the original lessee of the United States) may have been canceled or forfeited or may be or may have been subject to cancellation or forfeiture for any such violation. If, in any such proceeding, an underlying lease, interest, option, or permit is canceled or forfeited to the Government and there are valid interests therein or valid options to acquire the lease or an interest therein which are not subject to cancellation, forfeiture, or compulsory disposition, the underlying lease, interest, option, or permit shall be sold by the Secretary to the highest responsible qualified bidder by competitive bidding under general regulations subject to all outstanding valid interests therein and valid options pertaining thereto. Likewise if, in any such proceeding, less than the whole interest in a lease, interest, option, or permit is canceled or forfeited to the Government, the partial interests so canceled or forfeited shall be sold by the Secretary to the highest responsible qualified bidder by competitive bidding under general regulations.

"(4) The commencement and conclusion of every proceeding under this subsection shall be promptly noted on the appropriate public records of the Bureau of Land Management.

"(i) Effective September 21, 1959, any person, association, or corporation who is a party to any proceeding with respect to a violation of any provision of this Act, whether initiated prior to said date or thereafter, shall have the right to be dismissed as such a party upon showing that he holds and acquired as a bona fide purchaser the interest involving him as such a party without violating any provisions of this Act. If during any such proceeding, a party thereto files with the Secretary a waiver of his rights

under his lease (including particularly, where applicable, rights to drill and to assign) or if such rights are suspended by the Secretary pending a decision in the proceeding, he shall, if he is found in such proceeding not to be in violation of such provisions, have the right to have his interest extended for a period of time equal to the period between the filing of the waiver or the order of suspension and the final decision, without payment of rental.

"(j) Except as otherwise provided in this Act, if any lands or deposits subject to the provisions of this Act shall be subleased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form a part of or are in anywise controlled by any combination in the form of an unlawful trust, with the consent of the lessee, optionee or permittee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, gas, or sodium entered into by the lessee, optionee, or permittee or any agreement or understanding, written, verbal, or otherwise, to which such lessee, optionee, or permittee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control in excess of the amounts of lands provided in this Act, the lease, option, or permit shall be forfeited by appropriate court proceedings."

SEC. 4. (a) Upon the expiration of the initial five-year term of any noncompetitive lease which was issued prior to enactment of this Act and which has been maintained in accordance with applicable statutory requirements and regulations, the record titleholder thereof shall be entitled to a single extension of the lease, unless then otherwise provided by law, for such lands covered by it as are not, on the expiration date of the lease, withdrawn from leasing. A withdrawal, however, shall not affect the right to an extension if actual drilling operations on such lands were commenced prior to the effective date of the withdrawal and were being diligently prosecuted on the expiration date of the lease. No withdrawal shall be effective within the meaning of this section until ninety days after notice thereof has been sent by registered or certified mail to each lessee to be affected by such withdrawal.

(b) As to lands not within the known geologic structure of a producing oil or gas field, a noncompetitive lease to which this section is applicable shall be extended for a period of five years and so long thereafter as oil or gas is produced in paying quantities. As to lands within the known geologic structure of a producing oil or gas field, a noncompetitive lease to which this section is applicable shall be extended for a period of two years and so long thereafter as oil or gas is produced in paying quantities.

(c) Any noncompetitive lease extended under this section shall be subject to the rules and regulations in force at the expiration of the initial five-year term of the lease. No extension shall be granted, however, unless within a period of ninety days prior to the expiration date of the lease, an application therefor is filed by the record titleholder or an assignee whose assignment has been filed for approval or an operator whose operating agreement has been filed for approval.

SEC. 5. Section 27, subsections (h)(1) and (h)(2), of the Act of February 25, 1920, as amended by section 3 of this Act, shall not be applicable to any proceeding, administrative or judicial, which was commenced prior to the enactment of this Act, but every such proceeding shall be governed by the law in force at the time it was commenced.

With the following committee amendments:

Page 3, line 19, strike out the word "and" and insert "or".

Page 6, line 2, after the word "applicant" insert "to".

Page 7, line 22, after the words "shall be the" insert "left limit of the".

Page 7, line 24, after the words "and the" insert "left limit of the".

Page 8, strike out lines 21 and 22 and insert in lieu thereof: "acreage to which the option is applicable shall be fully charged to the optionor and a share thereof shall also be charged to the optionee as his interest may appear, but after the option".

Page 8, line 24, after the word "appear.", add a new sentence to read as follows: "In any case in which an assignment is made of a part of a lessee's interest in the whole or part of the acreage under a lease or an application for a lease, the acreage shall be charged to the parties pro rata, as their interests may appear."

Page, 10, line 7, after the word "him." insert a new sentence to read as follows: "Such notices or statements of options filed in accordance with this section during the period from January 1 through June 30 of each year shall not be made available by the Government for public use until October 1 of such year and such notices or statements filed during the period from July 1 through December 31 of each year shall not be made available by the Government for public use until April 1 of the following year."

Page 12, line 11, strike out all of paragraphs (h) (1) and (2) and insert in lieu thereof the following:

"(h)(1) If any interest in any lease is owned or controlled, directly or indirectly, by means of stock or otherwise, in violation of any of the provisions of this Act, the lease may be canceled, or the interest so owned may be forfeited, or the person so owning or controlling the interest may be compelled to dispose of the interest, in any appropriate proceeding instituted by the Attorney General. Such a proceeding shall be instituted in the United States district court for the district in which the leased property or some part thereof is located or in which the defendant may be found."

Page 13, line 15, strike out the paragraph designation "(3)" and insert in lieu thereof "(2)".

Page 14, line 17, add a new sentence to read as follows: "If competitive bidding fails to produce a satisfactory offer the Secretary may, in either of these cases, sell the interest in question by such other method as he deems appropriate on terms not less favorable to the Government than those of the best competitive bid received."

Page 14, line 18, strike out the paragraph designation "(4)" and insert in lieu thereof "(3)".

Page 16, line 8, after the word "noncompetitive" insert "oil or gas".

Page 16, line 24, after the word "noncompetitive" insert "oil or gas".

Page 17, line 7, after the word "noncompetitive" insert "oil or gas".

Page 17, following line 15, add a new subsection, as follows:

"(d) Any lease issued prior to the enactment of this Act which has been maintained in accordance with applicable statutory requirements and regulations and which pertains to land on which actual drilling operations were commenced prior to the end of its term and are being diligently prosecuted at that time shall be extended for two years and so long thereafter as oil or gas is produced in paying quantities."

Page 17, line 16, strike out all of section 5 and insert in lieu thereof the following:

"SEC. 5. Sections 17(a) and 17(b) which were added to the Act of February 25, 1920 by sections 4 and 5 of the Act of August 8, 1946 (60 Stat. 952, 30 U.S.C. 226d, 226e) are hereby redesignated sections 17A and 17B, respectively."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point on the legislation just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, the pending legislation—H.R. 10455—will add to the series of Mineral Leasing Act amendments that have been enacted over the years to perfect the original 1920 act and carry out its original purpose. That purpose is to promote the mining on Federal lands of coal, oil, gas, oil shale, phosphate, potash, and sodium by private capital, under sound principles of conservation and to prevent waste of such natural resource values.

The latest important amendment to the act was accomplished by the act of August 13, 1954 (68 Stat. 708), providing for multiple development of tracts of land under the Leasing Act and under the provisions of the general mining laws at the same time.

Interest and activity under the Mineral Leasing Act is increasing constantly. As my colleagues know, mineral leasing, in addition to developing a natural resource, is a revenue-producing activity. Receipts in the year ended in June 1959, were nearly $96 million. The major portion of this was from oil and gas rentals and royalties.

In approaching this legislation—H.R. 10455—it is well to bear in mind that mineral leasing is a highly technical operation. The laws, regulations, and procedures are very complex and the activity touches many States and many individuals. As of June 30, 1959, there were in effect over 141,000 mineral leases, permits, and licenses affecting nearly 117 million acres of Federal lands. Nearly 98 percent of these cases and over 95 percent of the acreage involve oil and gas.

The major revisions accomplished by the bill reflect substantial agreement by those concerned with the legislation. The acreage limitations for oil and gas leasing are simplified, allowing easier and more positive enforcement. The added acreage in Alaska will operate to encourage the development of oil and gas resources in northern Alaska.

The 10-year lease term provided under the legislation will be simpler and better for all concerned.

The added 2-year term where actual drilling is under way is a bonus to further encourage actual exploration and development, as opposed to merely speculation.

The committee received some opposition to increasing the minimum rental for oil and gas leases, but concluded that an upward adjustment is overdue. The rental adjustment will add incentive to actual exploration, tend to discourage excessive speculation, tend to better reimburse the Federal Government for its necessary services, and cause an increase in revenues to the States and to the reclamation fund. The same types of benefits will follow from eliminating the nonpayment of rentals in the second and third years of a lease.

The provisions regarding oil and gas options should simplify enforcement of limits without being unduly burdensome to those who grant or hold the options.

The committee gave careful attention to jurisdictional problems concerned with proceedings brought by the Department of the Interior for violations of the act. The committee determined, in view of pending ligitation, that the present language of the act on the point involved should be carried forward at this time. The resolution of the pending suits may point the way or clarify the path for future legislation.

This is not the last, by any means, of needed amendments to the Mineral Leasing Act or the public land laws. There are those who would like a complete overhaul of these laws. While that is being studied or talked about, bills like the present, although piecemeal in nature, deserve prompt attention

It would be inappropriate for me to close without a word of recognition.

Special credit should go to the author of H.R. 10455, my colleague in the Committee on Interior and Insular Affairs, Representative MORRIS of New Mexico, for his continuing efforts to improve the public land laws affecting New Mexico and other States. Representative RIVERS of Alaska and Representative THOMSON of Wyoming, authors of predecessor or companion bills, worked diligently with the committee as the legislation was developed.

Industry representatives have been most helpful, as have the staff of the Department of the Interior, on the many technical points that were under consideration.

Mr. Speaker, the bill H.R. 10455 deserves the support of all of the Members of the House.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, H.R. 10455, which it has been my privilege to sponsor, reflects a great deal of thought and effort on the part of many people, both inside Government and on the outside, and I want to express my gratitude to all of them for their assistance to me in bringing these bills to their present constructive and forward-looking stage.

H.R. 10455 revises and simplifies two important sections of the Mineral Leasing Act of 1920. These two sections are sections 17 and 27.

Mr. Speaker, under unanimous consent I insert at this point in my statement the tabulation showing the major substantive amendments to the mineral leasing system for oil and gas that is accomplished through this legislation:

Provision	Existing law	H.R. 10455
Maximum acreage under oil and gas leases and options permitted to be held by any 1 person (excluding leased acreage committed to cooperative or unit plans of development).	In all States except Alaska: 46,080 acres under lease and 200,000 acres under option. In Alaska: 100,000 acres under lease and 200,000 acres under option.	In all States except Alaska: 246,080 acres under lease and option, but not more than 200,000 acres under option. In Alaska: 300,000 acres under lease and option but not more than 200,000 acres under option, in each of 2 leasing districts.
Annual rental, oil and gas leases	Minimum of 25 cents per acre, with no payment for the 2d and 3d years.	Minimum of 50 cents per acre each year.
Primary term of noncompetitive oil and gas leases.	5 years plus a right to a 5-year extension, with minor exceptions.	10 years.
Extension of lease term if actual drilling is underway at expiration thereof.	(None provided)	2-year extension.
Notice of oil and gas options	(None required)	Notice must be given to Department of the Interior to render option valid.
Periodic statement of oil and gas options.	Required to be filed semiannually by holder.	Required to be filed semiannually by both holder and grantor.

Under the measure, the minimum annual rental on oil and gas leases is raised from 25 cents to 50 cents and the present provision waiving rental payments for the second and third years of leases is repealed. These revisions, of course, will apply only to leases issued after enactment. These are provisions that were requested by the Department of the Interior in an executive communication and their primary purpose, aside from increasing revenues to the States and to the reclamation fund, is to squeeze out some of the speculative interests in oil and gas leasing. I do not feel that this increase in the minimum rental will have an adverse affect on bona fide oil and gas exploration on public lands.

Another major provision is to raise from 5 to 10 years the primary term of noncompetitive oil and gas leases. This overcomes the administrative difficulties as well as the extra burden on the industry of having to renew leases after 5 years under the present law. Also, an added term of 2 years at the end of an oil and gas lease will be allowed under the measure if drilling has been commenced before the end of the period and is being diligently prosecuted. This added 2-year period, it is believed, will provide impetus toward exploration for oil and gas, and reward those who do so diligently. This latter provision, that is, the 2-year extension, is to be granted not only to new leases that would be issued after the bill is enacted, but also to any holder of an existing lease who would wish to come under its provisions.

Another major accomplishment in the measure is a partial consolidation of acreage limitation provisions so that the present overall limit in the States other than Alaska of 246,080 acres may be held either under direct leasing or indirectly by holding options. The present limit of 200,000 acres on option holding, however, is retained. For Alaska, the present 300,000-acre limit likewise is consolidated but with a limit of 200,000 acres on options. However, Alaska, for this purpose, is split into a north and a south leasing district with a full 300,000 acres allowed in each district.

Last, among the important adjustments, is a tightening of the requirements concerning the notice of options to the Government. This will permit the Department of the Interior to know of the status of options at all times and will help to avoid the type of difficulty that is currently involved in litigation in one of the Western States.

Mr. Speaker, the measure involves no additional cost of Government operation and no additional appropriation is required. On the contrary, its operation should cause reduced Government costs and bring about increased Government receipts. More than that, it will tend to reduce speculation under the Mineral Leasing Act and encourage the conservation and wise use of the mineral resources of the Federal lands.

My own State of New Mexico is vitally interested in legislation to improve the administration of public lands. Out of some 78 million acres of land surface in my State, over 27 million acres are owned by the United States, excluding Indian and other trust properties. This Federal ownership amounts to more than 35 percent of the land surface in the State. In the 11 Western States, 48 percent of the land surface is owned by the Federal Government, excluding trust properties, and in Alaska, it owns 99 percent. Under this situation, it is imperative that the Congress provide for and supervise the proper administration of the Federal lands. H.R. 10455 is another step in this direction.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Wyoming [Mr. THOMSON] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. THOMSON of Wyoming. Mr. Speaker, the bill before the House provides for important and very much needed amendments to the Mineral Leasing Act of 1920. The legislation is in the public interest. It deserves, and I am sure will receive, the support of every Member of the House.

As one who is not now a member of the Committee on Interior and Insular Affairs, may I say at the outset that the

committee and its staff deserve particular commendation for the consideration given this legislation and the exemplary manner in which they have discharged their duties. Full hearings were held, allowing everyone, both in and out of Government, an opportunity to express their views. Thereafter, in formulating the legislation, careful, deliberative and analytical consideration was given, with full opportunity again being given to all concerned to comment on any action under consideration. The result is legislation which I am confident will accomplish the goals intended.

Careful staff work has resulted in a much-needed revision of sections 17 and 27 of the Mineral Leasing Act, which will make it much more workable, as far as both the Department and the public are concerned. It will also greatly simplify and reduce the cost of any subsequent amendments. This is a byproduct, and a very valuable one, of the needed substantive changes in the law. It is an example of staff work at its best.

I have stated that this legislation is in the public interest, and I know that that is the test which each Member of the House will want to apply in determining the action to be taken with regard to it. That is the test that I myself, the coauthors, and the members of the committee have applied in offering and considering the legislation.

Let us look to what is the public interest. I will first paraphrase it from the U.S. Government Organization Manual of 1959–60. According to the manual, the Bureau of Land Management in the Department of Interior is involved with the mineral resources and particularly oil and gas, of some 475 million acres still in Federal ownership, as well as the publicly owned mineral resources on about 58 million acres of privately owned lands, or a total area of 533 million acres.

The objective is stated in the manual as follows:

> In formulating and administering programs for the management, conservation, and development of natural resources, the Department pursues the following objectives: the encouragement of efficient use; the assurance of adequately developed resources in order to meet the requirements of national security and an expanding national economy; the maintenance of production capacity for future generations; the promotion of an equitable distribution of benefits from nationally owned resources; the discouragement of wasteful exploitation.

The Mineral Leasing Act of 1920 itself very adequately expresses its purpose as "An act to promote the development of coal, phosphate, oil, oil shale, gas, and sodium on the public domain." Under the act, this has been accomplished to a remarkable degree, to the benefit of the Nation's economy and security.

Hundreds of millions of dollars of rentals and royalties have accrued to the U.S. Government from oil and gas leasing. Mineral leasing revenues in fiscal year 1959 amounted to almost $92.5 million.

Even more important than this, the development has produced an industry which has been in a major way responsible for our higher standard of living, has furnished Federal and State revenues through taxation, and has provided jobs to a large segment of our population.

It is self-apparent that any disruption of exploration and development would have a sad effect upon the economy and well-being of the Nation in general, and would be particularly disastrous to the economy of the areas involved, and most of all, to those who rely upon the industry for their livelihood.

Just such a challenge was presented a little more than a year ago. On January 8, 1959, the Department of the Interior announced that it was preparing to move to cancel leases and interest in leases for alleged violations of the acreage limitation provisions of the act. On January 26, 1959, the first contest was initiated in the State of Wyoming. Thereafter, on February 9 and June 2, 1959, additional proceedings were initiated in Montana and in Wyoming. These three proceedings involved 491 Federal oil and gas leases embracing over 284,000 acres. Their impact, though, threatened to go far beyond that.

What was the basis for these suits?

Under the Mineral Leasing Act, acreage limitations are imposed on the number of acres that can be held by any person, association, or corporation. The limit was 46,080 acres under lease and an additional 200,000 acres by option.

One of the principal things that caused extreme concern in the industry and threatened to seriously retard, if not completely halt, exploration and development on the public lands was the contention of the Department that a lease, or interest in a lease, could be canceled and forfeited in the hands of a party who was in all respects in compliance with the law, if the lease or the interest had been acquired from a person who was in violation, and even though the acquiring party had no knowledge, either actual or constructive, of the violation by his predecessor in title.

It costs upward of $90,000 to drill a well. Only one in every nine is a producer. A reasonable profit can be made only from a pool of at least a million barrels, and only 1 well in 44 hits such a pool. It costs about $1,200 a day to keep a seismograph crew running.

I could go on, but that is sufficient to show that no one is going to invest that kind of money if his already great risks are complicated by threat that his property will be taken away from him, through no fault of his own and with no opportunity to protect himself. It was agreed by all concerned, in hearings held last year, that there was no way that a party could determine in advance whether or not the predecessors in title had or had not been in violation.

This brought into focus a problem that had been bothering the industry for some time. There are separate limitations for acreage held by lease and acreage held under option, as mentioned above. Yet it was impossible to determine whether the acreage, under given circumstances, would be chargeable to the holder as lease acreage or option acreage. It got down to the question of whether a broker or other party, under a given set of circumstances, acted as an agent or an independent contractor. As a result, good citizens who wanted to be law abiding found it impossible to act with certainly because of the confusion in the law.

It was generally agreed that there was no public interest served in making the distinction between leases and options in determining acreage limitations. This situation demanded attention. To take care of the situation, on June 17, 1959, I introduced H.R. 7787, which was cosponsored by the gentleman from Alaska, Mr. RIVERS, as H.R. 8036. This legislation, just as the legislation now before the House, was designed to punish the violator, to protect the innocent, and to provide for the orderly development of our oil and gas resources on the public lands, in the public interest.

It removed the distinction between acreage held under lease and acreage held under option, thereby removing the cause of confusion.

It further provided protection for the bona fide purchaser.

In addition to that, instead of a 5-year term with a 5-year extension, it provided for a single 10-year term on noncompetitive leases as per recommendation of the Department of the Interior. The purpose of this was to remove administrative burden and excessive cost in processing the application for the preferential second 5-year term.

A further disagreement had arisen in the proceedings as to whether the Secretary could move to cancel or forfeit a lease in administrative proceedings, or if he was required to do so in a court proceeding. An attempt was made to resolve this conflict. There were other minor changes proposed.

Extensive hearings were held on this, both before the House committee and the committee of the other body. The Department agreed that the distinction between leases and options should be removed. It further agreed as to the equity and necessity of protecting bona fide purchases. It, of course, had proposed the 10-year lease term.

However, the Department had also requested an increase in the minimum rentals provided by section 17, from 25 cents per acre per year to 50 cents per acre per year, and a removal of that provision in the act which waived the second and third-year rentals. The Department took the position that this had to be accomplished as a part of the same legislation.

By this time, it was late in the session, and it was therefore determined that the bona fide purchaser amendment would proceed by itself, as stopgap legislation. This course of action was followed, and the amendment to accomplish that passed the House on September 2, 1959. It became Public Law 294 of the 86th Congress.

In speaking on that amendment, I pointed out that this was only stopgap legislation and that further attention would have to be given in this session.

To facilitate that, I requested that my bill, H.R. 7787, be left in the committee to obviate the necessity for repeating the hearings held to date.

In appearing before both the House committee and the Senate committee, I indicated that I could not, without investigation, state with any degree of certainty what the proper lease figure might be. I did, though, say that I would undertake during the recess to consult with people in the industry and in the Executive, in an effort to determine what would be the best figure in the public interest. I did this. Although there will never be complete agreement, I was convinced that in the public interest, a lease rental of approximately 50 cents per acre straight across the board, with the removal of the second and third year waivers, was in the public interest. The public interest is, of course, to obtain a proper rental for the Government, but at the same time one which will encourage exploration and development. Almost three-fourths of the income comes from royalties. The real benefit to society is performed, as far as our economy and our security, when the oil or gas is brought to the surface. That is why the purpose of this act, to promote development, is wisely stated.

After Congress reconvened last January for the second session of the 86th Congress, additional hearings were held before the Mines and Mining Subcommittee of the House Interior Committee. Additional comments were obtained from the Department on proposals made, all as shown in the committee report.

As an outgrowth of this, H.R. 10455, by the gentleman from New Mexico [Mr. MORRIS], now before the House for consideration, and two identical bills, H.R. 10433, by the gentleman from Colorado [Mr. ASPINALL], chairman of the full committee, and H.R. 10467, by myself, were introduced on February 16, 1960. Certain amendments were proposed and adopted to these bills in the subcommittee and in the full committee, all as appears in the committee report and the bill as reported by the committee, which is now before you.

The bill as reported, I believe, fairly meets the problems that I have mentioned in a manner that is best in the public interest. All of the recommendations of the Department have been carefully considered, and the major objections to the legislation as originally introduced have been corrected by clarification, and the bill has further been amended to meet the objectives of the Department as to other changes in the act.

Let us take a brief look at what the bill actually does.

First. It removes the distinction between the limitation on acreage that may be held under direct lease and under option. Instead of permitting 46,080 acres under lease and 200,000 acres under option to be held by any person, association or corporation in any one State, except Alaska, it removes the distinction and allows a total of 246,080 acres to be held in any State except Alaska, under any form of holding.

As previously indicated, this has the support of the Department, all segments of the industry, and all others who have considered the situation.

It is a congressional responsibility to remove the uncertainty in the law which makes it impossible for a person to know whether or not he is violating the law. It is essential to the continued success of the act in accomplishing its stated purpose, to promote the development of coal, phosphate, oil, oil shale, gas and sodium on the public domain.

Second. It meets the special problems posed in the State of Alaska. Alaska is approximately five times the size of the average western public land State. Oil and gas activity and interest in Alaska is of recent origin. Obviously, by reason of its size, different acreage limitations are indicated if we are to promote full development. Less obviously, the higher costs of exploration and development indicate greater acreage allowance. Members of the House will recall the legislation which passed last year and was vetoed. The principal objection of the Executive, which I believe was a valid one, was that the law as passed provided for an increase in acreage, but did not meet the principal justification for that increase, in that there was no provision to force a party to spread out in acquiring the acreage and explore the greater area. In other words, it would have simply permitted the acquiring of additional acreage in the near vicinity of the already-proven area.

The gentleman from Alaska [Mr. RIVERS] recognizing the importance to the growth and development of the State of Alaska which he represents, worked diligently upon this. The provision for Alaskan acreage was in the same sentence of the law as that for the acreage limitation in other States, so it was considered to be better if the two amendments could be worked out together.

Myself and others were pleased to cooperate with the gentleman from Alaska. The result, I believe, is one which fairly meets the Alaskan problem and at the same time, meets the objections of the President. It is provided that Alaska shall be formed into two leasing districts and that in each district, there shall be allowed a total of 300,000 acres to any person, association or corporation. Under existing law, 100,000 acres is permitted under lease and 200,000 acres under option, so the net effect is to again remove the distinction between lease acreage and option acreage, so as to remove the confusion and further, to allow Alaska to be divided into two areas, with a total of 300,000 acres allowed in each area comparing favorably with the allowance in other States. The total acreage in Alaska allowed is 600,000 acres. With Alaska being 5 times the size of the average public land State allowing the holding of approximately 2½ times the amount of acreage applicable to other States is certainly reasonable.

The only difference between the bill and the Department recommendation with respect to Alaska is a slight difference in boundary between the two areas. The Department recommended the Yukon River as the boundary, and the committee recommends the Yukon from its southern mouth to its confluence with the Tanana River, and thence the Tanana River to the border between the United States and Canada. The difference in area is small, and the principle soundly advanced by the Executive is recognized and followed.

Although the distinction between the chargeability for acreage held under lease and under option is removed, the restriction of 200,000 acres that can be held under option in any one State is retained. It was expressed by the Department and considered by many others that there was no basis for this. However, some felt that because this was a type of holding that was hard to follow to determine violations, restrictions on the acreage held under option and the time limit of options should be retained. Such has been done.

In addition, the law has been further strengthened in this regard, to require a timely filing of a notice of the option and pertinent information with respect thereto, with the Department, providing that the option shall not be valid or enforceable until such is done. Proper provision is made to prevent the release of this so as to interfere with the putting together of the optionee's block of acreage. Semiannual reports by both the optionor and the optionee, on the 30th day of June and the 31st day of December, with respect to options, as required in the present law, are further provided, with a further strengthening of this provision, particularly in making the option unenforceable by the party who fails to file. These provisions should operate to make it easier for the Department to determine the amount of acreage held at any given time and to control the acreage limitations.

The bona fide purchaser amendment which I have previously discussed, as adopted last year, has been carried forward, clarified and strengthened, as subsections (h) (2) and (3) and subsection (i) of the proposed revised section 27 of the Mineral Leasing Act. Particularly significant is the provision made for the disposition of any canceled or forfeited interest by competitive bidding to the highest responsible qualified bidder, under general regulations, with the further proviso for the use of other methods by the Secretary if this method of disposition fails to produce a satisfactory offer. Notation of the commencement and conclusion of every proceeding to cancel or forfeit on the appropriate records of the Bureau of Land Management is also provided.

These provisions will go a long way toward removing the confusion and permitting the continued orderly development of the oil and gas resources on the public domain, in the national interest. They will substantially accomplish the objectives of H.R. 7787, previously discussed.

Under the proposed revision of section 17, as appears at subsection (d), the minimum lease rental is raised from 25 cents per acre to 50 cents per acre for each year of the lease, and the waiver of the second and third year lease rental payments, as provided in existing law, is repealed. In view of all the circumstances, particularly the amount paid on private and State lands in the Western States, and the distinctions between private leases and Federal leases, I be-

lieve that the 50 cents per acre rental straight across the board represents a reasonable rental charge under today's circumstances, which is both fair to the developer and will encourage further development in the public interest, and at the same time will provide a fair return to the Government for the lease privilege. It will probably remain so for some time in the future. I would, though, emphasize that this is a minimum rental and that if it is to be continued as such, the Congress should not be expected to have to change it as economic or other circumstances may change further down the line. The determination has been made that the committee and the Congress should not be required to spend time in the conduct of lengthy investigations required to fix a fair rental. In this particular instance, since we were going into the subject anyway, it is proper that Congress should do so. However, in the future, if the authority of the Secretary to exceed the minimum is not to be exercised and this responsibility is to be left with the Congress, then the power of the Executive should be withdrawn by removing the minimum and the fixing of the actual acreage charge. This, I believe, is in line with the thought expressed in the committee report.

One other particular change in section 17 is worthy of special mention. In addition to providing for a single 10-year term for noncompetitive leases, rather than what has amounted to two 5-year terms under existing law, while at the same time carrying forward the 5-year term for a competitive lease, another important provision has been added. This is to provide that if actual drilling operations have been commenced prior to the end of the primary term of either type of lease, and are being diligently prosecuted at that time, the lease term shall be extended for 2 years, and so long thereafter as oil or gas is produced in paying quantities. This has merit in the accomplishment of the principal objectives of the act, to promote actual development. It will also take care in the future of those cases in which a person may stand to lose a lease on which he has spent a great deal of money, because of drilling problems or other complications arise, through circumstances beyond his control. If the person actually spends the amount required to drill a well, even though it may not result in commercial production, the granting of the balance of the additional 2 years after the completion of the well is certainly a reasonable provision.

Sometimes on a wildcat well, because of drilling procedures or some other cause, a nonproducer may appear to justify further drilling. In addition to that, the developer may care to shift his location. For these and other reasons, this additional term is indicated, after the individual has spent of his resources in an effort to actually accomplish the development. Furthermore, it may have an additional, very good effect by stimulating faster development. If the well is a dry hole, the chances would be very good that another 10-year lease would be issued if it was a nonproducing area or not on a known geological structure. If this were done, it would tend to retard early development, rather than to promote it, as compared to the 2-year extension.

By section 4(d) of the bill, the same 2-year extension is provided for leases granted under existing law. Section 4 also preserves the rights of parties as per existing law under leases granted prior to the effective date of the act.

Finally, I would like to endorse the committee amendment as it pertains to the form in which disputes shall be decided as to whether or not there has been a violation of the act. At the time that H.R. 7787 was originally introduced last June, there was a great confusion in this regard. The Department contended that under the provisions of the existing law, it had the authority to cancel all leases in administrative proceedings. On the other hand, people outside of Government generally contended that such leases, once granted, could be canceled only through a court proceeding brought by the Attorney General in the U.S. district court for the district in which the lease property or some part thereof is located, or in which the defendant may be found, with the single exception of cancellation of a lease for violation of its lease terms, as provided in section 31 of the Mineral Leasing Act, as amended by section 9 of the act of August 8, 1946 (30 U.S.C. 188). In speaking to this subject on September 2, 1959, volume 105, part 14, page 17761 of the CONGRESSIONAL RECORD for that date, I stated:

> I personally believe that the Secretary does not have the authority under the present act to cancel or forfeit a lease under these circumstances by administrative proceedings.

Nevertheless, in order to resolve the controversy, H.R. 7787 as originally introduced made certain provisions with respect thereto. These were substantially carried forward into H.R. 10455, and companion bills introduced on February 16, 1960.

Developments since that time have changed this situation. On March 4, 1960, in the proceedings pending in the U.S. District Court for the District of Wyoming, Judge Kerr, of that district, issued an order and a memorandum in conjunction therewith, which substantially resolves this question, at least as far as that court is concerned, and, I believe, on a very sound basis. I quote from pertinent portions of the judge's memorandum so issued:

JUDGE'S MEMORANDUM—KERR, JUDGE—DECIDED MARCH 4, 1960

The subject of this controversy involved oil and gas leases heretofore issued on public lands. Some of the leases in question are on producing lands, others on nonproducing lands, while others are on lands known to contain valuable deposits of oil and gas.

The matter is before the court on the Government's motion to dismiss.

A summary of the pleadings, statutes, and regulations is essential to an understanding of the issues involved.

On January 27, 1959, the State Supervisor for the State of Wyoming, Bureau of Land Management, filed a complaint in the Cheyenne Land Office of the Bureau of Land Management on behalf of the United States as contestant and named the Pan American Petroleum Corp., together with 85 other persons, companies and corporations, as contestees. Omitting the caption the complaint is as follows:

"Comes now the United States of America, acting by and through the State Supervisor for the State of Wyoming, Bureau of Land Management, Department of the Interior, pursuant to the provisions of title 43, Code of Federal Regulations, 1954 revision, supplement, part 221, and as grounds for contest states and alleges:

"I. That Walter G. Davis and other parties by plan, scheme, and device willfully, falsely, and fraudulently:

"(a) Procured the issuance and assignment of Federal oil and gas leases for the purpose of enabling Walter G. Davis or other parties to fraudulently obtain oil and gas leases for the use, benefit, and on behalf of Walter G. Davis or other parties in excess of 15,360 acres contrary to and in violation of the statutes of the United States and the regulations of the Department of the Interior.

"(b) Procured the issuance and assignment of Federal oil and gas leases for the use, benefit, and on behalf of Walter G. Davis or other parties without disclosing that an agent or attorney in fact was involved and without the interest and qualifications of said Walter G. Davis or other parties being disclosed contrary to and in violation of the statutes of the United States and the regulations of the Department of the Interior.

"(c) Procured the issuance and assignment of Federal oil and gas leases for the use, benefit and on behalf of Walter G. Davis at a time when the said Walter G. Davis was not qualified to hold such leases or interests therein contrary to and in violation of the statutes of the United States and the regulations of the Department of the Interior.

"II. That the serial numbers, the legal description of the land included therein and the parties and their addresses presently having an interest as shown by the records of the Bureau of Land Management in all leases obtained by issuance and assignment contrary to and in violation of the statutes of the United States and the regulations of the Department of the Interior as alleged in paragraph I above are shown on exhibit A attached hereto and incorporated herein by reference.

"III. The name and address of each party interested as shown by the records of the Bureau of Land Management and the legal description of the lands involved are shown on exhibit A attached hereto and incorporated herein by reference.

"IV. That there are no proceedings pending for the acquisition of title to or an interest in such lands as shown by the records of the Bureau of Land Management other than as noted on said exhibit A.

"Wherefore, the United States of America requests that it be allowed to prove the allegations contained herein and that all of said leases shown on exhibit A be invalidated, canceled and declared null and void and for such other and further action as may be deemed proper in the circumstances.

"NOTICE

"This complaint is filed in the State of Wyoming Land Office, Bureau of Land Management, room 409, Federal Office Building, Cheyenne, Wyo., and any papers pertaining thereto shall be sent to such office for service on the contestant.

"Unless contestees file an answer to the complaint in such office within 30 days after service of this notice and complaint, the allegations of the complaint will be taken as admitted and the case will be decided without a hearing. Any answer should be filed in accordance with title 43, Code of Federal Regulations, 1954 revision, supplement, part 221."

On February 24, 1959, plaintiff filed this action to enjoin the defendants from taking any action against the plaintiff in said departmental proceedings and praying that the proceedings be declared null and void. The complaint alleges inter alia that the only remedy available to the Secretary of the Interior is by proceeding through the Attorney General of the United States in an action instituted in the U.S. district court for the district in which he leased property is located or in which the lease owner may be found; that no power or authority exists in the Secretary of the Interior or any of his subordinate officers or agents to proceed administratively to cancel or forfeit any of such leases held by the plaintiff; the complaint further alleges that the administrative proceedings were wholly unauthorized by applicable statutes of the United States and directly violate the plain provisions of the statute.

The defendants interpose a motion to dismiss the complaint on the grounds (a) that no claim for relief has been stated, (b) the Secretary of the Interior is an indispensable party, and (c) that plaintiff has failed to exhaust its administrative remedies.

STATUTES AND REGULATIONS INVOLVED

Section 27 of the Mineral Leasing Act as amended by section 6 of the act of August 8, 1946 (30 U.S.C. 184) in pertinent parts provides as follows:

"No person, association, or corporation, except as herein provided, shall take or hold at one time oil or gas leases exceeding in the aggregate 15,360 acres granted hereunder in one State. * * * If any interest in any lease is owned, controlled, directly or indirectly, by means of stock or otherwise, in violation of any of the provisions of this act, the lease may be canceled, or the interest so owned may be forfeited, or the person so owning or controlling the interest may be compelled to dispose of the interest in any appropriate proceeding by the Attorney General. Such a proceeding shall be instituted in the U.S. district court for the district in which the leased property or some part thereof is located or in which the lease owner may be found."

By the act of August 2, 1954 (68 Stat. 648), the limitation of acreage so provided was increased to 46,080 acres in any one State.

Section 31 of the Mineral Leasing Act, as amended by section 9 of the act of August 8, 1946 (30 U.S.C. 188), provides in pertinent parts as follows:

"Except as otherwise herein provided, any lease issued under the provisions of this act may be forfeited and canceled by an appropiate proceeding in the U.S. court for the district in which the property or some part thereof is located whenever the lessee fails to comply with any provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease. * * *

"Any lease issued after August 21, 1935, under the provisions of section 17 of this act shall be subject to cancellation by the Secretary of the Interior after 30 days' notice upon the failure of the lessee to comply with any of the provisions of the lease, unless or until the land covered by any such lease is known to contain valuable deposits of oil or gas."

The proceedings instituted by the supervisor were brought under the provisions of title 43, Code of Federal Regulations, 1954 revision, supplement, part 221, which provides in part:

"221.67 Government contests. The Government may initiate contests for any cause affecting the legality of any entry or settlement or mining claim."

Subsequent to the institution of this action and on September 21, 1959 (73 Stat. 571), Congress again amended the Mineral Leasing Act of February 25, 1920, and I quote from this amendment:

"If any interest in any lease is owned or controlled, directly or indirectly, by means of stock or otherwise, in violation of any provisions of this act, the lease may be canceled, or the interest so owned may be forfeited, or the person so owning or controlling the interest may be compelled to dispose of the interest, in any appropriate proceeding instituted by the Attorney General. Such a proceeding shall be instituted in the U.S. district court for the district in which the leased property or some part thereof is located or in which the lease owner may be found, except that any ownership or interest forbidden by this act which may be acquired by descent, will, judgment or decree may be held for 2 years and not longer after its acquisition."

The congressional intent respecting the 1920 Mineral Leasing Act is clearly manifested in 58 CONGRESSIONAL RECORD, page 7604, 66th Congress, 1st session, from which I quote:

"Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question. The provision beginning on line 6, page 6, provides:

"'Any interests held in violation of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General.'

"And so forth. I take it that under that language the holding is valid and any operations conducted under it would be valid until after action brought by the United States. Am I correct in my construction of that language?

"Mr SINNOTT. That would relate to a lease, but not to a permit. The Secretary has certain rights under a permit, but after the permit is merged into a lease, then it will take court action.

"Mr. ANDERSON. Well, Mr. Chairman, I want to ask what was the reason for that sort of a provision? Ordinarily a lease would be void ab initio, but here you put the entire burden on the Government to proceed to forfeit the lease before anything can be done in the way of showing fraud.

"Mr. SINNOTT. It is in recognition of that legal, or equitable, principle that the law abhors a forfeiture, and there must be a showing made in court before the forfeiture can be secured.

"Mr. ANDERSON. I assume a man could scarcely hold a larger amount of land under this act than the act permits, without knowing it. Therefore, it seems to me that it ought to provide that the holding of an amount in excess of the amount permitted by the law should be void from the beginning.

"Mr. SINNOTT. Well, a man might inadvertently secure more stock than he is entitled to; and it is in line with all court proceedings in relation to forfeiture.

"Mr. ANDERSON. Mr. Chairman, I move to insert in line 7, page 66, after the word 'be' the words 'void and shall be.' So that it will read:

"'Any interests held in violation of this act shall be void and shall be forfeited to the United States.'"

The CONGRESSIONAL RECORD discloses that the Anderson motion was defeated and the bill was enacted into law requiring court proceedings to be instituted where fraud was found to exist.

I have taken occasion to examine the standard oil and gas lease issued by the Secretary of the Interior, form No. 4-1158, sixth edition, April 1957, and I quote section 7 of the terms of the lease:

"SEC. 7. Proceedings in case of default.—If the lessee shall not comply with any of the provisions of the act or the regulations thereunder or of the lease or make default in the performance or observance of any of the terms hereof except payment of rental, and such default shall continue for a period of 30 days after service of written notice thereof by the lessor, this lease may be canceled by the Secretary of the Interior in accordance with section 31 of the act, except that if this lease covers lands known to contain valuable deposits of oil or gas, the lease may be canceled only by judicial proceedings in the manner provided in section 31 of the act; but this provision shall not be construed to prevent the exercise by the lessor of any legal or equitable remedy which the lessor might otherwise have. Upon cancellation of this lease, any casing, material, or equipment determined by the lessor to be necessary for use in plugging or preserving any well drilled on the leased land shall become the property of the lessor. A waiver of any particular cause of forfeiture shall not prevent the cancellation and forfeiture of this lease for any other cause of forfeiture, or for the same cause occurring at any other time."

Title 43, Code of Federal Regulations, section 192.161(c), provides:

"(c) Leases known to contain valuable deposits of oil or gas may be canceled only by judicial proceedings in the manner provided in sections 27 and 31 of the act."

Looking at the statute in the light of all that bears upon its purpose and meaning, I think it clearly and unmistakably lays upon the Secretary of the Interior or his subordinates the plain duty to bring an action in the U.S. district court where the leased lands are situated if he seeks to cancel leases on the ground of fraud if the lands contain valuable deposits of oil or gas. In the case at bar there is no dispute that the lands contain such deposits.

True, there is a wide latitude available to the Secretary of the Interior in many situations, but he is bound by the statute (*Lane* v. *Hoglund* (244 U.S. 174)).

Counsel have filed voluminous briefs citing scores of cases, yet none of these cases parallel the facts in the case at bar. I have found no case where the Secretary or his subordinates have attempted to cancel leases administratively where valuable deposits of oil or gas are known. The cases are many where the Government has brought suit in the U.S. district court to cancel leases and patents and no good reason is shown by the Department in this case why deviation should be made from the well beaten path of the previous procedure.

In the case of *Bell Oil & Gas Co.* v. *Wilbur, Secretary of Interior* (50 F. 2d 1070), the Court of Appeals for the District of Columbia, in discussing the power of the Secretary of the Interior under the Oil and Gas Leasing Act of 1920, stated, at page 1071:

"It is unnecessary for us to enter into any discussion as to the action of the Secretary, since we are compelled to dispose of the case upon another ground, namely, that the plaintiff has an adequate remedy at law. The Secretary, under the terms of the act, has no power by his own fiat to cancel these leases. He is required to go into a district court of the United States to accomplish that result by a proceeding in equity. In that proceeding, plaintiff can set up as a defense the action of the Secretary in attempting to exact the 15 cents per barrel over and above the market price, and the legality of the Secretary's action would then be for the determination of the court.

"But it is urged that, should the court decide in favor of the Secretary, the only order which it could enter would be to decree the cancellation of the leases, and that plaintiff should not be compelled to thus place his properties in jeopardy. We are not impressed with this contention. Plaintiff cannot be deprived of its property in the leases except by due process of law, and a court of equity, having jurisdiction of the proceeding, has jurisdiction to enter a decree which will protect the rights of all parties involved; therefore, should the court decide that the

Secretary was right in imposing the 15 cents per barrel over and above the market price, it could still protect the plaintiff by a decree to the effect that, upon the failure of the plaintiff to pay the accumulated amount found to be due the Government by a specified date, a decree would be entered canceling the lease."

From what I have said I hold the supervisor is proceeding in contravention of the clear mandate of the statute, his own regulation, and in violation of the terms of the lease when he proceeds administratively to cancel leases on lands known to contain valuable oil and gas deposits. This prerogative Congress has reserved for the courts.

This tends to remove the necessity of Congress saying over again what it has already said several times.

The exception provided in the second paragraph of section 31 of the Mineral Leasing Act (30 U.S.C. 188) is obviously limited to nonproducing, noncompetitive leases and to failure to comply with the terms of the lease, such as payment of rentals, and so forth, rather than to questions concerned with the acquisition or holding of the lease.

On further investigation and consideration, I wholeheartedly concur in the conclusion of the committee that the distinction between nonproducing, noncompetitive leases and producing or competitive leases, as originally proposed to be written into the law by H.R. 7787, is not one which should be followed. I have previously mentioned some of the costs involved in obtaining and performing the exploration on a lease to determine whether or not it should be drilled. The cost of a seismograph crew, as I mentioned, is probably $1,200 per day. Before that stage, extensive work must be done on surface geology, and so forth.

Furthermore, the holder of the lease may have proceeded with the drilling of a well and have almost carried it to completion, but it is still a nonproducing lease. The distinction should not be drawn because he lacks a few feet of reaching the sand. A nonproducing lease may very well represent a greater investment and have a greater value than a producing lease. Furthermore, why should a person who is taking the risk to develop, which is one of, if not the primary purpose to be accomplished as to the the public interest, be treated differently than a person who may have by purchase acquired an already-producing property or have chosen to invest and have had the money to do it, through competitive bidding, on a lease within an already-known geological structure. If anything, the wildcatter is the one who probably performs the greatest service in the public interest, by bringing to the surface for the benefit of the Nation previously unknown and undeveloped resources, and as such should be afforded at least equal protection of the law.

I think that the committee has taken the proper action by refusing to write the distinction into the law and by substituting for subsections (h)(1) and (2) of the revision of section 27 as originally proposed in the bill, the committee amendment which writes into the act the same two sentences contained in the existing law. These provide for cancellation or forfeiture in any appropriate proceeding instituted by the Attorney General in the district court for the district in which the lease property or some part thereof is located or in which the defendant may be found.

I think there is very good reason for requiring cancellation or forfeiture by court action and for our continuing to make this the law. There can be no argument about the importance of leasehold titles. Once the lease has been entered into, one party should not be permitted to cancel by unilateral action, unless there is good and sufficient grounds for cancellation. The Secretary of the Interior, as the representative of the Government, enters into the lease as a party. Once a citizen enters into the lease with the Government acting through the Secretary and in reliance thereon may have and probably has expended large sums, under our American sense of justice he should be entitled to have his rights fully protected in the courts.

Administrative proceedings in proper instances perform a valuable function. This, however, is not one. Anyone who has participated in such proceedings is familiar with the general looseness thereof, or complete failure to follow the ordinary rules of evidence, and so forth. This statement is not a condemnation of administrative procedures for proper purposes, as that very fact may contribute to their effectiveness. It does, however, have the effect of allowing suspicion to be substituted for proof.

The substantial amounts involved and the delicate questions of law and fact in a proceeding to cancel or forfeit a lease, however, should be tried in the courts.

To hold otherwise would mean that the Secretary who had originally entered into the lease, after having found the person qualified, would be placed in the position of accuser, prosecutor, judge, and jury. This could very well interfere with the substantial rights of the private citizen on an appeal to the courts under the Administrative Procedure Act, for the contention would certainly be made and might very well be upheld that if there was any substantial evidence to uphold the Secretary's finding of fact, then his decision would have to be affirmed. This would deprive the defendant of his right to prove his case by a preponderance of the evidence or, in some cases, would remove from the Secretary the burden of proving his case by clear and convincing evidence, or something more than just a preponderance.

We are not out to in any way protect the guilty, but we are out to protect the innocent. A person who is accused of a violation is innocent until proved guilty and is entitled to his day in court, with all of his rights under our American system of jurisprudence fully protected.

It has been suggested that this will result in a multiplicity of action. The language of the present act has been in effect for many years, and this has not happened nor will it happen in the future. The cases going to the courts over the past 30 years have been very limited. By this legislation, we are removing the confusion in the present law which has resulted in the complicated litigation now pending.

Numbers of violations which have been corrected without resort to the courts have been cited, but that is meaningless as far as indicating any future burdens upon the courts, if authority to cancel or forfeit by administrative proceedings is not given to the Secretary.

With few exceptions, the people in the industry, just as in any other cross section of America, are honest and law-abiding citizens. Nevertheless, mistakes are bound to occur. There is nothing in this legislation or in the law which would prevent the correction of these mistakes in the same manner in which they have been corrected in the past. The Secretary can, and I am sure will, continue to serve a notice of violation or intention to cancel or forfeit upon any party who appears to be over in his acreage limitation or otherwise in violation. Just as in the past, in most instances where this is the case it is because of a mistake, and the party will immediately surrender the excess holdings. Only in cases where there is a real dispute as to the law or the facts will there be any litigation. Experience over a period of 30 years has shown that those are very rare and that it does not place an undue burden upon the court. As a matter of fact, it is only placing the responsibility upon the courts which, under our American system of government, properly belongs there, rather than to transfer a judicial function to the executive.

May I further state that in one of the cases filed in Wyoming, the so-called Featherstone case, the defendants are apparently submitting themselves to administrative proceedings. I have followed this case reasonably close. It is apparent to me as a result thereof, that the courts and the procedure set up therein based on long experience will actually provide the best and most expeditious form for the disposing of the cases. This is certainly no criticism of the hearing examiner, Mr. Dalby, for he is apparently doing a conscientious and good job. The fact is, though, that the courts, with pretrial and other procedures developed over a long period of time, which are thoroughly understood and workable, are in a much better position to handle such cases involving complicated questions of law, fact, and procedure.

I still believe, and know that the overwhelming majority of those in the industry agree with me, that a person who fraudulently violates the provisions of the act should be punished, and even more important, should be removed from activity in the industry, where he may complicate the affairs of what is almost 100 percent of the industry that are good, law-abiding citizens and those of the general public who may become involved as investors or otherwise. For that reason, in the bill as originally introduced, a further penalty was provided as to any person found guilty of fraud in a court proceeding, which would have made the party ineligible, either permanently or for a shorter period, to acquire or hold any lease, option, permit

or other interest in or pertaining to land to which the provisions of the act are applicable.

I must, however, agree with the committee in striking out this provision in the civil legislation. There are general criminal penalties for fraud which would be applicable. If they are not adequate, they should be strengthened. Furthermore, this closely approximates, if it does not amount to, an outright criminal penalty and as such, the defendant would be entitled to the additional protection, particularly with regard to the degree of proof required by criminal law. Furthermore, there is a question of how far the suggested penalty might go, inasmuch as it might require a defendant to divest himself of most, if not all, of his holdings of corporate stock, and so forth. Eager as I am, and as are people in the industry, to stop intentional and willful violations, I must agree with the committee in their conclusion that this is not the way to do it. Rather, if anything is required, it should be by providing further or more severe criminal penalties in a criminal statute.

As a practical matter, I think a person convicted of fraud will be removed from the industry by the ethics and practices of the industry itself and may otherwise be prohibited from acquiring further lease acreage under existing law.

If, as the committee report suggests, any clarification or change of the forum for determining violations and remedies is indicated as a result of the contests and cases now pending, the proper action to be taken can best be determined after we have the experience of that litigation and proceedings.

I am advised that hearings have been scheduled in the other body on similar legislation. I sincerely hope that there will be action with reasonable dispatch so that this much needed legislation can be fully realized.

I again congratulate the committee for a difficult job well done and urge the support of their action in the public interest.

AMENDING PUBLIC LAW 85—626 RELATING TO DUAL CONTRACT AGREEMENTS

The Clerk called the bill (H.R. 10840) to amend Public Law 85—626 relating to dual rate contract agreements.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "To amend the Shipping Act, 1916", approved August 12, 1958 (72 Stat. 574), is amended by striking out "1960" and inserting in lieu thereof "1961".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

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

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

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, the report which accompanies H.R. 10840 recites the purpose of the bill, which is to extend for an additional year the standby legislation enacted during the 1st session of the 85th Congress. The report, however, does not go into the background of the standby legislation.

That legislation was the result of a Supreme Court decision which held illegal a practice that had been followed by shipping lines for over 40 years. American and foreign ship operators have for years been members of shipping conferences organized for the purpose, amongst others, of agreeing upon rates. Normally, such agreements would be in violation of antitrust laws except for an act of Congress which legalized them.

However, a practice developed under which a lower rate was quoted to a shipper who contracted to ship all of his cargo by a given line for a stated period of time than was quoted to shippers who did not so contract. This was called a dual rate system. Our Supreme Court held the practice illegal with respect to one conference. Other conferences were not involved except insofar as the same ruling might be rendered in subsequent actions brought against them.

Our Committee on Merchant Marine and Fisheries presented to the House a measure which permitted the dual rate system to be continued for a period of 2 years to enable the committee to study the problem and seek to find some solution to it. As the report indicates, extensive hearings have been held. Additional time is required, however, for the committee to finalize its study and prepare legislation. Furthermore, the House Committee on Judiciary has been investigating certain anti-trust aspects of shipping practices, but has not completed its consideration of the matters pending before it. Additional time is needed by both committees to complete their work, and H.R. 10840 is designed to provide it while at the same time permitting the dual rate system to continue for another year.

The hearings before our committee have convinced me beyond any doubt that some form of dual rate or contract system is necessary if the American merchant marine is to continue in existence. All other foreign maritime nations authorize contract systems which go beyond the dual rate system. If our own merchant marine is to survive, it must be able to compete with foreign lines for cargoes, and this it cannot do if some kind of "tying" or contract arrangement with shippers is not permitted.

I have stated the problem in its most simple terms. Actually, the subject is quite involved, as the Members of the House will see when legislation proposing a solution is submitted. I certainly cannot speak for the Committee but I do want to emphasize most strongly the necessity for eventually legalizing the dual rate or some similar system.

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

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

There was no objection.

Mr. CELLER. Mr. Speaker, I rise in support of H.R. 10840, extending the moratorium on operation of dual rate contract arrangements for 1 year.

These dual rate contract arrangements can exist, of course, only through legislative exemption from our antitrust laws. For more than 18 months the Antitrust Subcommittee of the Committee on the Judiciary, of which I am chairman, has been intensively studying antitrust problems in the ocean freight industry. Our subcommittee has discovered during that time the existence of numerous practices raising serious questions under the antitrust laws and under the Shipping Act of 1916.

We learned that in more than 40 years of administering the Shipping Act, the Federal Maritime Board and its predecessor agencies, through Democratic and Republican administrations alike, have been remiss in their enforcement of the shipping laws. Not once, in nearly half a century, has the regulatory agency charged with responsibility brought a single prosecution for violation of the limitations placed upon the industry's antitrust law exemption. Yet, our study revealed that in those intervening years, ocean carriers in the foreign commerce of the United States have continually followed practices outlawed by our shipping laws and by the antitrust exemptive provisions. Indeed, many carriers have engaged in the very anticompetitive practices that the Shipping Act of 1916 was intended to prohibit.

As a result of this study by our Antitrust Subcommittee, the Federal Maritime Board has precipitately begun numerous investigations and cases against various steamship carriers for violations of the Shipping Act. The Department of Justice has empanelled grand juries on our two coasts to gather evidence of violations of the antitrust laws. One of these grand juries has already issued nearly 100 subpenas for documents, and is studying scores of thousands of papers in connection with its duties.

The Committee on Merchant Marine and Fisheries, chaired by the able and distinguished gentleman from North Carolina [Mr. BONNER], has likewise been engaged in an extensive study of conferences and the dual rate system. Neither committee has completed its labors.

However, our preliminary studies indicate that much work needs to be done to remedy existing violations. The steamship industry is badly in need of housecleaning. I, therefore, concur wholeheartedly in the hope expressed by the Committee on Merchant Marine and Fisheries in House Report No. 1403, accompanying this bill, that the Department of Justice, the Federal Maritime Board and the steamship conferences themselves "will take heed of the many matters uncovered by the committees

and take all steps necessary to correct conditions now existing."

But the work of these two committees must continue. The Antitrust Subcommittee will soon hold additional hearings. It then must study all of the evidence and testimony before it and make whatever recommendations it concludes are advisable. The Committee on Merchant Marine and Fisheries must likewise study its record and report to the House.

This clearly cannot be done before June 30, 1960, the expiration date of Public Law 85-626. Accordingly, I endorse the bill introduced by my friend, the gentleman from North Carolina, and urge its passage, so that the two committees concerned may bring to a conclusion their studies in this most important field.

PROVIDING FLEXIBILITY IN THE PERFORMANCE OF CERTAIN COAST AND GEODETIC SURVEY AND WEATHER BUREAU FUNCTIONS

The Clerk called the bill (S. 2483) to provide flexibility in the performance of certain functions of the Coast and Geodetic Survey and of the Weather Bureau.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of July 22, 1947, (61 Stat. 400; 33 U.S.C. 873), is amended to read as follows:

"The Secretary of Commerce is hereby authorized to pay extra compensation to members of crews of vessels when assigned duties as instrument observer or recorder, and to employees of other Federal agencies while observing tides or currents, or tending seismographs or magnetographs, at such rates as may be specified from time to time by him."

SEC. 2. Section 3 of the Act of June 2, 1948 (62 Stat. 286, as amended; 15 U.S.C. 327), is hereby revised to read as follows:

"The Secretary of Commerce is hereby authorized to (a) appoint employees for the conduct of meteorological investigations in the Arctic region without regard to the civil service laws and fix their compensation without regard to the Classification Act of 1949, as amended (5 U.S.C. 1071 and the following) and titles II and III of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 911 and the following), at base rates not to exceed the maximum scheduled rate for GS-12, and (b) grant extra compensation to employees of other Government agencies for taking and transmitting meteorological observations."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING ESTABLISHMENT OF HUBBELL TRADING POST NATIONAL HISTORIC SITE, ARIZ.

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7279) to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes, with amendments.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing the Hubbell Trading Post National Historic Site, the Secretary of the Interior is authorized to purchase with donated funds or funds appropriated for the purpose, at a price to be agreed upon between the Secretary and the owner or owners, not to exceed the fair market value, the site and remaining structures of the Hubbell Trading Post at Ganado, Arizona, including the contents of cultural and historical value, together with such additional land and interests in land as in his discretion are needed to preserve and protect the post and its environs for the benefit and enjoyment of the public: *Provided,* That the total area so acquired shall not exceed one hundred and sixty acres: *Provided further,* That the amount of land retained for the purpose hereinbefore stated shall not be in excess of that amount of land reasonably required to carry out the purposes of this Act.

SEC. 2. Upon a determination by the Secretary of the Interior that sufficient land, structures, and other property have been acquired by the United States for the national historic site, as provided in section 1 of this Act, such property shall be established as the Hubbell Trading Post National Historic Site, and thereafter shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (35 Stat. 535), as amended. An order of the Secretary, constituting notice of such establishment, shall be published in the Federal Register.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. GROSS. Mr. Speaker, is the gentleman from Pennsylvania opposed to the bill?

Mr. SAYLOR. I am not, Mr. Speaker.

Mr. GROSS. Then, Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Iowa demands a second.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, H.R. 7279 by our colleague, the gentleman from Arizona [Mr. UDALL] deals with a small area of land that was originally homesteaded in 1874 and became the earliest trading post in what is now the State of Arizona. The present buildings, still in use as a trading post, were erected in 1900. Even in its present condition of private ownership, the site is popular to visitors because of its historic aspect.

The current program is to prepare the site for an expected increase in visitors and to protect the site and its contents of historically valuable relics and art objects from dispersion. Included in the art collection proposed to be acquired are works by many prominent western artists.

The committee has been advised that about $300,000 is required to purchase the real and personal property needed for this purpose. Some of this amount would be returned later through the sale of surplus land after the exact boundaries of the historic site are actually determined. The cost of restoration and development is estimated at $294,000 in the first 5 years of the site.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 28]

Alger	Coffin	Miller, Clem
Anderson, Mont.	Collier	Miller, N.Y.
Anfuso	Curtis, Mass.	Minshall
Arends	Derwinski	Mitchell
Ashley	Devine	Montoya
Ayres	Fallon	O'Brien, N.Y.
Baker	Gallagher	Osmers
Bass, N.H.	Granahan	Powell
Bennett, Mich.	Gubser	Quie
Blitch	Hess	Rains
Boggs	Kasem	Reuss
Bowles	Keith	Rostenkowski
Broomfield	Landrum	Steed
Budge	McGinley	Taylor
Canfield	Macdonald	Zelenko
Clark	Machrowicz	
	Michel	

The SPEAKER. On this rollcall 384 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTHORIZING THE ESTABLISHMENT OF THE HUBBELL TRADING POST NATIONAL HISTORIC SITE, ARIZ.

Mr. ASPINALL. Mr. Speaker, at the time of the quorum call I was trying to explain to the House the committee's recommendation on H.R. 7279, a rather limited bill, for authorizing the establishment of the Hubbell Trading Post National Historic Site, Ariz.

Through enactment of H.R. 7279 the visitor in future years will find the Hubbell Trading Post site properly protected and exhibited. He may safely and easily obtain inspiration from the relics and objects of art exhibited at the site and this heritage will be conserved for future generations.

I join with my colleague from Arizona in recommending that this important objective be accomplished through enactment of the measure.

Mr. Speaker, this project has been thoroughly investigated by the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, an agency established by act of Congress to advise on such matters. The Board has classified the site as having exceptional value in commemorating and illustrating the

history of the United States. The committee knows of no opposition to the project. The owners of the privately owned property are willing to sell. Delay would be unfortunate since under the existing situation, the property may pass into other hands or be dispersed in a manner that would make acquisition more expensive or more difficult. I urge the support of all of my colleagues for this important measure.

Mr. GROSS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, in the first place I am becoming seriously concerned about this business of suspension of the rules. I wonder if the House still has a Rules Committee. I wonder why this long list of bills under suspension today; why the Rules Committee is being by-passed. It seems to me we are starting awfully early in this session to dispose of legislation under suspension of the rules, a procedure whereby debate is drastically limited and no amendments can be offered.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I am happy to yield to the gentleman.

Mr. ASPINALL. This bill happens to be not one of those bills that is in the category to which my colleague makes reference. This is not a very important bill. This does not establish any new policy. This bill comes under the amount of $1 million which usually passes on the Consent Calendar. There is nothing about this particular bill that I know of that would need a rule to bring it before the House.

Mr. GROSS. Mr. Speaker, I would like to remind my good friend that his closing words, when he spoke only 2 or 3 minutes ago, were that this is an important bill.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. Yes; I am glad to yield.

Mr. ASPINALL. It is important as far as the overall national park program is concerned. But it establishes no new policy whatsoever.

Mr. GROSS. Mr. Speaker, to get this proposition in proper focus, the Hubbell Trading Post, if you look at a road map, is located in the wilds of northeast Arizona on the Navajo Indian Reservation. It appears, according to the road map, to be near Ganado, Ariz. There appears to be one rather narrow, surfaced road to Ganado, Ariz. So far as I can determine, it is not near any well-traveled highway.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me at that point?

Mr. GROSS. I yield to the gentleman.

Mr. ASPINALL. Some time ago we authorized a rather large appropriation to build a road through the Navajo Reservation in order to permit those people to be able to make the peculiar kind of handcraft and art work that they have, and to sell it. This proposed project will be on that road and I think will be in harmony with the program that we authorized.

Mr. GROSS. You do not have that ready today?

Mr. ASPINALL. It is substantially completed at the present time.

Mr. GROSS. Let us get down to the bill itself. As I understand it, and I hope the gentleman from Colorado will correct me if I am wrong, the 156 acres constituting this Hubbell estate in the wilds of northeast Arizona has an assessed valuation, or did have in 1957, of $9,957. It is here proposed under this legislation, as I understand it, to pay the Hubbell estate $300,000, which includes certain paintings and a certain ethnological collection. Am I approximately correct?

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

Mr. GROSS. I yield to the gentleman from Arizona.

Mr. UDALL. Real property in my State is assessed at about 10 percent of the real value. The $9,000 is really $100,000. The specialized value of the artifacts, the ethnological collection, the Indian relics, has an additional value. But this is to be negotiated at the fair market price. They are to submit it back to the committee before final contracts are agreed to.

Mr. GROSS. How much is land around this trading post worth per acre?

Mr. UDALL. I do not know about that, but the real property, the buildings, is assessed at $9,000. As I say, however, property is assessed at 10 percent.

Mr. GROSS. With a few paintings and an ethnological collection, the price has gone up to $300,000. On top of that the bill calls for $294,000 for redevelopment purposes, and on top of that approximately $23,000 for Federal management of this thing in the first year, and that will probably be pretty close to the figure in perpetuity. So this is approximately the situation: 156 acres of land that will cost $300,000, including a few paintings, and a certain Indian collection. In addition, there is $294,000 for development, plus $23,000 a year for management, or a total of more than $600,000.

The distinguished gentleman from Ohio [Mr. KIRWAN] took the floor 2 or 3 weeks ago. He is the chairman of the subcommittee handling Interior Department appropriations and he delivered some words of wisdom and truth. He said to the Members of the House, in effect: "If you do not want to pay the bills, do not pass legislation that sets up the bill and then expect us to do anything but appropriate the money."

The gentleman from Ohio [Mr. KIRWAN] has provided some very good advice. I say to you again that if you vote for this proposition you are approving an expenditure of more than half a million dollars to bail out an estate in the wilds of northeast Arizona. I want no part of it.

Mr. ASPINALL. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, I am sorry the gentleman feels that the wilds of northeastern Arizona somehow are outside the country and do not deserve the consideration of this body. I have more national parks and national monuments in my district than any other Member of this body and many of them are in northeastern Arizona. One of them happens to be the Grand Canyon, which is probably the greatest of our national wonders.

As the Department said in reporting on this bill, this particular proposed historic site expresses a period in American history better than any other in the Southwest. This bill has gone through the mill. It is sponsored in the other body by my colleague and senior Senator from Arizona [CARL HAYDEN]. The administration has approved it.

I might remind my colleague who is apparently disturbed about the expenditures that there is no department or bureau in this Government that comes nearer to paying its own way than the national park system because there are admission charges and all of this does not come out of the taxpayer's pocket, but comes in part from the people who go there to visit these natural wonders and objects of historic interest. Therefore, I simply say to my colleagues that this is a sound investment. It has borne the test of the committee process, and I think it will be a welcome and valuable addition to the national park system. I urge that the bill be approved by my colleagues.

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

Mr. UDALL. I yield.

Mr. ASPINALL. What is the plan as to the total amount of 160 acres?

Mr. UDALL. The committee in its deliberation felt that only that part of the real property actually needed for this purpose should be kept and the balance should be sold. Of course, the proceeds would go into the Treasury and that instruction is in the report and in the bill.

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

Mr. UDALL. I yield.

Mr. BALDWIN. Mr. Speaker, I have had the privilege of traveling through that section of Arizona almost every year when coming back to Washington when the Congress convenes. I think the preservation of this site is most important for the opportunity that will be afforded future generations to see it as it exists today.

Mr. UDALL. I thank my colleague very much, and I only wish that many others of my colleagues would come to the wilds of northern Arizona and see some of our natural wonders.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, in the report on page 3, down near the bottom it says:

> The post includes in its present makeup many intangible elements of feeling and association with important parts of the American heritage.

Now, this may be all right, but I wonder how many of us remember that only 15 percent of the land in Arizona is owned by private individuals or corpora-

tions. The rest of it is State or Federal land, so I was told. We had hearings out there recently on a matter having to do with the sale of public lands, to which the committee appointed objected strenuously. Down here in the Southwest on the waterfront, certainly there are historic sites. The Members who have been in the habit of going out that way know of these blocks of building in the southwest, and just within the last week Herzogs and a dozen of those places down there have all been leveled off to put through this new highway or for a real estate development. I wonder if pretty soon they will be going down to Mount Vernon and put in a parking lot. Apparently, someone would if it were near enough to Arlington. When you talk about preserving historic spots and thinking of the beginnings of our country, I just cannot understand why it is that all of these blocks of old buildings in the southwest section of the city have been torn down. Then, I understand, there are 13½ acres over in the Northeast that some real estate speculators are after, and later they are going to clean up from the Capitol clear over to the Anacostia River, and then make that all land covered by Federal buildings. Some of our people go abroad, they tell me—I do not know why they go—but, they go abroad so it is said to see what has been left by other civilizations. To profit and learn from the past. They say they learn something from what they see has happened to nations which have preceded our own. They get an experience that you cannot get anywhere else. But, here some folks will never be satisfied until they get this land—well, maybe all of Virginia—I do not know whether these fellows in Virginia are going to consent or not—and in Maryland—probably covered with Federal buildings. Somebody, my very able friend and colleague, the gentleman from Virginia [Mr. BROYHILL] may succeed and I noticed the other day dropped in a bill that would take from the States their proportion of the Federal patronage employees that we have always had and give all Federal jobs here in the District—I suppose to Virginia.

If we do not watch our step, the first thing we know there will be nothing left here in this country that has any connection with the past. While I do not believe in living in the past, I have been advised that we could learn something from what happened to other people in other lands. It occurs to me at this time that we take care of some of our own people, homes, and land here in the Capital, try to preserve this a little, and perhaps it would be better than going away off into Arizona to create another park. If they must have it, all right, but in the meantime can we not preserve a little of Washington? We know about sending all this money abroad, some $80 billion have gone over there, and apparently no relief yet. Even my good friend from Minnesota, who is to leave us, as I understand it, wrote a report the other day, and he admits that we wasted at least a few dollars and have not accomplished all that we expected or any appreciable part of it.

Mr. JUDD. I do not know why the gentleman said "the gentleman who is leaving us."

Mr. HOFFMAN of Michigan. I just saw you going out.

Mr. JUDD. I thought I might hear some pearls of wisdom, so I came back.

Mr. HOFFMAN of Michigan. The compliment is wholly undeserved. I am a great admirer of the gentleman, but I cannot go along when we get to the point where we are impoverishing some of our own people.

Mr. JUDD. The RECORD should show clearly that the report, to which the gentleman referred, is not the first time that I have pointed out things in the administration of the foreign aid program that I could not approve. I have been working about 12 months a year to try to make it more effective.

Mr. HOFFMAN of Michigan. No one has any doubt about that. You have always tried to protect our own people. I cannot yield any more. That is all true, however. But the amount of money advocated spending is more than the wealth of the next generations. I am happy to know you are now calling for efficiency and less waste, but I hope we do not get all the clothes from our American people and put them on the backs of the Chinese or any other group we have all felt so sorry for.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. GROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, I must answer to my constituents. I find here in Report No. 1250 that the assessed valuation of the real property in 1957 was $9,957, and that the owner graciously has expressed a willingness to sell the property for $300,000.

There may be an answer, but it will have to be a pretty good answer or I cannot look my constituents in the face if I vote for this.

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

Mr. O'HARA of Illinois. I yield.

Mr. UDALL. We discussed this matter a few moments ago. I made two points: The first is that real property valuations for tax purposes in my State are about 10 percent. The $9,000 represents a real property value of about $100,000. But the real value of this trading post lies in the collection of Indian artifacts, art work, Indian blankets, and so forth.

This is a place, Mr. Speaker, where President Teddy Roosevelt visited on several occasions. He was a great lover of the West and he used to visit this trading post. It is the value of the art collection, the artifacts, that constitute the real value in this instance.

Mr. O'HARA of Illinois. Nobody loves the past more than do I, and I consistently have supported legislation for national parks and shrines preserving historic spots for the inspiration of oncoming generations. But I do have to face my constituents, and I do not know how they could understand my vote for something, no matter how laudable its purpose, that on the surface was grossly overpriced. Allowing, as the gentleman states, the appraised value is one-tenth of the real value there still is a discrepancy of over $200,000, which has been explained very casually and with nothing on which we can hang our hats.

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

Mr. O'HARA of Illinois. I yield.

Mr. ASPINALL. These are the figures that were given to us in the presentation of this matter before the committee. The price will be fixed after proper appraisal. There will not be any money paid without fair appraisal, and I can assure the gentleman he will have nothing to answer to his constituents for.

Mr. O'HARA of Illinois. I thank the gentleman.

Mr. GROSS. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Speaker, may I ask the gentleman from Arizona a question? Why is it necessary to acquire the entire 157 acres? The trading post, as I understand, is susceptible of being cut off from the rest of the property. Why should we have to acquire the entire 157 acres?

Mr. ASPINALL. The area is presently in a single tract and must be purchased as a unit. In the report, however, we contemplate the problem the gentleman anticipates. We have indicated that we want to cut off of the property that which is not needed for the facility, the balance to be sold at the fair market price. So the ultimate outcome will be just what the gentleman wants.

Mr. GROSS. Mr. Speaker, I yield myself 1 minute to ask the gentleman from Arizona why does the State of Arizona not take over this trading post?

Mr. UDALL. This trading post falls in a different category than State parks. The Park Service people and we in Arizona feel that it belongs in the national system rather than in the State park system. The State has been interested in other types of historic sites than this particular one.

Mr. GROSS. Has an appraisal been made of the Indian collection involved?

Mr. UDALL. None has been made. There is to be an appraisal before purchase.

Mr. GROSS. Yes, but you want to spend, under the terms of this bill, $300,000 for the property without an appraisal of the collection.

Mr. UDALL. No; my colleague does not understand. The $300,000 is a limit. It will be appraised at firm market value, and that will be the price.

Mr. GROSS. I understand the limit, and I have no intention of trying to justify the spending of a total of $600,000 on this project, plus an indefinite amount in perpetuity for upkeep. I cannot justify this to my taxpayers and I do not intend to try.

Mr. Speaker, I yield back the balance of any time I may have remaining.

Mr. DOWDY. Mr. Speaker, I must enter my protest against this proposal to pay $300,000 of the taxpayers money for 157 acres of desert which the owners, in rendering the same for taxation, acknowledge has a value of only $9,000.

In addition the bill would authorize the expenditure of another $300,000 for remodeling some old buildings, then, in perpetuity, at least $25,000 per year for upkeep.

This is obviously an attempt to bail out the owners of worthless property at the expense of the American taxpayer. It is no wonder that our national budget cannot be balanced. Surely the Members of this House will not adopt this proposal.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H.R. 7279, as amended.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 67, noes 36.

Mr. UDALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 171, nays 208, not voting 52, as follows:

[Roll No. 29]

YEAS—171

Albert
Aspinall
Avery
Bailey
Baldwin
Baring
Barrett
Barry
Bass, Tenn.
Beckworth
Bennett, Fla.
Bentley
Berry
Blatnik
Boland
Bolling
Bowles
Boykin
Brademas
Breeding
Brewster
Brooks, La.
Brooks, Tex.
Brown, Mo.
Buckley
Burdick
Burke, Ky.
Byrne, Pa.
Carnahan
Celler
Chenoweth
Cohelan
Cooley
Daddario
Daniels
Dawson
Denton
Dixon
Dooley
Doyle
Dulski
Edmondson
Elliott
Evins
Fascell
Fisher
Flood
Fogarty
Foley
Forand
Friedel
Garmatz
Gathings
George
Giaimo
Gilbert
Gray
Green, Oreg.
Green, Pa.
Haley
Harris
Healey
Herlong
Holifield
Horan
Hosmer
Hull
Ikard
Inouye
Irwin
Jarman
Jennings
Johnson, Calif.
Johnson, Colo.
Johnson, Wis.
Jones, Ala.
Judd
Karsten
Kasem
Kee
Kelly
Keogh
Kilday
Kilgore
King, Calif.
King, Utah
Kluczynski
Kowalski
Kyl
Laird
Lane
Langen
Lankford
Libonati
McCormack
McDowell
McFall
McGovern
McIntire
McMillan
McSween
Mahon
Merrow
Metcalf
Miller, George P.
Mills
Moorhead
Morgan
Morris, N. Mex.
Morris, Okla.
Multer
Murphy
Nix
Norrell
O'Hara, Mich.
Oliver
Patman
Perkins
Pfost
Poage
Porter
Price
Prokop
Quigley
Randall
Rhodes, Ariz.
Rhodes, Pa.
Riley
Rivers, Alaska
Rivers, S.C.
Roberts
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Roosevelt
Rutherford
Saund
Saylor
Selden
Sheppard
Shipley
Short
Sikes
Sisk
Smith, Iowa
Smith, Miss.
Staggers
Steed
Stubblefield
Sullivan
Teague, Calif.
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Tollefson
Trimble
Udall
Ullman
Wainwright
Walter
Westland
Wier
Willis
Wilson
Withrow
Wright
Young
Zablocki

NAYS—208

Abbitt
Abernethy
Adair
Addonizio
Alexander
Alford
Allen
Andersen, Minn.
Andrews
Ashmore
Auchincloss
Baker
Barr
Bates
Belcher
Betts
Bolton
Bonner
Bosch
Bow
Bray
Brock
Brown, Ga.
Brown, Ohio
Broyhill
Burke, Mass.
Burleson
Byrnes, Wis.
Cahill
Cannon
Casey
Cederberg
Chamberlain
Chelf
Church
Coad
Colmer
Conte
Cook
Corbett
Cramer
Cunningham
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Davis, Ga.
Davis, Tenn.
Delaney
Dent
Derounian
Devine
Diggs
Dingell
Donohue
Dorn, N. Y.
Dorn, S. C.
Dowdy
Downing
Dwyer
Everett
Farbstein
Feighan
Fenton
Fino
Flynn
Flynt
Ford
Forrester
Fountain
Frazier
Frelinghuysen
Fulton
Gallagher
Gary
Gavin
Glenn
Goodell
Grant
Griffin
Griffiths
Gross
Hagen
Halleck
Halpern
Hardy
Harmon
Harrison
Hays
Hébert
Hechler
Hemphill
Henderson
Hiestand
Hoeven
Hoffman, Ill.
Hoffman, Mich.
Hogan
Holland
Holt
Holtzman
Huddleston
Jackson
Jensen
Johansen
Johnson, Md.
Jonas
Jones, Mo.
Karth
Kastenmeier
Kilburn
Kirwan
Kitchin
Knox
Lafore
Latta
Lennon
Lesinski
Levering
Lindsay
Lipscomb
Loser
McCulloch
McDonough
Mack, Ill.
Mack, Wash.
Madden
Mailliard
Marshall
Martin
Mason
Matthews
May
Meader
Meyer
Milliken
Moeller
Monagan
Moore
Morrison
Moss
Moulder
Mumma
Murray
Natcher
Nelsen
Norblad
O'Brien, Ill.
O'Hara, Ill.
O'Konski
O'Neill
Osmers
Ostertag
Passman
Pelly
Philbin
Pilcher
Pillion
Pirnie
Poff
Preston
Pucinski
Rabaut
Rains
Ray
Reece, Tenn.
Rees, Kans.
Riehlman
Robison
Rodino
Rogers, Tex.
Rooney
Roush
St. George
Santangelo
Schenck
Schwengel
Scott
Siler
Simpson
Smith, Calif.
Smith, Kans.
Smith, Va.
Springer
Stratton
Taber
Teller
Thomson, Wyo.
Tuck
Utt
Vanik
Van Pelt
Van Zandt
Vinson
Wallhauser
Wampler
Watts
Weaver
Weis
Wharton
Whitener
Whitten
Widnall
Williams
Winstead
Wolf
Yates
Younger

NOT VOTING—52

Alger
Anderson, Mont.
Anfuso
Arends
Ashley
Ayres
Barden
Bass, N.H.
Baumhart
Becker
Bennett, Mich.
Blitch
Boggs
Broomfield
Budge
Canfield
Chiperfield
Clark
Coffin
Collier
Derwinski
Durham
Fallon
Granahan
Gubser
Hargis
Hess
Kearns
Keith
Landrum
McGinley
Macdonald
Machrowicz
Magnuson
Michel
Miller, Clem
Miller, N. Y.
Minshall
Mitchell
Montoya
O'Brien, N.Y.
Powell
Quie
Reuss
Rostenkowski
Scherer
Shelley
Slack
Spence
Taylor
Thompson, La.
Zelenko

So, two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Boggs and Mr. Anfuso for, with Mr. Arends against.

Mr. Fallon and Mr. Montoya for, with Mr. McGinley against.

Mr. Shelley and Mrs. Granahan for, with Mr. Becker against.

Mr. Clark and Mr. Anderson of Montana for, with Mr. Taylor against.

Mr. O'Brien of New York and Mr. Bass of New Hampshire for, with Mr. Zelenko against.

Mr. Kearns and Mr. Reuss for, with Mr. Miller of New York against.

Until further notice:

Mr. Rostenkowski with Mr. Gubser.
Mr. Slack with Mr. Michel.
Mr. Landrum with Mr. Alger.
Mrs. Blitch with Mr. Scherer.
Mr. Coffin with Mr. Canfield.
Mr. Clem Miller with Mr. Bennett of Michigan.
Mr. Mitchell with Mr. Quie.
Mr. Macdonald with Mr. Minshall.
Mr. Machrowicz with Mr. Keith.
Mr. Powell with Mr. Ayres.
Mr. Durham with Mr. Baumhart.
Mr. Barden with Mr. Hess.
Mr. Ashley with Mr. Broomfield.
Mr. Spence with Mr. Collier.
Mr. Thompson of Louisiana with Mr. Chiperfield.
Mr. Hargis with Mr. Budge.

Mr. LOSER changed his vote from "yea" to "nay."

Mr. FARBSTEIN changed his vote from "yea" to "nay."

Mr. HOLTZMAN changed his vote from "yea" to "nay."

Mr. TELLER changed his vote from "yea" to "nay."

Mr. LAIRD changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

AUTHORIZING ACQUISITION OF LAND FOR DONATION TO THE PAN AMERICAN HEALTH ORGANIZATION AS A HEADQUARTERS SITE

Mr. WRIGHT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7579) to authorize the acquisition of land for donation to the Pan American Health Organization as a headquarters site.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the Administrator of General Services to acquire by purchase, condemnation, or otherwise, including any expenses of such acquisition, the land in the northwest section of the District of Columbia, known as square 59, bounded on the north and south by Virginia Avenue and E Street, and on the east and west by Twenty-second and Twenty-third Streets, together with any building and improvements thereon.

SEC. 2. The Administrator of General Services is hereby authorized to convey without consideration the property acquired under section 1 of this Act to the Pan American Health Organization, formerly known as the Pan American Sanitary Bureau and the Pan American Sanitary Organization, for use as a headquarters site, subject to the condition that the site development plan be coordinated with the National Capital Planning Commission.

The SPEAKER. Is a second demanded?

Mr. MACK of Washington. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry. Is the gentleman opposed to the bill?

Mr. MACK of Washington. I am not.

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman from Iowa opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. Without objection, a second is considered as ordered.

There was no objection.

Mr. WRIGHT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill provides the first opportunity since the trip of President Eisenhower to South America, for this Congress to validate a U.S. commitment and to demonstrate tangibly our interest in inter-American relations and hemispheric solidarity. The bill provides for the acquisition of a site at an estimated cost of $875,000 to be presented to the Pan American Health Organization for the construction by that organization of a permanent headquarters building here in Washington.

The Pan American Health Organization, created in 1902, is the oldest regional health organization in the world. It is the largest specialized agency of the Organization of American States. It conducts programs of vital significance throughout the hemisphere in the eradication of such dread diseases as malaria, smallpox, typhoid, tuberculosis and yellow fever. It conducts programs of the action type, such as spraying, quarantining, providing inoculations for epidemic disease eradication. The organization's activities have actually eradicated malaria in many parts of Latin America. In addition to these action type programs, it conducts valuable consultation and research programs for the benefit of member governments. Every government in Central and South America is a member of this organization.

Its present temporary headquarters is totally inadequate for the conduct of this energetic and vitally important program which employs 800 people and operates on a total budget of some $10,700,000. The headquarters are scattered among four separate buildings. The organization owns two former residences; rents a third, and occupies the top floor of an office building.

In 1950 the organization voted to erect a permanent headquarters. Our Government at that time invited this organization to construct this building in Washington, and offered to provide a suitable site for the building.

Similar offers were made by Mexico, Panama, and Peru; but the delegates voted overwhelmingly to accept our invitation and to erect their permanent headquarters here in Washington. Enactment of this bill will make that possible. It will redeem and validate our pledge and invitation.

It is estimated that a building costing approximately $4 million will be erected, toward which the Pan American Health Organization already possesses assets of some $1 million.

This bill has been urgently requested by the State Department. It has been approved by the Bureau of the Budget; it has been approved by the National Capital Planning Commission; it has been approved by the General Services Administration.

A similar bill pased the Senate last August. This bill has been approved unanimously by the Public Works Committee of the House.

Our Government has issued an invitation to the other governments of our hemisphere; they have accepted the invitation. Passage of this bill is necessary to validate and redeem the invitation and the commitment our State Department has made. I therefore urge favorable consideration of this bill.

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

Mr. WRIGHT. I yield.

Mr. WAINWRIGHT. I would like to ask the gentleman from Texas—and I am not opposed to the concept or the philosophy under which he suggests that we must spend up to $3 million; I think it is worth while—but why, for example, should we buy this property close to the State Department when the CIA building is about to become available for such an operation and it would not be necessary for the Federal Government to go out and purchase new land? There are other areas I would like to mention for the gentleman's consideration.

Mr. WRIGHT. Is the gentleman asking a question or making a statement?

Mr. WAINWRIGHT. Put in the form of a question, let me suggest that there are five available properties now owned by the Federal Government, including the Congers Laundry, which the State Department owns, directly across from it. Why could it not be used rather than purchasing this new property?

Mr. WRIGHT. That was one of the questions we raised in our committee. The spokesman for the General Services Administration has said that none of these sites is suitable for this purpose, and in this the State Department has concurred. I yield to the agency in the administrative branch of the Government which has been charged with the responsibility for making such appraisals. It is the judgment of the State Department and of the General Services Administration that none of the other properties would be suitable for this purpose, and they have unanimously recommended instead that we purchase this particular property which they have found off Virginia Avenue between 22d and 23d Streets, which they say is ideal for this purpose.

Mr. WAINWRIGHT. I wonder if the gentleman from Texas would consider the fact that this property was not under consideration at the time the request in H.R. 7579 was made this year; that property had not been settled on. If the CIA is going to move out, would it not be well to consider the use of the site rather than purchase additional property?

Mr. WRIGHT. Indeed, it would; and as a matter of fact I would like to say to the gentleman that since that time I have inquired of the State Department about that very thing, and their conclusion is still identical with what it was earlier, that this building would not be suitable nor nearly so desirable as the property they have under consideration.

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

Mr. WRIGHT. I yield.

Mr. JUDD. The suggestion seems to be that when the CIA moves out of its present building, it will stand empty. Of course, there are several other agencies of the Government that need and want that property and would be eager to move in right away.

Mr. WAINWRIGHT. If I may with the permission of the gentleman from Texas, I will say that I am not opposing this concept but I am just raising the question as to the best use of sites presently available.

Mr. WRIGHT. Let me say to the gentleman from New York that it would not be appropriate for us to maintain title to the land on which the Pan American Health Organization should build its building. If we are going to make a gift we must do so in good faith.

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

Mr. WRIGHT. I yield to the gentleman from Florida.

Mr. CRAMER. Is it not true also, since the commitment was made in 1950, the United States would provide a site and the General Services Administration, the State Department, and the Organization of American States then try to find a suitable site and finally resolved on this one, which indicates it is not something that was decided hastily but something that has been under consideration for years and years. If we in the United States and in Washington do not accept this responsibility and this commitment then this organization is going to Mexico, Panama, or Peru and we will lose the employment of 250 people, also we will lose the opportunity to construct a building which obviously would go to other countries if they were successful in their bid.

Mr. WRIGHT. The gentleman is completely correct.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Speaker, the U.S. Government has been a member of the Pan American Health Organization since 1902, or for a period of almost 58 years. All of the countries of South, North, and Central America, except Canada, are members of it.

The purpose of the Pan American Health Organization is to combat disease, both physical and mental, wherever found in the Western Hemisphere. It does so by research, by the exchange of medical scientific information and by encouraging advance studies by medical men in our universities and colleges.

I am informed by those in position to know that the Organization has accomplished much good in combating malaria, in overcoming that dread disease known as the yaws in Haiti, by the exchange of information on methods of fighting tuberculosis, and by making dried smallpox vaccine available in the tropical countries.

I am convinced that it is a worthwhile organization and has done good work. When we fight disease in neighboring

nations, we not only help them but help ourselves by gaining added protection for our own people. Also, it should, and no doubt does, make the United States additional good will among our neighbors.

The Pan American Health Organization working to benefit the people of more than 20 countries operates on a budget of only about $10 million a year.

Of this money, $3,500,000 comes in direct contributions from the member nations with the United States supplying 66 percent of it. The remaining $7 million is obtained from the World Health Organization to which the United States supplies one-third its cost. Of the $10 million expended annually by the Pan American Health Organization, the United States supplies in fact about 45 percent.

The headquarters of this Pan American Health Organization since its inception has always been here in Washington, D.C. The question involved in this legislation is whether we want to keep that headquarters here or let it go to some other nation.

At the 1950 Convention of the Pan American Health Organization, Mexico, Peru, and Panama, each invited the Pan American Health Organization to move its permanent headquarters to one of these countries. American delegates to that convention told the convention the United States was willing to provide a site in Washington, D.C., for a permanent headquarters building.

This bill would fulfill that commitment. A site is being proposed on Virginia Avenue between 22d and 23d Streets. It consists of about 2 acres. The estimated cost is $874,000.

If Congress provides this site, it will be assured that the headquarters of this worthwhile humanitarian organization always will remain in our National Capital where it should be. If we do not provide the site, the headquarters of the organization may be moved to Mexico, Peru, or Panama, all of which countries have manifest an interest in having it.

Te U.S. cost will not be lessened if the headquarters are moved to some other country. Congress therefore should pass this bill.

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

Mr. MACK of Washington. I yield to the gentleman from Georgia.

Mr. FLYNT. What amount did the gentleman say this land was estimated to cost?

Mr. MACK of Washington. Eight hundred and seventy-four thousand dollars.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am very much interested in the remarks of the gentleman from Texas in opening the argument on behalf of this bill. If we must continue to spend money in order to curry the favor of the South Americans, why, Mr. Speaker, I would point out that only last year Congress passed a bill creating an Inter-American Bank to provide them with loans with a capitalization of $1 billion of which the United States agreed to put up nearly $500 million. How much does the gentleman want the American taxpayers to spend to demonstrate their interest in the Central and South American countries?

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

Mr. GROSS. I yield to the gentleman from Texas.

Mr. WRIGHT. In answer to that, I will say I want us to approve the purchase of this site that is estimated to cost $875,000 today.

Mr. GROSS. The site will cost a minimum of $875,000 and it may cost more.

Mr. WRIGHT. My statement was not that it was a minimum.

Mr. GROSS. I said a minimum. I did not say the gentleman said a minimum. On top of that we are committed, as I read the report, to provide the big end of the cost of the building. The bill is silent on the exact amount. The bill reads this way: "There is hereby authorized to be appropriated out of any money in the Treasury not otherwise provided such sum" and so on and so forth. That is the good old open door to the U.S. Treasury.

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

Mr. GROSS. I yield to the gentleman from Florida.

Mr. CRAMER. This is just an authorization bill. It requires further action by the Committee on Appropriations.

Mr. GROSS. Sure, this is a blank check. Send this bill to the Committee on Appropriations and then wonder why they come back and say, "You voted for this. What do you expect us to do with it except appropriate the money?"

Mr. CRAMER. Mr. Speaker, if the gentleman will yield further, the question, it seems to me, is a basic question of the relationship between this Nation and Central and South America. Of course, after the President's visit and his demonstration of good will and the demonstration of good will toward this country, it seems to me that this certainly is not the time to be repudiating an agreement which our representatives entered into with the members of the Organization of American States.

Mr. GROSS. Yes; the State Department, with its long nose that it sticks into the affairs of all nations of the world, got us committed to this thing, and that without any reference to the Congress.

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

Mr. GROSS. I yield to the gentleman from New York.

Mr. ROONEY. As I understand it, after turning over about $900,000 worth of American taxpayers' real estate to this international Organization, a building would be constructed thereon.

Mr. GROSS. Right.

Mr. ROONEY. Does the distinguished gentleman from Iowa know the amount of the American share of the cost of the erection of that building in the event it were erected?

Mr. GROSS. According to the report, it would be $2 million; a minimum of $2 million.

Mr. ROONEY. The full American share of the cost of the construction of the building, after the property is turned over?

Mr. GROSS. A minimum of $2 million.

Mr. ROONEY. The U.S. share would be 66 percent of the total cost of the building, would it not?

Mr. GROSS. It would be somewhere in that neighborhood. Of course, with the building site it would be more than that.

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

Mr. GROSS. I yield to the gentleman from Texas.

Mr. WRIGHT. To answer the question of the gentleman from New York [Mr. ROONEY], it is my understanding from reading the report and talking about it, that the entire cost is borne by the United States as part and parcel of this gift.

Mr. MACK of Washington. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. MACK of Washington. The U.S. Federal Government would purchase the property and turn it over free to the Pan-American Health Organization. The building would be financed by funds of the Pan-American Health Organization. These funds are paid in this way: $3.5 million is raised by the participating nations, of which the U.S. Government supplies 66 percent. About $7 million comes from the World Health Organization to which the American Government supplies about one-third.

Mr. CRAMER. Mr. Speaker, if the gentleman will yield further, I would like to point out simply this. The World Health Organization is going to build a building. We are going to put up 66 percent of it. The question is, Is it to be built in America, with American labor, in Washington, D.C., or in Mexico, with Mexican labor? That is the only issue involved in the bill.

Mr. GROSS. But the 66 percent does not take into consideration the $900,000 for the site, does it?

Mr. CRAMER. If the gentleman will permit me to answer, I will say to the gentleman that 215 people who are employed in Washington, D.C.——

Mr. GROSS. That is not my question. The figure the gentleman gave does not include the $900,000.

Mr. CRAMER. Obviously, but I say to the gentleman that 215 Americans employed in Washington, D.C., if the building were not in Washington, D.C., would be Mexicans employed in Mexico or Panamanians employed in Panama, and I think it is good business.

Mr. GROSS. So we have another of those beautiful deals that the State Department has engineered, and we are called upon today to authorize the money. I wonder if some of the experts here on the Committee on Public Works could tell me how much the member nations of this Organization owe to the funds that they are supposed to have paid in up to this time. Can anybody tell us? Can the gentleman from Texas tell us the amount of the uncollected assessments?

Mr. WRIGHT. I know of no uncollected assessments.

Mr. GROSS. Of course, the gentleman knows that there are uncollected assessments.

Mr. WRIGHT. No; I do not know that there are uncollected assessments.

Mr. GROSS. The gentleman from New York [Mr. ROONEY], I am sure, held hearings last year, and in those hearings there was a table showing the uncollected assessments.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield at that point since he has raised the question of the cost of the building.

Mr. GROSS. I yield.

Mr. WRIGHT. Does the gentleman realize that the Organization has already committed itself to the construction of a building? It is going to be built. We are going to participate unless we were to withdraw from this Organization; and I do not know of anybody who is suggesting that. We are going to participate to the same extent, wherever it is built. The only purpose of this bill is to permit it to be built as they had accepted the invitation to do so here in Washington.

Mr. GROSS. In the first place, I do not know that a building is going to be constructed. If they want to build it in Washington, I think there is a cheaper site available. If the building is built somewhere else—and perhaps that would be a good thing—we will at least save almost $1 million by not purchasing the private property that the gentleman suggests we do buy at a cost of $20 per square foot in order to put a building on it.

Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Speaker, I should like to present to the House certain facts and figures which have not been presented heretofore.

In the first place, I wondered whether the capable and hard working gentleman from Alabama [Mr. SELDEN], the chairman of a very distinguished subcommittee of the Committee on Foreign Affairs, is present. It would seem to me important to learn whether his committee has considered the international implications of this question. It is painful to hear an argument of international policy made only by a committee charged with building authority. This is properly the business of Foreign Affairs.

The gentleman from Florida [Mr. CRAMER] has presented the argument that a repudiation of this building would be a slap at South America. I think that is rather a unique way of getting the Congress to appropriate $2 million. I would like to submit for the record that there are at the present time at least five adequate potential quarters for this building instead of spending $2 million as now proposed. The first, as I have stated, is the soon to be vacated CIA building. There is property on the location of the National Health Institutes. There is adequate ground in the area of the Naval Hospital. The former Conger's Laundry directly across the street from the State Department was recently acquired by the State Department and is now owned by the United States. Finally, what about some of the Naval Observatory property?

It seems to me that the price of $20 a foot is going to be disputed. It is ridiculously low for this valuable land. The price mentioned in the report will probably be doubled or at least go up two-thirds again as much as has been reported. But that does not seem to me to be the issue. The issue with which we are faced is, Does the Federal Government have adequate property that it can use, instead of our voting this afternoon to go out and buy new property?

Mr. WRIGHT. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Speaker, I think we should focus attention on exactly what the issue is here. The issue, No. 1, is the question of authorizing $874,000 period. Now as to the question of constructing the building; the building is going to be constructed whether in Washington or Mexico City, Panama City, or Peru, and the United States, under its past procedures and agreements, is going to pay 66 percent of the cost of the construction of that building wherever it is constructed. The only issue involved here is the question of $874,000 for the location of the site. I say it is a good investment. I say it is an essential investment. And why is it?

As the committee report itself states on page 5:

> There are several advantages in maintaining the headquarters of this outstanding inter-American Organization in Washington. The Pan American Health Organization—

I interpolate that it has been in existence since 1902 and has been located in Washington, D.C., since 1902, doing some of the finest work of any agency in the Government in international relationships—

> The Pan American Health Organization, as the largest specialized agency of the Organization of American States, must coordinate its activities with the Council of the Organization of American States, the Pan American Union, and other specialized agencies of the Organization of American States having their headquarters in Washington, and the embassies of member states.

It is logical that Washington, D.C., should be the location because the Pan American Health Organization has daily contacts with the U.S. Public Health Service and the International Cooperation Administration in planning and carrying out its hemispherewide programs. Among the most important of these programs are malaria eradication, international quarantine services, and training of health personnel.

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

Mr. CRAMER. I yield to the gentleman from Tennessee.

Mr. EVINS. Did we correctly understand the gentleman to say that following the President's trip to South America he committed us to the building?

Mr. CRAMER. No; I did not say that. This is the first opportunity since President Eisenhower's trip to Latin America for Congress to tangibly demonstrate our interest in inter-American relations and hemispheric solidarity.

Mr. EVINS. The Congress was committed to the building of a dam in Mexico following a trip by the President to Mexico. Each trip brings more and more commitments without consulting the Congress on appropriations.

Mr. CRAMER. This has no direct relationship to the President's trip, but does involve our relations with those nations as was involved in the President's trip. I am saying that this is the first opportunity this Congress has had since his visit to Latin America to tangibly demonstrate our interest in inter-American relations and hemispheric solidarity and in continuing to provide much-needed assistance in the most vital area of health, as well as to validate the U.S. moral commitment.

Mr. Speaker, what are some of the jobs being done by this Health Organization? Listen to this. This is what it means to America. It not only means to America, as I previously pointed out, that it means constructing a building with American workers in Washington, D.C., as compared to constructing it in Mexico with Mexican workers. It also means the employment of 250 people in Washington, D.C., as compared to a large portion of them being employed as Mexicans in Mexico.

What else does it do? This is a good example of what this Organization does, and this is why it is important to America.

The border region between the United States and Mexico has a population of 1,884,500, of which 1,242,500 are in the United States. Public health problems common to both sides of the border include rabies, venereal diseases, tuberculosis, water supplies, waste disposal, and tourist center sanitation. To provide a coordinated attack on these common problems, the Pan American Health Organization established a field office in El Paso, Tex., in 1942. As a result of the work of this office, and the interest of the health authorities, local, State, and national in both countries, the United States-Mexico Border Public Health Association was established in 1943.

This is one of the functions to coordinate on the border the health problem between the United States and Mexico. I think that is extremely essential so far as the health of the citizens of the United States of America is concerned.

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

Mr. CRAMER. I yield to the gentleman from New York.

Mr. WAINWRIGHT. The gentleman has made a very excellent foreign policy argument as the principal reason for purchasing this property. As a matter of parliamentary curiosity, does the gentleman know whether this question was before the Committee on Foreign Affairs, or more specifically, the Latin-American Subcommittee of that Committee?

Mr. CRAMER. The gentleman full knows——

Mr. WAINWRIGHT. No; I do not know.

Mr. CRAMER. If the gentleman will study the bill and the handling of it in the House, he will see that it was reported unanimously out of the Committee on Public Works of the House, and likewise on the Senate side.

Mr. WAINWRIGHT. The question was whether it went to the Committee on Foreign Affairs.

Mr. CRAMER. I think the gentleman has heard the expressions of some of the members of the Committee on Foreign Affairs on the floor this afternoon concerning their favorable attitude concerning this legislation.

Mr. WAINWRIGHT. My question is that the principal reason, I would imagine, that your committee would be involved would be the cost of the property and the price.

Mr. CRAMER. That is exactly right, our Building and Grounds Subcommittee has jurisdiction of buildings and sites.

Mr. WAINWRIGHT. So the question is not as to the foreign affairs implication, but the question is whether there are other properties available that could be given for the performance of this function.

Mr. CRAMER. I will say to the gentleman, I introduced this bill because I have an equal interest in our international relationships with Central and South America between this country and those nations as I do and have in acquiring the site, and I do not see how we can separate the two. Frankly, our friendly hemispheric relations is the main reason I introduced the bill.

Mr. Speaker, the Pan American Health Organization, created in 1902, is the oldest international health organization in the world. It is the largest specialized agency of the Organization of American States. It conducts programs of vital significance throughout Latin America in the eradication of such dread diseases as malaria, tuberculosis, and yellow fever. It conducts an indispensable action program in the mountains, swamps, cities, and villages of the hemisphere as well as a valuable research and consultation program for member governments. Every government of Central and South America is a member.

Its present temporary quarters are wholly and totally inadequate to the conduct of this energetic and vitally important program which employs 800 people and operates on a budget of $10,700,000 a year. The headquarters offices are presently scattered among four buildings under extremely crowded conditions. It owns two former residences, rents a third, and occupies part of the top floor of an office building.

In 1950, the Organization voted to erect a permanent headquarters building. Our Government invited the Organization to make its permanent headquarters here and offered to provide a suitable site for the building. Similar offers were made by Mexico, Panama, and Peru. The delegates voted overwhelmingly to erect the permanent headquarters building in Washington.

Particularly Mexico City is making a strong bid for the location of this facility and I believe it is imperative that the United States keep its commitment and make a site available immediately. Otherwise, one of the other bidding countries will acquire the headquarters site and thus separate the Pan American Health Organization from the Organization of American States headquarters. This could be a very definite loss of prestige for the United States and would go a long way toward undermining the good will that the President was able to build during his recent trip, particularly in view of our failure to keep our commitment.

Enactment of this bill will make that possible. It will redeem and validate our pledge and invitation. It is estimated that approximately a $4 million building will be constructed, toward which the Organization already possesses assets of some $1 million.

The bill has been urgently requested by our State Department. It has been approved by the Bureau of the Budget, the General Services Administration, and the National Capital Planning Commission. A similar bill passed the Senate last August, and it is the plan to substitute the Senate bill after the House bill has been taken up. It was approved unanimously by the Public Works Committee of the House.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. WRIGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I find myself in a rather unusual position in supporting this legislation. On the Subcommittee on Appropriations handling the State Department, the Organization of American States, and other agencies, I am generally in favor of reductions. But, I believe this bill is a good bill. I was in South America last year. The people in South America asked me why we had not gone ahead with this legislation as of last year. We were committed to do so. It seems to me we are now in a position where our relationships with Central and South America are better than they have been for many years.

This involves the purchase of land on which the Organization of American States will build a building. I would be inclined to believe that this is a good investment for us. It is the type of thing we can do when we talk about health, which is one of the most important things we can do in our relationship with other countries whether it be South America, Europe, or Asia. The Organization of American States through this particular group have made a great contribution. We have the Gorgas Hospital in Panama, which is well known in the health field throughout all of Latin America. It has made great contributions. If we build this building and go through with our promise, and the important thing to me, I will say to the gentleman from Iowa, is that this is a commitment which is recognized as such by the people of Latin America, and I believe we should keep our commitments.

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

Mr. BOW. I yield.

Mr. HALLECK. I commend the gentleman for the statement he has made. I think he has put his finger on the whole proposition involved here, and I want to associate myself with the gentleman and express the hope that this bill will pass.

Mr. BOW. I thank my colleague, the gentleman from Indiana.

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

Mr. BOW. I yield.

Mr. GROSS. The gentleman from Ohio is a member of the Appropriations Subcommittee. Can the gentleman tell the House what the South American countries in this Organization owe by way of uncollected assessments?

Mr. BOW. I cannot do so, but I think the gentleman is referring to unpaid assessments that were shown in the hearings last year.

Mr. GROSS. That is right.

Mr. BOW. But, I believe, that referred to unpaid assessments by the nations in the United Nations.

Mr. GROSS. No; I am not referring to the United Nations.

Mr. BOW. I do not recall that we had any in this Organization of American States, but the gentleman may be right. We may have had such a list, but I do not recall.

Mr. GROSS. In other words, the question is whether the other countries prepared to go through with their part of the bargain.

Mr. BOW. I would be inclined to say to the gentleman I feel quite sure that the Organization of American States will comply with the agreement. It is an organization in which I have a great deal of confidence.

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

Mr. BOW. I yield.

Mr. CHELF. Is it true that we are committed to pay 66 percent of this? Are we committed financially to that extent? If we are, then we might as well go ahead with it.

Mr. BOW. We will contribute to the Organization of American States. This building will be built someplace. If we do not go through with our commitment now and furnish this land, then the American taxpayers' dollars are going to be used in some other country to build this building. I agree with the gentleman from Florida that it makes good sense that we do it here in this country.

Mr. CHELF. When was the commitment made on behalf of the United States that we would cooperate with them and who made it?

Mr. BOW. I would have to ask the gentleman from Florida [Mr. CRAMER] to answer that question.

Mr. CRAMER. Mr. Speaker, if the gentleman will yield, it was first made in 1950 and reiterated and reaffirmed in 1958 by the 15th Panama Sanitary Conference, at which time the United States in conference with other Central and South American nations agreed that they would provide a site if this Organization would agree to locate in Washington. They agreed to locate it in Washington, and we have not yet carried out our part of the agreement.

Mr. BOW. I hope in the future that the State Department, before they make

commitments of this kind, will see that it has cleared Congress, and not come in with commitments, because it is not good practice for them to make commitments and then come in and say, "Pick up the check."

Mr. CHELF. The gentleman is absolutely correct. Financial commitments of all kinds must be cleared with Congress before any promises are made. The State Department would do better if they remembered that.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, page 2 of the report reads:

> The legislation was requested by the Department of State.

It is just an extension of our foreign aid program; just getting a little in on the side; a way to get a little more money for foreign aid.

The gentleman from Florida [Mr. CRAMER], as does the gentleman from Ohio [Mr. BOW], says that we had to do it. We were committed. I just wondered who determined that we had to do this. I do not recall any such legislation.

Another thing, he says we will have to go along, that there are 250 jobs involved for people right here in Washington. Is that not a terrible thing? How many people in your district will be out of a job? Do we have to provide jobs all the time for foreign people?

Then look at the next page:

> The committee further realizes the value of retaining the headquarters of the Organization in the Washington area, and believes that the conveyance of title of the site for a headquarters building to the Organization would facilitate contributions from the member governments for building costs.
>
> The committee believes that enactment of H.R. 7579 is desirable to strengthen the friendly relations now existing between the United States and the other governments of the Americas.

So our leader over here says we endorse it. We must go along with the administration. The Lord only knows where they will take us if we keep on with foreign aid. Ike was in South America and some fellow on that trip in substance told him to go home and mind his own business. There now seems to be some uncertainty about what was said. Others will be telling us the same. Here in Washington, I do not know how many acres or how many blocks or homes will be taken but they will put the local people off. Why do they not think about the local people? They intend to kick them out of their homes. Sure. Why? Because it will promote foreign relations and good feelings down there in South America. We had an exhibition of that when NIXON was there, and we had another one when the President was there. They love us? They fly their flag over land that we lease from them in the Panama Canal Zone. Some fellow in Cuba tells us to get out of there and stay out. How many billions are we to pour into foreign aid? I remember when the majority here just shoveled it out abroad, and now have probably learned it does not accomplish the purpose it was thought it would. Every time they wanted something to protect themselves we gave it. They took it. Now we are to the end of the rope, the bottom of the barrel. Why put in any more?

The SPEAKER. The time of the gentleman from Michigan [Mr. HOFFMAN] has expired.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Speaker, I am concerned about bringing up what appears to be controversial legislation under the method of suspension of the rules, particularly at this time.

The gentleman from Florida [Mr. CRAMER] in his remarks a minute ago more or less confirmed my belief in this concern by saying that it is the responsibility of the Members to become familiar with the subject of the legislation. I agree with this, because the limited time allowed under this procedure is not adequate for a meaningful discussion. With that in mind, I would like to ask a few questions about the necessity for this much land; the necessity for the location in a rather expensive part, as far as cost of real estate is concerned. How many people are employed by the Pan American Health and Education Headquarters?

Mr. CRAMER. Eight hundred are employed. As I understand it, 250 in Washington.

Mr. FLYNT. Where are the remainder employed?

Mr. CRAMER. They are employed in such places as I suggested, at border stations between the United States and Mexico and other places outside Washington and I assume many others outside the United States.

Mr. FLYNT. Assuming there are only 250 people employed in the Washington headquarters, does the gentleman realize this calls for 438,000 square feet, which is nearly 10 acres?

Mr. CRAMER. It is nearly 2 acres; it is about two-thirds of a block.

Mr. FLYNT. About two-thirds of a block?

Mr. CRAMER. That is correct.

Mr. FLYNT. How tall will this building be?

Mr. CRAMER. I do not know personally.

Mr. FLYNT. I am thinking of the proper use of expensive property centrally located like this. I am concerned whether this tract is suited for this purpose.

Mr. CRAMER. I could not tell the gentleman what will be the size and nature of the building because that is a decision to be made by the Organization of American States, and properly so, although Congress can take a look at the building when it is up for appropriations at a later date.

Mr. FLYNT. I yield to the gentleman from New York.

Mr. ROONEY. Does the gentleman know any reason why this Pan American Health Building should not be built, say, out in Bethesda, where the U.S. National Institutes of Health are located? Or in some outlying area of the District rather than on the valuable property at 22d Street and Virginia Avenue adjacent to the brandnew $55 million State Department Building?

Mr. FLYNT. I thank the gentleman from New York for asking that question. I would like to say that I think he is correct and I thoroughly agree with him. I think it would be infinitely better from the standpoint of the purpose of the building for it to be located near the National Institutes of Health. The Government already owns this land and it should be available. I am convinced further, in fact, I know, it would be much better for the pocketbook of the American taxpayer if some other less expensive land already owned by the U.S. Government could be used for the purpose.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. FLYNT. I yield.

Mr. DAVIS of Georgia. I wish to compliment my colleague from Georgia on the splendid statement he is making. Does the gentleman believe it is possible for the U.S. delegation to the 13th Pan American Sanitary Conference to bind the Congress because of some decision they make or agree to?

Mr. FLYNT. In reply to the question of my colleague from Georgia, I say emphatically "No"; not only is it impossible for the Inter-American group to which my colleague from Georgia referred, to bind the Congress, but it is well known as a matter of basic legislative principle that not even the executive branch on matters of this kind can bind the Congress. This Congress cannot bind the 87th Congress so far as I know. The U.S. Congress is one of the few things that cannot be bound by itself or anyone else.

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

Mr. FLYNT. I yield to the gentleman from New York.

Mr. WAINWRIGHT. I would like to ask the gentleman if there is any difference between this Organization and the World Health Organization; and, if so, what is the difference?

Mr. FLYNT. There is a difference between the two. I will let the gentleman from Florida answer that question if he cares to.

Mr. CRAMER. Mr. Speaker, with regard to the question of a compact on the part of the State Department with the effect of committing Congress; obviously, that is not correct; it could not be the case. No one has the right to bind Congress but Congress itself. What I said was that we were morally obligated to carry out the agreement made by the executive branch in good faith in 1950 and again in 1958.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. FASCELL] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. FASCELL. Mr. Speaker, it is with the greatest pleasure that I cosponsor the bill before us today to authorize the purchase of certain land in the District of Columbia for donation to the Pan American Health Organization as a headquarters site.

This bill is the climax of a long series of discussions and of serious planning aimed at an arrangement under which the United States will continue as the headquarters for this great institution.

This bill's reaffirmation of the sincere desire of the United States to maintain solidly friendly relations with our neighbors in the Americas could not come at a better time.

Passage of this bill will demonstrate to all the world the importance we attach to inter-American relations generally and to inter-American health programs specifically. In addition, of course, there are distinct advantages to having the headquarters located here, where the Pan American Health Organization can carry on an exchange of ideas in a close working relationship with the U.S. Public Health Service and private research organizations.

As a member of the Subcommitee on Inter-American Affairs of the Foreign Affairs Committee, I heartily endorse this bill and commend it to my colleagues.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD on this subject, and that all Members who have already spoken may revise and extend their remarks.

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

There was no objection.

Mr. WRIGHT. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, may I suggest that on foreign aid and elsewhere I have considerable sympathy with my good friend from Iowa when he presents arguments for cutting some of that expenditure. I have supported his amendments on numerous occasions on the floor for that purpose. I am generally sympathetic with the idea of cutting back on foreign aid expenditures, wherever possible without danger to our own security and foreign policy.

But I respectfully submit to you that this is not a typical foreign aid expenditure question, that much more is involved here than the simple question of cost. Every American citizen is deeply concerned about two places in the Western Hemisphere: One is Cuba where we have a vast naval establishment, and where we are very keenly interested in seeing that the Republic of Cuba keep its commitments to the United States.

The other place is Panama, where all of us are vitally interested in seeing that the Republic of Panama keeps its commitments to the United States. The best place that we can look today for friends to help to see that those commitments are honored is the Organization of American States of which this Pan American Health Organization is a vital part.

If we do not keep our commitments to the other inter-American states, if we do not honor the invitation of a properly constituted group of Americans for this Health Organization to come to our Capital and erect here a building as a site for their important headquarters, if we do not keep our obligations and our commitments to the Organization of American States or its associated organizations, how can we expect our neighbors to the south in this hemisphere to keep their commitments to us? It is as simple as that. I say this is a commitment of both the Truman administration and the Eisenhower administration which we are morally bound to honor.

Mr. WRIGHT. Mr. Speaker, I yield myself the remaining time on this side.

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

Mr. WRIGHT. I yield to the gentleman from Arkansas.

Mr. HARRIS. Am I correct in fact that this question simply is whether or not the building for this purpose is going to be established here in Washington and that this provides for such establishment, or whether it will be established in one of two other Latin American countries?

Mr. WRIGHT. Let me say to the gentleman that the Organization has already voted to establish the building. Our representatives at that conference invited the Organization to establish it here. Three other governments made similar offers and agreed to provide suitable sites, but the delegates overwhelmingly voted to come to the United States. We have officially issued the invitation, and the invitation has been officially accepted.

Let me implore the Members to weigh this thing in the light of its importance. It is far too important to be judged on the basis of whether you individually agree with where the General Services Administration has decided to put the building. It is far too important a matter to be judged on whether you individually like the name of the man on the bill. It is too important to be considered either as a Democratic bill or as a Republican bill. It is far too important for that. This involves a most vital relation with our Latin American neighbors. If we should refuse to validate this commitment and should repudiate this invitation today we would be repudiating our own State Department, and we would be repudiating our Latin American neighbors. They would so consider it, and there would be no other construction they would put on it.

I have one more thing to say. That is, we have only one President and one State Department at a time. I am a Democrat, yes, but let me say that he is my President and it is my State Department. If I were flying on a perilous aircraft journey over an ocean and I did not happen to like the pilot, I most certainly would not pour water in the gasoline tank just to embarrass the pilot. I do not think the great record of the Democratic Party has been made on that kind of basis. I do not think anyone in this House wants to repudiate an obligation or rudely cancel an invitation extended in good faith to our Latin American neighbors. It would be horribly humiliating to the State Department and to our U.S. Government for us to say: "I am sorry, we invited you, you accepted, but we cannot have you because the Congress refuses to let us spend $875,000."

I want no part in any such repudiation and I am sure the membership of this House wants no part in any such repudiation. On the contrary, we welcome our friends from the other countries in this hemisphere. We are honored to have the permanent headquarters building of the Pan American Health Organization erected and established here.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and the Speaker announced that two-thirds had voted in favor of suspending the rules and passing the bill.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-four Members are present, a quorum.

Mr. WAINWRIGHT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WAINWRIGHT. Am I too late to request a division?

The SPEAKER. The Chair assumes that the gentleman is not too late.

Mr. WAINWRIGHT. Then, I ask for a division, Mr. Speaker.

The question was taken; and on a division (demanded by Mr. WAINWRIGHT) there were—ayes 206, noes 40.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to substitute Senate Joint Resolution 115 for the House bill just passed.

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

Mr. GROSS. I object, Mr. Speaker.

BARDWELL RESERVOIR

Mr. DAVIS of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 601) to authorize and provide for the construction of the Bardwell Reservoir.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for modification of the comprehensive plan for improvement of the Trinity River and tributaries, Texas, to provide for construction of the Bardwell Reservoir on Waxahachie Creek, is hereby authorized in accordance with the recommendations of the Chief of Engineers as contained in House

Document Numbered 424, Eighty-fifth Congress, at an estimated total cost of $6,922,000.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. MACK of Washington. I demand a second, Mr. Speaker.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the Members of the House will recall that we passed the omnibus public works bill last year by a voice vote.

The Senate has not yet reached consideration of that bill. However, one of the projects in the omnibus bill as passed by the House was this authorization to construct the Bardwell Reservoir. On April 30 last year the other body passed this bill.

It has become increasingly important that this matter should be disposed of as quickly as possible.

Mr. Speaker, if I may take just a minute—and I am now referring to the report of last year for convenience—the construction of the Bardwell multipurpose reservoir for flood control and water conservation about 6 miles above the mouth of Waxahachie Creek is the recommended plan of improvement. The Waxahachie Creek, in the central part of the Trinity River Basin in northeast Texas, is a tributary of Chambers Creek which flows into Richland Creek, an important tributary of the Trinity River.

This project will cost $6,992,000, of which the local interest will supply $1,888,000.

They have very frequent cloudbursts out there. They never know what time of the year they will have trouble.

I am glad to advise the House that the Bureau of the Budget approved this project; the Department of the Interior had no objection; the Department of Agriculture is favorable; the Federal Power Commission had no objection. And, of course, the Corps of Engineers made the recommendation on which I base these remarks.

The proposed reservoir project would reduce flood damages on over 43,000 acres of agricultural land along Richland, Chambers, and Waxahachie Creek from floods originating on Waxahachie Creek. In addition, it would provide a valuable source of water supply for the area.

That, Mr. Speaker, is a brief explanation of the authorization as I see it.

Mr. TEAGUE of Texas. 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 Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, the purpose of the bill which has just been called from the Calendar is to authorize the construction of the Bardwell Reservoir on the Waxahachie Creek in Texas. This is a portion of the Trinity River watershed, and the Corps of Engineers have investigated the area and recommended the construction as is recorded in House Document No. 424 of the 85th Congress.

Mr. Speaker, for almost 200 years we in the United States did not worry much about the problem of water. This is rapidly changing today and we have found that water is a tremendous problem all over the country. The coming of our industrial era, the raising of our living standards, and the increased application of water to land has caused grave water problems across our Nation.

Water is much more than one of our natural resources. It is a necessity of life. There is nothing on earth that will take the place of water. If you have no water, you have no living thing.

The Census Bureau has estimated that in the next 15 years, Texas' population will increase by 3 million people. It will not increase unless there is adequate water. The citizens of the Sixth District of Texas are well aware of this; and in particular the citizens of the three cities who will directly benefit from this project.

The community which will stand to benefit the most from this project is the city of Ennis with a 1950 population count of 8,453, which by this time has expanded. At the present time, the water supply of Ennis is secured from three woodbine wells at a depth of 1,800 feet. At one point during last summer, the water level in two of these wells dropped to 50 feet, making it necessary for the city to drop the pumps in the wells in order to secure water. The capacity of the pumps is 500 gallons per minute and during the aforementioned period, the pumps worked only at 150 gallons per minute. This operation is costly, and the dropping of the pumps at best could afford only temporary relief.

The city of Ennis has already gone on record as to their willingness to bear the local costs on this recommended construction, but time has been an element. Your approval of this bill today will remove one of the greatest obstacles.

Mr. MACK of Washington. Mr. Speaker, every agency of the Federal Government which is interested in this legislation and which has studied it approves of this bill.

The U.S. Army Engineers and the Secretary of the Army approve of it. The Bureau of the Budget approves it. So does the Agriculture Department, the Department of the Interior, the Fish and Wildlife Service, and the Federal Power Commission.

The House Subcommittee on Flood Control approved of this bill unanimously and so did the House Committee on Public Works.

The House itself approved this bill by including it in the river and harbor flood control bill passed last fall, a bill which has not as yet been passed by the Senate.

Prior to the House passage of the omnibus river and harbor bill, the Senate already had passed an identical bill to the one now before it. Failure of the Senate to act on the river and harbor flood control bill up to this time causes the introduction of this bill now.

Construction of the Bardwell Reservoir on Waxahachie Creek at a total cost of $6,922,000 is authorized by this bill. This is to be the total cost and includes $5,104,000 to be paid by the Federal Government and $1,814,000 to be supplied by the local interests.

This is a flood control-domestic water supply dam. The dam will have storage for 117,800 acre feet of water. Of this storage, 79,600 acre-feet will be used for flood-control purposes and 29,200 acre-feet for domestic water supply.

The dam is to be built in a county of 47,000 people which includes 12,000 who live in one city and 7,000 in another town. Flooding due to cloudbursts have occurred repeatedly in the area causing damage estimated at more than $465,000 a year on the average, according to the Engineers.

The project, in the unanimous opinion of the committee, is a worthy one and this bill should be approved.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 8601) to enforce constitutional rights, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 8601, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Friday, March 18, there was pending the amendment of the gentleman from Ohio [Mr. MCCULLOCH], with the substitute amendment of the gentleman from New York [Mr. CELLER] for the McCulloch amendment.

Mr. JOHANSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHANSEN to the substitute amendment offered by Mr. CELLER: On page 6, line 10, after the word "election" insert "for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Mr. Chairman, I make the point of order that this amendment in substance has been voted on by this

Committee and voted down last week; therefore, it is not in order. It is like an amendment we have voted on and voted down.

The CHAIRMAN. The Chair has had an opportunity to examine the amendment offered by the gentleman from Idaho [Mr. BUDGE], which was to page 6, line 9. This is on page 6, line 10. It is couched in entirely different language. The point of order is overruled.

Mr. JOHANSEN. Mr. Chairman, there is a line in Holy Writ which says that "to me all things are possible, but not all things are expedient."

I suppose that in legislation of the type we are dealing with here today in terms of merciless and unrelenting application of cold logic all things are possible. I submit, however, that in the area in which you are dealing with the problems that we are confronted with in terms of human relations we will be well advised to think of things in terms of human expediency in the sense of recognizing that before we run we walk and before we walk we crawl.

This amendment that I have sent to the desk, and I am not a member of the bar and I am not going to discuss it in legal terms, is as the committee, I am sure, well understands an amendment that limits the operations of the amendment that we are now considering to those elections in which candidates for Federal office are running. It, obviously, does not limit the application to those who are Federal candidates, but it limits it to the elections in which Federal candidates are running. This amendment is a stop, look, and listen amendment. I respectfully point out that without this amendment, the legislation we now have before us goes further than any in the history of any country. It goes further than any proposal that has been before us. The question that confronts us, and I think we need to weigh very seriously, and this is a trend which I have consistently opposed in every facet and every area of government, is whether or not we are, because cold logic of law may permit it, determined to intrude the Federal Government down to the last area of voting rights and down to the smallest area of election and election responsibilities. It has been said there is a conflict between the provisions of 10th amendment and the 15th amendment, and that in this area the 15th amendment supersedes the 10th. I submit again, speaking in terms of broad understanding of basic principles and issues, that there are values represented by both the 10th and the 15th amendments, neither of which must be sacrificed or eliminated for the benefit of the other.

Surely, there are still in our Federal system important values involved in the retention of powers and responsibilities by the States and by the local communities and by the humblest unit of government. Surely, there are values in our Federal system that need to be preserved even in areas where admittedly there is less than absolute perfection with respect to the guarantee of the rights of all qualified persons to vote without regard to race or color. But, to suggest that we have come in this country to a pass where either the principles of one or the other of these amendments must completely give way, is to suggest a ruthless application of logic which denies and violates the very soundest principles of our form of government.

Mr. Chairman, I would like to observe that there was adopted an amendment to the Constitution some 40 years ago this year, which proposed and undertook to eliminate discrimination as to the right of voting based on sex. It is a strange commentary that that amendment and its adoption has never carried with it the aftermath of controversy and bitterness and strife that has followed an amendment adopted, curiously enough, 50 years before the women's suffrage amendment. I suspect the real key to that difference is that when women's suffrage was adopted, it had the support and the overwhelming support of a universal public sentiment. I suspect, on the other hand, and I think candor requires the acknowledgment, that there are areas even today in which that support of public sentiment, that universal acceptance by public sentiment, has not yet been achieved in behalf of the 15th amendment. I think we do a great disservice in the consideration of the legal technicalities of this issue, if we fail to bear in mind the fact that, as Lincoln so aptly observed, without the support of public sentiment nothing can be accomplished and with it everything may be accomplished. I appeal to a recognition of the importance of public sentiment expressed through the exercise of the local responsibilities and power of government. I recall back in the days of the civil rights discussions of the seventies, I think it was Senator Sumner who advocated a virtual total centralization of government in Washington.

I recall that after hearing an address advocating such centralization a colleague of Senator Sumner's from the State of Massachusetts, as he left the hall, remarked to a friend, "States are something still."

I offer this amendment not on any terms of legal technicality but on terms of basic recognition that the States are something still. As written, without this amendment, this legislation will bring into every election in every hamlet and every community the overseeing authority, supervision and control of Federal agencies. If the time has come in this country that the only assurance of civil rights, the only assurance of progress in the granting of civil rights, the only promise of true and effective self-government of freedom is on the condition that the heavy hand of the Federal Government be felt in every election for every office, then I suggest that what the spirit of freedom cannot preserve, no law can ever restore.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment.

I would like to ask the proponent of the amendment, would it be limited only to those cases where the Federal election was to be had? Is that correct?

Mr. JOHANSEN. That is correct.

Mr. ROGERS of Colorado. What would you do in the event there is a Federal election and a State election? Would your amendment require that there be separate registrars, one Federal and one for State election?

Mr. JOHANSEN. No. I said that this did not involve separation of types of ballot or elections occurring concurrently; that this restriction was limited to those elections in which there also occurred Federal elections.

Mr. ROGERS of Colorado. Let us assume that we have an instance of where there is a Federal election and a State election at the same time. Would your amendment say that the referee appointed by the court would have no authority whatsoever in any connection with an election where the State election was involved?

Mr. JOHANSEN. If simultaneously with a Federal election?

Mr. ROGERS of Colorado. Yes.

Mr. JOHANSEN. No. They would all be subject to the application.

Mr. ROGERS of Colorado. Then if a pattern was shown, a pattern or practice of discrimination because of race or color had been shown to a Federal court and the judge being satisfied that a pattern had been set up, and he had appointed a referee, and that referee makes a determination and the registrar issues a certificate, would your amendment permit him to take the certificate to the election polls and vote for all officers on the ballot for election at that time?

Mr. JOHANSEN. That is correct.

Mr. ROGERS of Colorado. Then how can you say it would only apply to Federal elections?

Mr. JOHANSEN. My desire is to limit the application to all candidates and issues involved in that election in which a Federal candidate is running.

Mr. ROGERS of Colorado. I am sure the gentleman knows, and we have read time and time again, that the 15th amendment applies both to the States and the United States in any election. That being true, if a man has a certificate from the referee appointed by a Federal court, does the gentleman envision that once he is qualified and registered he can then be denied the right to vote at any election?

Mr. JOHANSEN. In the first place, I am positive this amendment does not in any way say or imply that once qualified he is thereafter subject to disqualification.

I state again that I am not willing to presume to debate as a lawyer with the gentleman. I revert again to the proposition that we are trying to get at this as a matter of wise psychology and progress on a basis of a step at a time.

Mr. HOLTZMAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from New York.

Mr. HOLTZMAN. I should like to call to the attention of the gentleman from Michigan the statement of the Deputy Attorney General on page 41 of the hearings wherein, among other things, the Attorney General said under notation 3 that the relief contemplated to merely extend to Federal elections, even if effective, the invaluable right to vote

for State officials would be lost. Does the gentleman disagree with the opinion of the Deputy Attorney General?

Mr. JOHANSEN. The gentleman from Michigan has said he did not. I am not going to get into a legal argument with the Deputy Attorney General.

Mr. HOLTZMAN. This is not a legal argument. It is a very simple question the gentleman from New York is asking: Is the gentleman in conflict with his own Deputy Attorney General?

The CHAIRMAN. The time of the gentleman from Colorado has expired.

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

Mr. ROGERS of Colorado. Mr. Chairman, I am sure the answers given by the gentleman from Michigan as to the intent of his amendment amply demonstrate that it is impracticable and cannot be worked in the usual manner.

As I have pointed out and read from time to time, the 15th amendment places an inhibition against the United States and against the respective States of depriving an individual of the right to vote. That was the reason I asked the gentleman from Michigan how it would apply.

The pending amendment, which is known as the Celler amendment, offered as a substitute for the McCulloch amendment, provides that where a pattern or practice has been set up in a certain area the Federal judge, upon application by the Attorney General pursuant to the Civil Rights Act of 1957, can make an order after he finds that a pattern or practice exists to prohibit an individual from voting because of race or color. That is the only way that referees can be appointed. The judge must first find that a pattern or practice exists; and unless he finds it, you have no referee.

What happens when he does find it? He issues the order and he appoints the referee, or he himself, without the necessity of appointing a referee, issues a certificate to the individual showing that he is qualified to vote. Once he receives the certificate, the gentleman from Michigan would say that he could not use it unless there was an election dealing with Federal officials. If that were the effect of his amendment, it would violate the 15th amendment, as the 15th amendment applies to the States, because its inhibition is against the Federal Government and against the State depriving a citizen of the privilege of voting.

It would be practically impossible to separate the two and at the same time protect his constitutional rights. It is just that simple. You cannot have those two when there is an inhibition against both the State and the Federal Government in depriving the individual of the right to vote. He would not have to go to get the certificate in the first place if a pattern or practice had not been set up to deprive him of the right to vote. But the gentleman from Michigan would say that that does not apply to the States and that the State itself can deprive him of some privileges given him.

May I say to the gentleman from Michigan and those who want to support his amendment, you read the last sentence of the first section of the 14th amendment which says "There shall be equal application of laws to all citizens."

How are you going to get that in with the amendment offered by the gentleman from Michigan? It is not constitutional, it cannot work, it would result in two separate sets of books being set up in every State where this practice or pattern existed. I am sure that no one would want to provide two separate sets of voting books and if they do so provide, one would be according to the State law and another according to the Federal law.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. Would not the gentleman be inclined to feel that the acceptance of such amendment might bring into question the constitutionality of the whole bill itself?

Mr. ROGERS of Colorado. If we were to accept the amendment?

I will put it this way: I cannot conceive of any Supreme Court that would permit a citizen to vote in a Federal election and then by the same token turn around and deny him the right to vote in a State election; the 15th amendment applies equally to both State and Federal.

Mr. MEADER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I dislike to oppose my colleague and neighbor from Michigan, but I might say to the Committee that his amendment is, in my judgment, worse than the Budge amendment which the Committee voted down last Friday. Notice what the pending amendment would do as compared with the so-called Budge amendment.

The Budge amendment would permit everyone to vote at any election where there was a Federal office on the ballot and at that election the voter could vote for all offices, Federal, State, local and what-not. But this amendment would restrict the voter not only to those elections in which a Federal office was on the ballot but would permit the voter only to vote for the Federal office.

Mr. Chairman, that is much more unworkable than the Budge amendment. I pointed out on page 6019 of the CONGRESSIONAL RECORD of last Friday, March 18, the reasons I thought the Budge amendment was wrong.

I pointed out, first, that the 15th amendment applies to the right to vote without any limitation as to the elections in which that vote could be cast and that to restrict it by Federal legislation here would, in effect, limit the generality of an amendment to the Constitution of the United States. I doubted the constitutionality of such provision on that ground.

I pointed out, in addition, that when a voter is registered to vote and is on the certificate of the registrar and on the rolls of registered voters, it would be difficult to set up a system which would deny such a person the right to vote in local elections and permit him to vote in an election where there is a Federal office involved.

But here the unworkability of this amendment, if I understand its effect, becomes even more apparent when you are going to have a ballot with the names of Federal, State, and local officers on it and you are only going to permit the voter to vote for the Federal officers. How can you possibly do that without disrupting the whole machinery of the election, the voting machines and the ballot? You would have to separate the ballot itself and give the secondary citizen a bobtailed ballot and not let him vote in all elections for all offices, State and local as well as Federal.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Louisiana.

Mr. WILLIS. I will say to the gentleman in all fairness that the amendment does no such thing. For instance, I am to be elected this summer, I hope, and on that ballot there will be local officials at the same election. Under the specific terms of this amendment, they will be able to vote for all of those people. There is no question about that. I wish the gentleman, who is a splendid lawyer, would read the amendment again.

Mr. MEADER. It says "for the office of President, Vice President, presidential electors, Members of the Senate, Members of the House of Representatives, Delegates or Commissioners"——

Mr. WILLIS. That is not the end of it.

Mr. MEADER. "At any special or general election." But, the election is only for the election of a Federal officer.

Mr. WILLIS. Please finish reading.

Mr. MEADER. I will read the whole amendment and the gentleman can construe it to suit himself. I presume it follows before the semicolon, after the word "election" on line 10, page 6, and this is the inserted material. The words that follow are "election: for the office of President, Vice President, presidential electors, Members of the Senate, Members of the House of Representatives, Delegates or Commissioners from the territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate."

But it is only the election of Federal officers that is covered by the terms of this amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Florida.

Mr. CRAMER. As I read the amendment, it specifically provides that in any election where one of those enumerated Federal officials is being voted on, then the person will be entitled to vote in that election both for the Federal and the State officials, but if you get into a strictly State election, with no Federal official being involved, the position of the proponent of the amendment is that the

Federal Government should not get into that, anyway, and therefore the amendment would not apply. But it does apply in elections in which a Federal official is involved, and it permits you to vote in both Federal and local elections.

Mr. MEADER. I do not know whether the gentleman is prepared to speak for the intent of the author.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MEADER. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

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

There was no objection.

Mr. MEADER. I submit that there is an election for electors for President, election for Members of the House of Representatives, election for Senators, and so on. There are also elections for local officers, and it is only to those elections which relate to Federal offices, even though they may be contained on the same ballot as elections for local offices, that this amendment would apply.

Mr. CRAMER. Would the author of the amendment answer the question as to whether my position is correct?

Mr. JOHANSEN. The position of the gentleman from Florida is completely correct. The purpose of this amendment is to restrict the operation of the bill we are now considering and the amendment we are now considering to those elections and to all offices involved in those elections in which there are candidates for any or all of these Federal officers.

Mr. MEADER. In other words, it is the gentleman's intent to cover the same elections as covered by the Budge amendment?

Mr. JOHANSEN. Exactly.

Mr. LINDSAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I thought we had debated at length last Friday the principle involved in this amendment. We spent several hours on the subject. I think no one in the Committee denies that the 15th amendment applies to State and Federal elections equally. Why we should attempt to reach a result here which should establish a distinction between a constitutional right in respect of one election and another right in respect of another election is beyond me. I submit that this amendment would result in separate but unequal voting.

The whole reason for the so-called referee proposal, I would remind the Committee, is founded on two principles: First, that it would apply with full force and effect and strength to both Federal and State elections; and second, that because it had within it the means of enforcement. We will get to the problem of enforcement a little later, but, for the time being, suffice it to say that as the Attorney General of the United States testified on Friday, February 5, before the Senate Rules and Administration Committee:

> Discrimination is constitutionally objectionable whether it applies to a State election or a Federal election. Actually the right to vote in a State or local election is often of greater practical significance to the voter. The need for the elimination of racial discrimination in the conduct of both types of elections is apparent. Legislation dealing with the matter should therefore extend to both.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish to emphasize to the gentleman from Michigan whose amendment we are considering that when he tries to make this voting referee proposal apply only to the election of Federal officers and not State officers, he runs counter to what we did when we passed the Civil Rights Act of 1957, because in that act, section A, we put all elections within the statute. We did not say then that some elections would be considered and others would not be considered. We said the provisions of section A would be applicable to all elections. We used the word "all." And when we used the verbiage of the 1957 act we went all the way back to the 1870 act, the Reconstruction Act. That act was made applicable likewise to all elections, not merely Federal elections. Very significantly, the Attorney General in his letter to me under date of March 17 stated:

> It would be sheer sanctimony for the United States on the one hand to continue to guarantee in its Constitution as it has since March 30, 1870, the right of Negroes to vote without discrimination in all elections, both Federal and State, and on the other hand, 90 years later, in March 1960, to enact legislation which by failing to enforce the right clearly implies that Negro voting need not be a reality in State elections.

The Attorney General went on further to say:

> The 15th amendment of the Constitution guaranteeing all American citizens the equal right to vote without discriminatoin on account of race or color applies to all elections for public office, both State and Federal.
>
> If such an amendment—

He was then referring to the so-called Budge amendment, but his words are just as applicable to the Johansen amendment.

> If such an amendment as has been suggested were adopted, it would be an open invitation to the establishment of segregated elections for State officials, thus denying Negroes their clear constitutional right to vote without discrimination in such election.

If more were needed, we have the testimony of the Deputy Attorney General, Judge Walsh, before our committee. He significantly made this statement:

> State elections must be included in the relief given by Congress for many reasons; we cannot tolerate Jim Crow at the ballot box.

I repeat, we dare not tolerate Jim Crow at the ballot box. We cannot have Jim Crow at the State ballot box.

> It would be ironic indeed if while Federal courts assert the illegality of segregation in public schools, in railroad waiting rooms, in parks, and on public golf courses, it is by Federal legislation expressly condoned in the voting place. State elections may be less dramatic but they can in reality be more important than Federal elections. They decide who will run the schools and who will enforce the laws, who will select the juries, and who will be the local judge. It is only in the right to vote in these elections that there lies the kernel of hope for the ultimate eradication of racial segregation and the long-awaited fulfillment of a basic promise that the protection of the law shall be equal to all.

This amendment reared its ugly head last week and we knocked it off. It raises its head again.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. HOFFMAN of Michigan. I object, Mr. Chairman.

Mr. YATES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from New York [Mr. CELLER].

Mr. CELLER. I thank the gentleman.

Mr. HOFFMAN of Michigan. Just a minute. I make a point of order on this.

Mr. CELLER. Mr. Chairman, deprivation of the State's ballot is wrong.

Mr. YATES. Mr. Chairman, I am entitled to yield to the gentleman from New York.

The CHAIRMAN. The gentleman from Illinois was recognized, and he yielded to the gentleman from New York. The gentleman from New York is continuing in order.

Mr. CELLER. Deprivation of the State's ballot is wrong. A wrong cannot be right. It is the right to vote that is at stake by virtue of the 15th amendment. The 15th amendment is not bobtailed. It does not say some votes may be abridged but others not. What kind of sophistry is this? Denial of the vote through racial bias is 100 percent wrong and it cannot be corrected 50 percent. It should not be corrected 50 percent. That is a most anomalous situation.

Suppose a man is qualified under State law by a voting referee. The man thus qualified could vote for Federal officials. But this same qualified voter would be denied the right to vote for State officials. It is confusion worse confounded. We would make ourselves ridiculous if we would adopt a proposal of this character.

Is there not admission then that the evil, the denial by discrimination, is divisible? Is there not then an inducement to continue segregation on the basis of race?

That approach, to my mind, is immoral. It seems that when one was asked for a definition of the word "justice," the answer was—"Every man loves justice at another man's house. Nobody cares for it at his own." Well, Mr. Speaker, I want to care for justice to the Negro who is thus denied and, thus, deprived of his right to vote. I care for him at not only Federal elections, but State elections. There has been ample proof, proof beyond the peradventure of doubt, of a denial of the right to vote. Witness the report of the Civil Rights Commission. It is as clear as the nose on one's face that in certain sections, there is an environment that is hostile to those very persons who have been thus denied the right to vote. They appeal to us for a modicum of relief. We cannot turn a deaf ear to their plea as far as State elections are concerned, and just give them relief only as far as

Federal elections are concerned. I say that the election of a State official might be far more important to some people than the election of a Representative to the Congress. The election of a sheriff—a sheriff who might keep hermetically sealed the jail doors against mob violence such as occurred at Poplarville—might be far more important than the election of a U.S. Senator. In turn, the election of an election official, for example, who might guarantee to the individual the vote may be far more important than the right to vote for a presidential elector. You cannot divide this right. This inherent right to vote is guaranteed by the 15th amendment. You cannot chip it off as you would a block of wood. You cannot alienate it. This is an inalienable right. You cannot part with it as you would part with a bauble. Like your own conscience, that right to vote must remain intact. The vote is a shield and a sword. A sword with which to conquer bigotry and a shield to protect life, liberty, and property.

This amendment would result in two separate elections. Thereby by an act of a State legislature voting for Federal office would take place on one day and for State officials on another day.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

Mr. HOFFMAN of Michigan. Mr. Chairman, I object.

Mr. SMITH of Virginia. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, of the 436 Members of this House of Representatives, the last man to make the argument you just heard is the gentleman from New York, and I expect to prove it out of his own mouth. This is the first time in all this civil rights procedure that the Congress has ever been asked to include local State elections. That is what this is. This amendment covers all elections that have Federal officers named on the ballot, but excludes those local elections which have no national effect. The gentleman from New York "fit, bled, and conquered" on the Civil Rights Act of 1957. Let me read to you the language of that act. I want to say, Mr. Chairman, that the Johansen amendment is copied word for word, verbatim, from the Civil Rights Act of 1957, and was written by the gentleman from New York. Mr. Chairman, the gentleman from New York "fit, bled, and conquered" to establish a Civil Rights Commission, and the Civil Rights Commission made a recommendation. There the recommendation is the same as the Johansen amendment.

Then again, when the subject came up this year, the distinguished, learned gentleman from New York [Mr. CELLER], who has taken more interest in the protection of the voters than anybody else, and has offered all of these bills and supported them and carried them through his committee, has produced a bill for voting privileges. On January 7—not 2 years ago, but 2 months ago, on January 7 of this year—he offered a bill for voting privileges. The language of that bill is "to vote for any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, or Resident Commissioner of the Commonwealth of Puerto Rico in the House of Representatives, at any general, special or primary election held solely or in part," and so forth.

The identical language of the Johansen amendment. How can the gentleman blow hot and cold so quickly? I am tired of this hypocrisy—how can the gentleman blow hot and cold so quickly, when on three different occasions, one within the last 2 months during this session of the House, he has proposed and offered legislation in the identical language of the amendment offered by the gentleman from Michigan [Mr. JOHANSEN]? How ridiculous can we get? Here is the same man—you would think he was arguing a law case in which he was employed on one side, then on the opposite side in the identical case in the next term of court. In his basic bill, the bill that we are now considering, H.R. 8601, it has another provision in it about voting rights.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Excuse me just a moment. I want to nail the gentleman from New York [Mr. CELLER] down so tight that he will not be able to wiggle any more. He has been on both sides of this question in the last few months. He has argued them both ably, and he is able to argue ably. He has argued them intelligently. If there was a third side to this question, he would be on that side before this is settled. How ridiculous can we get?

The CHAIRMAN. The time of the gentleman from Virginia [Mr. SMITH] has expired.

(By unanimous consent, Mr. SMITH of Virginia was granted 1 additional minute.)

Mr. SMITH of Virginia. Here is a bill that was reported by his committee. He "fit, bled, and conquered" on that. In that bill, on the second page, H.R. 8601, you have that bill before you.

Federal election registrar.

That is where you are going to maintain any election records—it says:

> Every officer of election shall retain and preserve for a period of 2 years from the date of any general, special, or primary election of which candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico are voted for, all records and papers which come into his possession—

And so forth. He did not say anything in any of those bills about including elections for State offices. Again I ask how ridiculous can we get and hypocritical will we become, before we conclude consideration of this monstrous proposal?

Mr. QUIGLEY. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. QUIGLEY. I yield.

Mr. CELLER. I want to say to the gentleman from Pennsylvania, and I hope the gentleman from Virginia is listening, that many of us are interested in progress, and when a better bill comes along we embrace it. Beyond that, as far as consistency or inconsistency is concerned, I repeat what I said before the Rules Committee not so long ago. General Lee said to General Beauregard: "Patriotism sometimes requires of me to act exactly contrary at one period to that which it does at another."

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. QUIGLEY. I yield to the gentleman from New York.

Mr. LINDSAY. I thank the gentleman for yielding and I asked him to yield only for one purpose, and that was to reply to the gentleman from Virginia who said that the Congress had never before enacted legislation which embraced local elections. I think it is worth pointing out that the act of 1870, which is still on the books, says in so many words:

> All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, territory, district, county, city, parish, township, school district, municipality or other territorial subdivision, shall be entitled and allowed to vote at all such elections without distinction of race, color, or previous condition of servitude, any constitution, law, custom, usage, or regulation of any State or territory, or by or under its authority, to the contrary notwithstanding.

Mr. QUIGLEY. May I say to the gentleman from New York that he heard the gentleman from Virginia in exactly the same manner I heard, and that is why I asked for this time to say that the Congress of the United States did in the past enact laws affecting all elections. I agree with the gentleman from New York that the statute he read, of 1870, was passed and it did provide for all elections.

I would like to point out that the gentleman from Virginia very cleverly did all his reading from the Civil Rights Act of 1957 from section (b) and carefully avoided reading section (a) which covers every election for every office at the State, local, and national levels; and section (a) reads as it does because that was the intention and the purpose of Congress.

And as for the section which the gentleman from Virginia read, Congress used that language simply because it was the only way we could do it constitutionally.

The particular language the gentleman from Virginia was referring to has to do with individuals. If he would read section (a), which I am sure he has done many times, he would know very well that in that section we attempt to control, not individuals but, State officials acting under color of law. In this instance, in the act of 1957, just 3 years ago, Congress passed a law directed at every election from the President on down to dog catcher, and I submit that is the only effective way that we can pass a civil rights bill here in 1960.

If you want to wreck the bill and get one not worth voting for, load it up with amendments such as the one now pending but if you are sincerely interested in

doing a job of protecting the voting rights of all American citizens, then vote down the amendment.

Mr. Chairman, I urge that the amendment be defeated. The argument of the gentleman from Virginia is completely at variance with the facts. The language in section (a) of the 1957 act as well as the language of the act of 1870 read by the gentleman from New York contradict him completely.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. QUIGLEY. I yield to the gentleman from North Carolina.

Mr. WHITENER. This is not connected with what the gentleman is talking about; but since the gentleman is so interested in correcting other folks, I thought this might be interesting.

Mr. QUIGLEY. I am not interested in correcting other folks. I am interested in keeping the record straight.

Mr. WHITENER. I want to straighten out the record, too, on what the gentleman said a few days ago, that is, that there was an instance of conclusive presumption in the case of the paternity of a child. I would like to call the gentleman's attention to Bouvier's Law Dictionary, in which it is stated:

> The husband is prima facie presumed to be the father of his wife's children born during coverture or within a competent time thereafter.

I am sure when the gentleman seeks to correct the gentleman from Virginia that he is not ascribing to him the same degree of infallibility of the law as he is on civil rights.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. QUIGLEY. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

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

There was no objection.

Mr. QUIGLEY. I would merely say to the gentleman from North Carolina that the response I gave in reference to the legitimacy of a child born in lawful wedlock was in response to a question. I have not researched the point, but I am still willing to stand on what I said about conclusive presumption.

Now, 3 or 4 days later, the gentleman does not care to comment on the other examples of conclusive presumption which have existed in the law.

Mr. WHITENER. I will say that every statement the gentleman has made on conclusive presumption is completely erroneous.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

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

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GRANT. Mr. Chairman, here we are at it again. Several years ago when the so-called Civil Rights Commission was established on a temporary basis to run only 2 years, I made the statement that it was too good a political train to ride to let it expire and that attempts would be made not only to extend it further but to make it permanent and to include FEPC and other measures just as obnoxious.

Today, we are faced with the spectacle of both bodies debating this issue. When the House bill is adopted, it is predicted that debate in the Senate will be stopped and the House bill accepted. Those who have planned it this way may be in for a shock. The southern Senators have made no such trade.

Let me warn you that this catch-all piece of punitive legislation aimed at the South will, in the end, react more strongly against those it is alleged to benefit.

Oh, that some modern Moses would lead us out of the wilderness. There is a plaque on the Exchange Hotel in the city of Montgomery, Ala., the Cradle of the Confederacy, which city I have the honor to represent. This plaque marks the spot where, in introducing the President of the Confederate States of America to Alabamians, the silver-tongued orator, William Yancey, stated, "The man and the hour have met." Oh, but today that could be true. Is there no one who can lead us into an era of understanding and racial peace? The great majority of both races in the South want just this.

There exists in Montgomery a fine Negro college, established and dedicated by the State, for the training of Negro teachers and is comparable to any in the Nation. This school has a large enrollment of students not only from our State but from many far away. The citizens of Alabama met the challenge of the education of Negroes in the State of Alabama by establishing this college. The teachers in the Negro schools receive the same rate of pay as those in white schools. I have told this to Members of Congress who have been brainwashed by all this propaganda, and they have been amazed because stories of this nature are not sensational.

Led in the main by out-of-State students, a group marched down to the courthouse in Montgomery, entered the privately operated lunchroom, took their seats, and demanded to be served. They had no business at the courthouse; they were not jurors, witnesses, or in any way concerned with any business at the courthouse. Their place was at school which the people are being taxed to support. In order to keep down any disturbance, the operation of the lunchroom was closed.

Recently, students of this Montgomery college began to gather upon the campus, and when ordered to disperse by Negro school authorities, they declined to do so with the result that local authorities had to be called in to disperse them. The trouble you proponents of this legislation are creating is only leading to school trouble between members of the same race. It could not be carried out any better than if you had planned it.

On beautiful Dexter Avenue in the city of Montgomery, just off the capitol grounds, stands a Negro Baptist Church. For many, many years, to my own knowledge, over 50, Negroes have worshiped day and night and without any thought of molestation by anyone. Down the street a block or so stands a white Methodist Church, which I have been privileged to attend. Sunday after Sunday, day after day, congregations of these respective churches, have worshiped as their conscience dictated—never a thought of malice or ill will toward their neighbor.

Sunday before last, a meeting was held in the Negro church, with the announcement that they would march out and have prayer upon the capitol grounds. The photographers, newspapermen, and television cameramen were told to be there. But to the everlasting credit of the sheriff of Montgomery County and the commissioner of public safety for the city of Montgomery, there might have been an ugly picture carried to the Nation. It is not for me to question anyone's religion; however, one is prone to wonder why it was necessary to leave a house of prayer and to go out to make a public demonstration. Yes, this leads many who know the situation to wonder if some of the so-called leaders did not want trouble. Speak of the spirit of Gandhi—peaceful resistance. The sheriff and police commissioner were ready to move in on anyone who gave trouble, be they white or colored.

You people who proudly boast that you want to help the Negro race are blind to conditions. Yesterday in the South where there existed trust and good will, today there is suspicion and distrust. Yes, the Negro race in the South needs help. They ask for food, and you attempt to give them social equality. I am interested in the economic condition of the Negro of my section. There are those who would divide us. The right-thinking people of the South want to see the white and colored races live in harmony. Our economic welfare is indelibly linked, and one race cannot prosper without the other. Let us see that the Negro race is not led astray by those who would use them for their own selfish purpose.

I yield to no man in my help to the Negro race. As solicitor for many years, I helped scores of them who were poor and friendless. I believe that I could prove to even any biased person by my stories of actual help over a period of years that I have been a friend of hundreds of Negro people. I have voted here to help Negro farmers and veterans, just as I have for the whites.

Certainly, Negro parents have hopes and ambitions for their children. I have never advocated status quo for the Negro race. They can and will make great progress without going to integrated schools. Yes, many of you are interested in the Negro as long as he remains in the South; the nearer he gets to you the less your interest appears. What have you done to encourage his development?

Here in the city of Washington, integration has not worked in the schools; it has not been a success. Some of the daily papers, and the Superintendent of Education to the contrary. This Super-

intendent, who has taken time out to go to Atlanta and other southern cities to preach the glory of integration, should have remained here and made firsthand investigations of the rotten conditions in some of the schools; I can give names of schools.

We all realize that it makes good political fodder in some parts of the North to harp on conditions in the South; however, people are fast learning the facts. In the New York Times under date of November 5, 1958, on page 1, in telling of Congressman KEATING's victory over Hogan for New York Senator, the story goes on to say:

> In keeping with a campaign promise, Senator-elect KEATING will leave tomorrow with Senator JACOB K. JAVITS to visit Atlanta, Jacksonville, and Birmingham to investigate recent bombings.

While the integrationist twins were making their journey through the South the New York papers were covered with crime reports.

On November 8, page 44, the New York Times carried a full story on the great visit to the South, and this was followed by a report from Rochester, N.Y., by the way of AP:

> Police today are seeking vandals who toppled 28 tombstones in the cemetery in suburban Greece.

Rochester is the hometown of one of the Senators who was in the South at the time investigating bombings.

I am not going to enumerate the many stories of murder, rape, robbery, and other heinous crimes, as carried in the press.

What does the Book of Books say?

> And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?

The mail recently brought a letter from Mr. Paul Butler, and I quote:

> I think you will be interested in the enclosed policy statement issued by the Democratic Advisory Council concerning civil rights. The statement includes the council's views with respect to congressional action.

I am not at all interested in this council's views upon this or any other issue. I am fully capable of discharging my duties without the advice of this advisory council.

Most of the Democratic Congressmen that I have talked with are getting tired of this self-appointed outfit telling us how to vote on every issue that comes up. In the past, we have been proud of our national committee. Like any other committee, there may have been petty, inside quarrels but now since the committee has seen fit to abrogate its duties to an outside organization and let the "tail wag the dog," so to speak, the Members who voted to set up this advisory council should notify the Democrats of their respective States that, as committeemen or committeewomen, they voted to turn the affairs of the committee over to someone else. Their opinion has not been requested by the Democrats of the House and Senate; and as a duly-elected Democrat, I resent their attempting to instruct me how to vote. If their advice is needed, it will be requested. I might add that the Alabama Representatives on the committee do not favor the chairman's tactics.

This council does not want only support of this legislation now before Congress but states that it advocates more far-reaching measures. They want nothing but pure, simple, punitive, hate legislation against the South.

Think of this coming from the Democratic Party, the party of our fathers, and aimed at a section of the country that has nurtured and held the Democratic Party together in many a lean 4-year period. Think of this self-appointed and self-annointed advisory council telling us that the hate legislation now before the House and Senate is not strong enough.

While you Republicans are not blessed with an advisory council, the President, in his recent press conference, stated that this question of civil rights should be worked out at the local level; that interracial committees should be organized. I would like to call to the President's attention that good progress was being made by such groups; however, since the Civil Rights Commission and Congress have stirred up the matter, it is growing harder and harder for interracial committees to function—in fact, they are not going to function under present conditions.

The President also declared his opposition to the idea of trying to solve every local problem from Washington. If he is serious about this last statement, he should know that these so-called civil rights laws tend to solve everything at the Washington level. This problem is not going to be solved at Washington, but Washington can make it more difficult for there to ever be a solution. I am sure the President knows that when he was in the Army integrated troops were not conducive to good morale. In other words, it did not work in the Army, and in the South it will not work in the schoolroom.

Just what is this stir about civil rights? Every right is now protected by law. Additional laws and statutes will not in any way improve the situation.

Who is going to rise here and ask what about the civil rights of the law-abiding citizen who walks the streets of New York and Washington? I wonder, in all their zeal for civil rights, why no mention is ever made of civil responsibility? Perhaps, if more were said about the citizen's responsibility, more good would be achieved in the end. However, it is hard to arouse emotions when speaking of civil responsibility.

While there is no authorization in the Constitution for any of these civil rights bills, this makes little or no difference to their proponents. All that you need in a bill of this type is some meritorious and good statement that a right exists, and then proceed to set out the penalties for violating this right. In the words of Lincoln—who, by the way, was not an integrationist—"With malice toward none," the white people of the South and a majority of the Negroes will work out their destiny, each proud of his own race. Mark my words—you are not going to, by this or any other legislation, control hate and racial prejudice. This can be worked out only by men of good will. Let me reiterate that the South was making great progress in this field until you who are removed from the scene began to stir it up. The trouble in the South is directly at your doorstep. Let me beseech you to study very carefully the effect of what you are doing.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Indiana.

Mr. HALLECK. Ever since the debate started on this matter I wanted to say what I am about to say now, and that is words of commendation for the gentlemen from Ohio for the very diligent and effective effort he has made in connection with this legislation. He has been fair, he has been reasonable, and I am sure he will continue that way. I want the record to show at this point what my feelings are about him.

I might add just a further word: I have not entered into the debate when we were considering the Budge amendment. Apparently this is about the same thing. I rather suspect the result will be about the same at this time.

Mr. McCULLOCH. I thank the gentleman from Indiana.

Mr. HOLTZMAN. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from New York.

Mr. HOLTZMAN. I should like to ask the distinguished gentleman from Indiana, the minority leader, just what his impression is with respect to this pending amendment. I think it would be very helpful to all of us on both sides of the aisle to have a clear understanding of the position that he takes on this amendment.

Mr. HALLECK. A lot of people over there have asked me what I think about this legislation. After all, we are just in the minority. But for the gentleman's information, I propose to vote against the amendment.

Mr. HOLTZMAN. I should like to say to the gentleman from Indiana in response that it was not my impression that because he is the leader of the minority that he is precluded from having an opinion on the pending amendment or any other amendment.

Mr. McCULLOCH. Mr. Chairman, on Friday last I referred to the 15th amendment to the Constitution of the United States. It is worth while to read it again with one interpolation that I intend to make. I read:

> The right of citizens of the United States to vote—

Now, I interpolate this "for Federal office"—

> shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

That amendment to the Constitution of the United States has no limitation written into it, and there is no dependable present decision of a court which reads a limitation into it. I hope that this committee will not today read a limitation into it.

Mr. Chairman, the amendment offered by my good friend the gentleman from Michigan [Mr. JOHANSEN] should be defeated, as was the amendment of my good friend the gentleman from Idaho [Mr. BUDGE]. There were four words used in debate this afternoon which should determine this question for everyone who is unbiased and unprejudiced. They came from the gentleman from New York [JOHN LINDSAY]. He said:

If you want separate but unequal voting, vote for this amendment.

Mr. Chairman, I hope that the amendment is defeated.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the Johansen amendment end in 10 minutes.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. O'HARA].

Mr. O'HARA of Michigan. Mr. Chairman, the statement was made here today that if Congress adopts the Celler substitute to the McCulloch amendment, it will, for the first time, intrude Federal legislation into non-Federal elections. The authority under which Congress purports to act in protecting the right to vote is derived from the 15th amendment to the Constitution of the United States. The 15th amendment clearly states the scope of the right to vote. The right to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. Its language is not limited to Federal elections. The right to vote is a right of United States citizenship, and that means the right to vote for any office from dogcatcher to President.

This right is the most basic element of a democratic society.

Mr. Chairman, we in the Congress represent the people of America in a democratic form of Government. We are here because Americans throughout the history of our Nation have believed that government should be based upon the consent of the governed. We must remain faithful to this principle. We will be able to do so only if the right of the franchise is scrupulously guarded.

Yet most of the people of my congressional district consider their local officers just as important or more important than any officer elected at the Federal level. And they are just as important. The actions of local officials have much more direct effect upon the daily lives of our citizens than do the actions of Members of Congress or the actions of any other Federal official.

Mr. Chairman, the eyes of the world are upon the U.S. Congress. We have tried hard to sell American democracy to the world. We have made a great issue of the superiority of our democratic form of government. Our point is lost unless we demonstrate by our actions the principles that we have been talking about.

Mr. Chairman, if we were to adopt the amendment of my good friend, the gentleman from Michigan [Mr. JOHANSEN], we would, in the eyes of the world, be denying that we ourselves believe in democratic government.

Mr. Chairman, I urge the Members of the House to reject this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I would like the attention of the gentleman from New York [Mr. CELLER]. I recall that not too many years ago there was an election held in Kansas City, Mo., involving a Member of Congress; a Federal election, in other words. As a result of that election fraud indictments were returned and less than 24 hours after the Federal grand jury returned the indictments, the safe in the courthouse was dynamited and the ballots from 32 precincts in Kansas City, allegedly containing a lot of ghost votes, were stolen and never found. This was when the Pendergast machine was operating in Kansas City. The question I ask the gentleman is what would be the civil rights of the citizens who in good faith voted in an election if this bill were enacted, and the same set of circumstances obtained? What would be the civil rights of those whose legitimate votes were invalidated by virtue of such circumstances?

Mr. CELLER. I do not know how this bill would affect that very unusual and unique situation where a safe deposit box or some receptacle of that sort was dynamited. I presume the State law would prevail and the culprits would be brought to book under the State statute. I cannot conceive how this particular statute would be applicable to that situation.

Mr. GROSS. This bill involves voting rights and the validity of votes, does it not?

Mr. CELLER. That is correct. It involves the registration, and the casting of the vote. It refers to the qualifications of the voter and the casting of a ballot of a qualified voter. If I remember correctly we have Federal statutes now that would cover that situation with reference to the destruction of ballots.

Mr. GROSS. They certainly had such laws then, but to this day the ballots have not been found and no one has been prosecuted.

Mr. CELLER. That is up to the law-enforcement agencies.

Mr. GROSS. As I understand it, there are laws on the statute books today to take care of voting rights. The reason why you have this legislation here presumably is because the laws are not being enforced, is that not correct?

Mr. WILLIS. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. WILLIS. I would say to the gentleman that my chairman has referred to the scope of the bill as having to do with qualifying people to vote, and so on. Let us go back to the Constitution. Article I, section 2, says:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

There the Constitution speaks of who has the duty and the obligation and the jurisdiction with reference to the qualification of the voters. On the other hand, the regulation of elections, which is what this bill would do, is covered by the Constitution in this way. In one place it says that a Member of the House or a Senator, his qualifications are left up to the States.

This would regulate qualifications of each of the voters. Here is what it says about the regulations:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations.

Regulations for what? Regulations as to times, places, and manner of holding elections for Senators and Representatives. Nowhere in this Constitution does Congress have jurisdiction to pass upon the qualifications of voters for a State election and authorize them to go to a Federal referee to get a certificate of voting for a sheriff or anyone else.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. JOHANSEN].

Mr. WILLIS. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. JOHANSEN and Mr. CELLER.

The Committee divided, and the tellers reported that there were—ayes 137, noes 157.

So the amendment to the substitute amendment was rejected.

Mr. BONNER. Mr. Chairman, I move to strike out the last word.

Mr. BONNER. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Chairman, as this body is fully aware, I am not a lawyer. I have no legal training or background in law. The legality of what we are doing has been expounded at great length by Members on both sides of this controversy. There have been learned orations by the proponents of the measure before us and equally learned orations by the opponents of this measure. As a layman, and as one who has for 20 years had the privilege of serving in this body, I am unalterably opposed to the proposal before us.

Our Constitution and the reservations retained by the States have given certain basic rights to all people under the American flag. I sincerely feel that our Constitution should be upheld in its entirety.

It seems to me that the Federal Government, in this proposal before us, is reaching mighty far afield in trying to grant a certain right that has already been given.

I do not believe that this Congress has the right to step in and disturb the rights

of States in the election of their State and local officials. Nowhere can I find this right granted to Congress and I believe our Constitution has been emphatic on that point.

It seems to me that the bone of contention throughout this matter has been whether or not a certain segment of our citizens has been and is now being discriminated against by being deprived of their voting rights. This discrimination, I might add, exists not alone in the South, but in many of our other States wherein so-called minority groups are merely counted as second-class citizens or worse. I cannot in good conscience believe that any Member of this body would feel that our democracy is existing or can exist with first- and second-class citizens.

We are people under one flag, and as such, are entitled to the rights and privilegs granted us thereunder.

If our several States have been lax in their discriminatory practices, or if certain elected or appointive officials of those States have been lax, or are guilty of misfeasance or malfeasance in office, is it not a problem of the people who elected or appointed these officials to clean house through the use of their own State courts?

I cannot in all honesty think that the systems of justice set up within our States would fail to grant to any person with a legitimate claim before their duly constituted courts refusal of equal justice under the law. Are we not here now attempting to invade a territory and to take on a responsibility which does not lie within the ambit of our responsibility or our legal right? Shall not these persons with a valid complaint utilize a now existing recourse open to them?

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Louisiana.

Mr. WILLIS. I want to compliment the gentleman for the statement he is making now, and also to acknowledge, as a member of the House Committee on the Judiciary, the invaluable support, encouragement, and advice we have received from him over the years. He is chairman of a very active and very important committee, but he has always found time to appear before our committee and give us the benefit of his good judgment, and I do want to publicly express appreciation for the great contribution the gentleman has made to this great cause in which we believe so strongly.

Mr. BONNER. I thank the gentleman from Louisiana for his kind words.

Mr. Chairman, may I say to the Members of this House seldom do I take the floor on matters coming out of other committees, but I believe today that the subject before us is one that is going to bring trouble to this country in years to come.

Mr. Chairman, shall not these persons with a valid complaint utilize now an existing recourse open to them, or are we here in the Congress in our so-called wisdom, deeming and declaring despicable every State system of courts in the 50 States of this Union? Have we this right? Or does the Congress want to declare a conclusion that no citizen of any State in this Union can receive full justice before the courts of his own State and, therefore, a Federal appointed referee must act in order to see that justice is done? It seems to me, Mr. Chairman, that those are the crucial questions we must answer to ourselves.

I want to remind you again that I am only a layman, but in my lifetime I have read widely, I have studied carefully and have been privileged to observe the rise and the fall of nations and leaders during this century. Therefore, I feel that I can say with firm conviction that when a nation first loses its freedom of education and then its freedom of the vote, we are only a short step from dictatorship. Dictatorships have arisen and nations have fallen when free elections were denied its citizens. Certainly I will not go so far as to say that any child regardless of race, color, or creed, is not entitled to education up to the fullest capability that child may show; but our court decisions, as we all know, have resulted in the greatest chaotic mess in the educational field that this country has ever known. There are literally thousands of children, both colored and white, without any adequate facilities due simply to the fact that our Supreme Court in its so-called wisdom has thrown into turmoil what had heretofore been systematic school programs within the several States affected by that decision.

Mr. Chairman, in the Southern States there are more Negro schoolteachers employed than in all the other States of the Union put together, and their salaries are just as high, and in most cases higher.

I do not in fairness believe that within these States now in this position that one race has been held above the other in being assured of adequate facilities for its children. The matter now before us seems to reach toward Federal control of elections. Under the proposed legislation what is to act as a stopper to prevent the Federal Government from usurping the inalienable rights given the States by the Founding Fathers in their wisdom so guaranteed by the Constitution?

If we are not careful we will find ourselves one step further along the road toward depriving our States and their peoples of their precious constitutional rights and, gradually, perhaps rapidly, transforming the great governmental system we have, with its checks and balances, into one of Federal dictatorship or tyranny.

I call on certain races to remember what happened in Germany when a great race of people were almost exterminated. Mr. Chairman, the progress was along the line that this House of Representatives and this Congress are for doing today. It grew up, Mr. Chairman, in just such a procedure, in just such forward steps and, as I say, a great race of people, a great people, who contributed much to our country, were almost exterminated. Beware, it can happen in America. Do not think it cannot. It is for those who are thinking for the future to look to their conscience.

Mr. Chairman, I am opposed to this legislation because I believe it will destroy rights for all people, even the rights of those it is alleged to help.

Mr. CELLER. Mr. Chairman, may I make the unanimous consent request that all debate on the Celler substitute and all amendments thereto close in 15 minutes?

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

Mr. McCULLOCH. Mr. Chairman, I object.

Mr. CELLER. What would the gentleman suggest?

Mr. McCULLOCH. If I might reserve the right to object, I should like to ask the gentleman from New York a question concerning amendments. How many amendments are pending, and how many may be offered in the meantime?

The CHAIRMAN. The Chair has no way of telling how many amendments are going to be offered, but there is pending, as the gentleman knows, his amendment and the Celler substitute. They are pending now.

Mr. CELLER. In other words, Mr. Chairman, there are no amendments pending except the Celler substitute?

The CHAIRMAN. Which includes the McCulloch amendment.

Mr. CELLER. Mr. Chairman, the gentleman from Virginia [Mr. SMITH] suggests that I wait 5 minutes.

Mr. EVINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, what we have been witnessing here for the last few days is a coalition between our friends on the extreme right and the Republicans. It is a little reverse to what we sometimes are being accustomed to seeing.

Mr. EVINS. Mr. Chairman, as we continue this debate into the third week in the House, I feel that a few observations may be in order.

This debate has been, at time, an interesting one and I trust, in the main, a wholesome debate.

One of the real services which we in the Congress can perform is that of focusing attention on all aspects of important issues so that we may be better informed and also that the Nation may be better informed and have a better understanding of what is involved in the issues we debate.

We have thus been witnessing—both in the House and in the other body—a program of education.

We started this debate on a very high plane—I regret to say that at times there have been some bitter remarks and some evidence of bitterness on all sides.

We have heard some threats—or implied threats—of secession from the Union.

One of our colleagues, at least has let it be known, that, during the next session of the Congress, the South would make an attempt to reorganize the House and perhaps form some holy—or unholy—alliances, according to one's point of view, with our Republican colleagues.

I want to say that many of our Republican colleagues are pushing this legislation just as hard and just as strong as are some of our Democratic colleagues.

The civil rights bill, which we have been considering, is known as the Eisenhower bill or the administration bill, and the tougher provisions are being pushed by the Attorney General—Gen. William P. Rogers of the President's cabinet. So, I would remind my Democratic colleagues from the South that our Democratic brethren from north of the Mason-Dixion line are not the only ones pushing this legislation. Our Republican colleagues are also guilty—just as guilty.

Mr. Chairman, during that tragic period in the history of our country called by our friends in the North the Civil War, but referred to by our citizens in the South as the War Between the States, that Tennessee was the last State to leave the Union and the first to come back.

Tennessee wants to stay in the Union.

Our great State and National heroes, Andrew Jackson and Andrew Johnson, both devoted their lives to preserving the Union. I hope that what we do here will contribute to preserving the Union.

Certainly I can understand the desire by all Members to want to be reelected, but let us not at the expense of being elected again destroy the Union and tear asunder our Nation.

I feel sure that some of our Democratic friends from the North feel that they must take extreme positions on this matter in order to assure their reelection.

Our Republican friends, who are supporting this legislation, I fear, are also motivated by their strong desire to be reelected—to a very great extent. Many, I am sure, must agree that much that has been said on this issue has been said because it will win votes and only because their positions will win votes.

Since our friends from the North have not lived with the problem as intimately as have the members from the South, I feel that they lack the intimate and first-hand knowledge of the difficulties that are involved in solving this delicate problem.

Threats of reprisals, I do not think, are in order. Bitter comments have no place in this debate—such attitudes and actions do not promote mutual understanding that we all need to solve this problem.

My own position on this legislation, I am sure, is well known but I repeat it—it is that this legislation is neither necessary nor desirable.

It is traditional and also in line with the Constitution that the Federal Government not interfere in local elections.

The voting standards of all our States differ to some degree.

In my State of Tennessee, for example, voting qualifications require that a person must be 21 years of age and a resident of the State for 1 year—and a resident of the county for 3 months, to be eligible to vote.

In Georgia and Kentucky, the minimum voting age is set at age 18.

Some States require a citizen to be a resident of the State for 2 years, while in others only 6 months' residence is required.

In New York, Washington, and some other States, a literacy test—proof of ability to read and write—is required.

In Virginia, Texas, and for some elections in Vermont, payment of a poll tax is required by the State laws.

So, the laws of each State vary with respect to voting standards and qualifications.

We, in Tennessee, believe in the right to vote by every citizen—and we urge upon our citizens the importance of the exercise of suffrage as a mark of good citizenship.

Concerning title V of the bill, dealing with our educational system, I may say that I had intended to offer an amendment to this section of the bill but after conferring with Chairman BARDEN, of the House Education Committee, and also Congressman BAILEY, of West Virginia, a member of the House Education Committee, I have learned that several amendments to this section of the bill are to be offered, and I shall not offer an amendment but defer to our colleagues, Congressmen BARDEN and BAILEY, on the committee.

Title V of this bill grants wide powers to the Federal Government to take over the educational facilities of our local school subdivisions under specified conditions.

Section 502 gives the Commissioner of Education the power to set certain conditions which local school systems would have to meet to qualify for receiving Federal aid funds.

Amendment to this section will be offered to prevent any abuse of this power proposed to be granted in this legislation.

I certainly hope that one of the amendments offered to guarantee to our local school authorities the right to continue to supervise and operate their own local school systems will be adopted.

The proponents of this legislation tell us that they do not want to interfere with the rights of the States and local governments to control their school—to control their school systems. I am glad to hear this—and if this assertion is true, I can certainly see no reason why anyone would object to the adoption of such an amendment.

When we voted statehood for Alaska and Hawaii, it will be recalled, we specifically provided that the Federal Government would not interfere with the school systems of these two new States. In doing this we recognized a principle which has been in effect since the very founding of our Nation.

If we are to preserve our traditional diversity of education, we must give to our local school authorities the assurance that control of education will not be impaired by Federal actions.

We must guarantee the right to operate and control our local school systems and that this power will not be impaired.

We know from experience that the imposition of standards and conditions written in Federal legislation can impair the control of our States in various areas of activity. For example, the participation by the Federal Government in the highway program has very largely placed the control of our highway systems in the Federal Government. This may be desirable in the case of highways but I am sure that nobody would like a similar situation to arise in the case of our schools.

This is important—not just for one area or region of our country but it is important for all sections of our country.

I repeat, Mr. Chairman, that this legislation is neither necessary nor desirable. If it is to be passed, let me express the hope that proper amendments and safeguards will be adopted not only to the voting rights section but also the education section of this legislation.

Let us continue to contribute to preserving the Union—certainly I hope that we all can be reelected but not at the expense of again tearing asunder our Nation.

Mr. WINSTEAD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, for 8 days now we have discussed the pros and cons of civil rights and various amendments to this proposed legislation. Even though it appears to be a foregone conclusion as to the ultimate outcome, I rise to express my deep concern and dismay in regard to the measure that is now before this House. I shall continue to oppose the enactment of H.R. 8601 or any substitute thereto with all the force at my command. Mere opposition, however, is not enough. I want to sound a warning, Mr. Chairman, a very serious warning: We are about to reach the point of no return in our heedless, reckless drive to junk the Constitution and to strip our Nation of its main defenses against decay and disaster.

The Constitution has never been in greater danger. On the one hand, political opportunists are pawning it piecemeal to gain temporary political advantages. On the other hand, the appointed guardians of our basic charter have abandoned their posts to follow the sociology fad. The Supreme Court, which could once be counted upon to uphold the Constitution, now leads the onslaught against constitutional government.

After some 170 years, during which this country has grown from a sparsely settled, weak, infant nation into the greatest, mightiest nation that the world has ever seen, we are on the verge of abandoning the system of government that has made this phenomenal growth possible.

This course might make some sense if the recent trend in world events had made our Federal system obsolete. Mr. Chairman, I submit that the opposite is the case. There is an almost irresistible trend in our century toward centralized government. More and more power is concentrated in the hands of large, impersonal bureaucracies, which tend to become a power unto themselves. As these centralized bureaucracies grow, their insidious influence spreads like an evil virus, paralyzing democracy, deadening initiative, and killing liberty. As the center of government moves further and further away from the people—both bodily and in spirit—democracy withers on

the vine. After that comes dictatorship, and then it will be 1984 before you know it.

I said, Mr. Chairman, that this ominous trend is almost irresistible. There is one defense, one sure way of avoiding the blight that I have described. I am referring to a system of government in which power is decentralized, a system that reserves a large part of the awesome powers of modern government to units that are less unwieldy than the central juggernaut, as well as closer to the home of the average citizen. In other words, Mr. Chairman, the only system of government that offers hope for the survival of democracy is the system that was so wisely devised by our forefathers in the 18th century. Now, more than ever, we have to cling to our Constitution for our very lives.

It should not be necessary to recall basic constitutional principles to Members of the Congress. Yet, in these days of high pressure and flimsy political razzle-dazzle, basic principles are often obscured. Allow me to remind the Members of this body, Mr. Chairman, that the Founding Fathers bequeathed us a dual system of government, carefully balanced to avoid both anarchy and centralized oppression. It is a system of government originally based on the voluntary association of 13 independent States, each of which agreed to surrender certain powers in order to form a more perfect union. By clear implication, the powers that were not surrendered to the Federal Government were retained by the constituent States. This implication, however, was not enough for the American people of the 1790's. They had just fought and won a war against tyranny, and they wanted to be absolutely certain that oppression would never again rear its ugly head in this country. To make this intention clear, they added a Bill of Rights to the Constitution. As you are well aware, Mr. Chairman, this Bill of Rights consists of 10 amendments, the last of which states clearly and unequivocally that—

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

It has become fashionable to employ subtle and fallacious reasoning in interpreting the Constitution of the United States. Yet, no degree of indistinct reasoning can cast doubt on the meaning of the 10th amendment.

Nevertheless, this important constitutional amendment is simply ignored by the political forces that thrive on strife and dissension. They know all about those constitutional amendments that can be conveniently misinterpreted to lend a false semblance of justification to the grossest Federal usurpation, but they close their eyes when they come to the 10th amendment.

Who are these people who would edit the Constitution to suit their purposes? They are a motley crew, Mr. Chairman. There are shortsighted do-gooders who would burn down houses to make sure that the tenants whose rooms are drafty do not catch a cold; there are down-to-earth politicians who have discovered that they can easily and comfortably assure continuous reelection by exclaiming against situations that are outside their jurisdictions and beyond their comprehension; finally, there are those who are single mindedly engaged in fomenting strife because they thrive in an atmosphere of chaos, confusion, and crisis.

Leading this latter group in its drive for ever-increasing hysteria is the misnamed National Association for the Advancement of Colored People. Even though this association has assumed to itself the right to speak for our Nation's colored population, it does, in fact, represent only a small, misguided, and extremist group with a narrowly regional outlook. Certainly the Negroes of Mississippi resent the rash, patronizing actions of their self-appointed protectors from the North.

Having established that the association in question is not national, I should like to inquire to whose advancement it is really dedicated. Can anyone maintain that an organization that stirs up racial hatreds, an organization that conducts a constant campaign to wreck the Constitution for the imagined benefit of a few, is advancing the cause of any Americans of whatever race, creed, or color?

It is the height of cynicism to preach that the rights of any minority can be secured only by undermining the rights of the majority. If our constitutional system is subverted to the point of collapse, we shall all suffer the consequences, including the minorities. Without our constitutional system there can be no liberty and no civil rights. The advancement advocated by the NAACP is, in fact, advancement toward slavery for all Americans, black and white alike. Perhaps that is the aim of the association, or at least some of its noisiest supporters.

It should be unnecessary to elaborate on the evils of H.R. 8601. Anyone who will look at this bill dispassionately, without allowing his senses to be drowned by torrents of campaign oratory, must come to the conclusion that the proposed legislation is badly drawn, dangerously vague, flagrantly unconstitutional, and absolutely pointless.

Title I, which deals with obstruction of court orders, proposes to enforce constitutional rights by placing freedom of speech in grave jeopardy. It would make interference with court orders regarding desegregation a Federal crime. The punishable interference might be—and I quote—"by threats or force, or by any threatening letter or communication."

Mr. Chairman, I direct your attention to the fact that not only acts, but utterances would be brought under the purview of this legislation. We are dealing with a controversial and widely discussed isue. The vast majority of the people of my State, and of many other States, is opposed to enforced integration. Being Americans, they are not afraid to give vent to their opposition. Once this bill is passed, they would have to weigh every word for fear of being thrown into a Federal jail. Once that comes to pass, our Constitution will be no more than an interesting historical relic. It is simply not conceivable that this section can be reconciled with either the spirit or the letter of the first amendment.

Title II deals with flight to avoid prosecution for damaging or destroying any building or other property. In other words, Mr. Chairman, it does not deal with the subject matter of the bill. It has nothing to do with constitutional or civil rights. I suggest, Mr. Chairman, that title II is simply a device to make it appear that the advocates of this destructive legislation are playing an important role in combating the much publicized bombings of recent months. The appearance is, of course, deceptive. The bombings have, in fact, been brought under control by State action.

Title III deals with election records. It strikes at the very roots of our Federal system and of democracy itself. We tend to forget, Mr. Chairman, that the administration of elections is a State function. The Constitution states that the electors for Members of both Houses of Congress "shall have the qualifications requisite for electors of the most numerous branch of the State legislatures." The Constitution leaves no doubt, therefore, that its authors intended to leave the electoral process to the States. Article I, section 4, of the Constitution, as well as the 15th and 19th amendments, limits the State power over elections in certain specific aspects. None of these constitutional provisions, however, transfers elections into the Federal domain, and none of them can be used to justify the outrageous proposal that is now before us.

Mr. Chairman, I should like to quote a very pertinent Supreme Court opinion, written by the late Chief Justice White in the case of *Gwinn and Beal* v. *U.S.* (238 U.S. 347) in 1915:

> Beyond doubt, the [15th] amendment does not take away from the State governments in a general sense the power over suffrage which had belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rests would be without support, and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

Where, then, do the advocates of H.R. 8601 find justification for Federal tampering with the election records? Since title III deals only with Federal elections, the authors are apparently not relying on the 15th amendment, which applies to all elections. It almost seems as if the Constitution was simply not considered when this bill was written.

The electoral process is a vital nerve of democracy. No freedom-loving people can afford to be lax in guarding the sanctity and secrecy of the ballot. Let us reflect carefully, Mr. Chairman, what evils may befall our democracy if we

compromise that sanctity and that secrecy by permitting Federal inspection of our voting records.

Finally, we come to title 5, which deals with the education of children of members of the Armed Forces. Here again, Mr. Chairman, we are asked to permit the Federal Government to use all the devious means at its command in the drive to reduce the States to lifeless relics of the past. Professed concern for the education of our soldiers' children offers a convenient guise under which Federal power can insinuate itself further into the educational process. Furthermore, the Commissioner of Education would be authorized to demand that school facilities that have been constructed with Federal aid be made available to him under the proposed act. Money, Mr. Chairman, the taxpayers' money, is brought into play as another string to the Federal bow. The aim is to bring education under Federal control. Once this is achieved, we may expect Washington to lay down precise, bureaucratic specifications covering the robotlike youngsters that schools from Seattle to Miami and from Kennebunkport to San Diego will be ordered to turn out. The thing that could not happen in America will then have happened—we will have a centralized, single dictatorship.

Mr. Chairman, I strongly urge, indeed implore, every Member of this House to give painstaking consideration to the implications of H.R. 8601. If an airplane pilot has to reduce ballast in order to increase speed, it would not occur to him in his wildest dreams that he could achieve his purpose by dropping his engines. I suggest, Mr. Chairman, that the civil rights situation is analogous. We cannot insure the civil rights of some Americans by undermining the rights of all Americans. We must reject this proposed legislation, especially since the adoption of the vicious referee amendment.

Mr. HEMPHILL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment to Celler substitute offered by Mr. HEMPHILL of South Carolina: Page 3, line 11, after the word district and the comma thereafter add "who shall have knowledge of and shall satisfy the court as to their familiarity with the election laws involved, the qualifications of electors, and the election laws of the particular State or governmental subdivision involved, and the Statutes of the United States applicable to said elections."

Mr. HEMPHILL. Mr. Chairman, the first time I was privileged to speak on this particular legislation was on Friday a week ago. At that particular time I pointed out that the McCulloch substitute provided for voting referees, but provided for no qualifications for those referees, and therefore we were in the danger of putting authority in the hands of people who had no background and had no particular knowledge of the voting laws of this country.

I suppose as a result of that objection made on Friday, March 11, the administration changed its wording and the McCulloch substitute was later changed so that on page 3, at lines 10 and 11, instead of saying, "The court may appoint one or more persons to be known as voting referees," there was put into the language of the McCulloch substitute and accepted in the proposed Celler substitute to the McCulloch amendment the words "who are qualified voters in the judicial district."

The purpose of the amendment which I am offering today is to provide that if you are going to have voting referees—and I have the unhappy thought that perhaps this House is going to vote that—if you are going to have voting referees, let us have people who know what the laws are. That is what this amendment says. It says, "voting referees who shall have knowledge of and shall satisfy the court as to their familiarity with the election laws involved, the qualifications of electors, and the election laws of the particular State or governmental subdivision involved, and the statutes of the United States applicable to said elections." I would like anybody in this House to tell me what is wrong, if you are going to have a Federal judiciary substitute for the registrars and other officials in the various elections, and that is apparently what you want, a voting referee, apparently that is what is going to be voted for, politically speaking, if you are going to have that sort of authority why not have people who know something about the law?

They should certainly know something about who should be electors, because after all those are the people whom you are trying to qualify to vote.

They should know something about the State law, because the State law, as I understand the Constitution, sets up the qualificaions of the people who are entitled to vote or determine those who cannot vote.

They should certainly know something about the Federal election laws because after all if they do not know the laws under which they are operating how in the world can they give competent administration of those laws?

This particular amendment improves, I think, with all due deference to whatever may have been its intent, the McCullough amendment. This states that if you are going to have voting referees you are going to put this authority in the hands of some person who is either unqualified by virtue of ignorance or unqualified by virtue of bias or some other reason.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from New York.

Mr. CELLER. Does the amendment provide that one of the qualifications shall be that the voting referee shall have knowledge of the State election laws? Is that all that is required of him?

Mr. HEMPHILL. No; that is not all.

Mr. CELLER. What qualifications must he have?

Mr. HEMPHILL. He must have knowledge of the election laws involved, if you are going to carry it to a State level, which you are trying to do. Should he not have knowledge of the election laws involved, whether State, Federal, or whatever kind of election it is? Then he must know not only the local laws but the State laws and the laws of the United States applicable to that election. That is all the amendment requires. I think it is a good amendment. It is something to do if you are going to put a man in charge of the vote, that he be qualified, not necessarily that he be a lawyer, but he should know what he is talking about, or acting upon.

Mr. ASHMORE. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from South Carolina.

Mr. ASHMORE. Would not the gentleman's amendment also to a certain extent guarantee the removal of politics from certain referees, whether Democratic or Republican? He would not be some personal friend of the judge or a political friend; he would have to meet some certain kind of qualifications.

Mr. HEMPHILL. In answer to the gentleman from South Carolina, it has been my experience here that nothing can remove politics from civil rights, not even an amendment, such as this is, that would go a long way toward keeping one political party or some political party from using this particular vehicle to get control of elections in a wide area or in cities, which apparently my city friends are not afraid of.

Mr. CELLER. If the gentleman will yield further, I am curious to know if the gentleman's own State has laws to the effect that the voting registrars in that State must have the same qualifications the gentleman has in his amendment.

Mr. HEMPHILL. I believe the voting registrars must be people who are qualified. It is not as specific as this amendment, but it is the same as this amendment.

Mr. CELLER. This voting referee does not conduct an election; all he does is discover whether the individual before him is qualified. It is the same as your registrars.

Mr. HEMPHILL. I would go a little bit further than that. Our distinguished chairman, after hearing the debate here, knows that the powers and duties you are conferring on the voting referee go further than in the case of the registrar.

Mr. CELLER. If the vote is denied the individual, then the voter goes to the court and seeks sanctions against the State official who either refuses to register the man or allow him to vote.

But, the court does that, not the voting referee.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. WHITENER. I will ask the gentleman if his State in appointing registrars endows registrars with the judicial authority which this proposal would give to referees, the power to conduct hearing and to make findings of facts and conclusions of law and other things of that sort.

Mr. HEMPHILL. I would say to the gentleman from North Carolina, my State has not departed that part from the sacredness of the ballot box as this legislation seeks to do nor has my State

taken any position that would deprive people from voting despite all the accusations that have been made. Our registrars register the people and that is the end of it. Under this particular voting referee plan, you give him powers—and you have not limited his powers here—you can pretend that you have, but you have not limited his powers here and you are almost giving him the power to go back to the voting booth itself.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. RODINO. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for another 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. LINDSAY. Mr. Chairman, I just want to ask the gentleman how the court or the judge would go about testing the qualifications. Would he give a written test or would he ask questions or would he just ask the person whether or not he was familiar with the State laws?

Mr. HEMPHILL. I might answer the gentleman from New York by saying that he probably knows just as much about the Federal courts or a lot more than I do, but it has been my experience that the Federal judiciary in this land has a great deal of discretion. We certainly must put this in the hands of someone, and you have to put it in the hands of someone who is responsible. A Federal judge certainly under the authority he presently possesses under the rules as to appointing masters has a certain amount of discretion. You provide in this bill that the referee shall have the same power as a master, as I understand it, and therefore the judge certainly would have the right to inquire, as he does if he were to appoint you as a special master or if he were to appoint some other person. I think that answers the gentleman's question.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. RODINO. I want merely to call to the attention of the gentleman the fact that the Deputy Attorney General in testifying before our committee with relation to the responsibilities of the referee in this type of case said that the referees' hearings would be ex parte and limited to very simple questions such as the voter's residence, his age and then if there were literacy requirements, he would test the voter as to those, and if there were other requirements under the State law, he would test them as to such requirements, and then he would report to the judge. I am sure that the referee would be knowledgeable as to the State law and such requirements. I cannot see why we should go as far as the gentleman would expect us to go under his amendment, if all the referee has to do is to ask these simple questions.

Mr. HEMPHILL. If the gentleman from New Jersey is scared of the fact that we are putting a requirement here in the bill that a referee should know what he is doing, I can understand his objection. But, what is the objection of having the voting referee know the law that he is dealing with and the law that he is supposed to be administering because you are saying to the voting referee that you are giving him some ex parte powers and if we give him ex parte powers, it means that the accused are not in the first instance going to have a hearing. Since he is not going to have a hearing, we want somebody there who knows what he is doing. As the gentleman has pointed out, he will ask the applicant for a registration certificate about some literacy test or something about the election laws. I think the referee should certainly know what the requisites are and what the qualifications are for a man to vote in that particular State unless you intend to abolish the provisions of the Constitution.

Mr. RODINO. What the gentleman is stating is that he shall know the provisions of the election laws, as I take it.

Mr. HEMPHILL. I think, if the gentleman will listen for just a moment, I said familiarity with the election laws involved. The gentleman cannot quarrel with that. If he is going to be a voting referee, he should know the election laws involved and the qualifications of electors. Is it wrong that he should know the election laws of a particular State or governmental subdivision? If he is voting in a municipal election, he should know what he is talking about. When a man is trying to apply for a registration certificate, then he has to come under the Federal statute. After all, if that is the law, and I would like him to know something about the law that he is going to administer. It stands to reason, if you are sincere and believe that this voting referee plan has any merit to it, then certainly you would accept this amendment because this amendment does nothing more than to say that we will have qualified people.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. VANIK. In connection with the gentleman's amendment, does not the gentleman presume by his amendment that the Federal judges who are eminent jurists in their particular communities would be inclined to appoint people as referees who are not conversant with the election laws of the State?

Mr. HEMPHILL. I may say I do not presume anything.

Mr. VANIK. Is that not the presumption of the amendment?

Mr. HEMPHILL. No; it is not. I thank the gentleman for his question, because I am presuming that since civil rights legislation in the 4 years I have been here has always been for political expediency; in 1957 when the gentleman voted for the bill which he said he voted for, we were told this was going to do so much for the people, and now we find they were not satisfied, because it is another political year, and now we have got another bill. It has been political in its inception. I am presuming that politics again have something to do with it on the referee voting level.

Mr. VANIK. Would the gentleman's amendment in fact create another hearing that would have to take place? An additional hearing to determine the fitness of the referee?

Mr. HEMPHILL. It does not require any hearing. The gentleman from New York asked a similar question. We empower the voting referee under this legislation with the same authority that a master has.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to; accordingly the Committee rose, and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8601) to enforce constitutional rights, and for other purposes, had directed him to report it had come to no resolution thereon.

THE LATE JUDGE JOHN A. SBARBARO

Mr. LIBONATI. 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 Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, I appear before you at this moment with a heart filled with sadness because of a great loss which my city of Chicago and State of Illinois has sustained in the death of the distinguished Judge John A. Sbarbaro of the superior court of Cook County.

It was a black Friday of mourning for judges, court aids, and attorneys throughout the State of Illinois.

He was a victim of the midair explosion of a Northwest Airlines turboprop-electra jet plane near Tell City., Ind., in the Ohio River Valley, while en route to Miami to spend a weekend with his darling wife, Mabel, which he had done many times since her recuperation from a back injury last summer.

His death cast a pall of sorrow over the entire Italo-American colony. The loss of this devoted, energetic, and learned judge will be felt most amongst the ranks of his compatriots, who looked to him for advice and guidance in their community affairs and problems. The Italo-American citizens have lost a great leader and protector.

Judge Sbarbaro was widely known for his fine work in charities and philanthropic endeavors. He was in the center of activities in youth programs and religious enterprises of Mother Church. His many friends of all races and creeds joined him in supporting these worthwhile charities. His devotion to the financial problems of the Assumption Church, 313 West Illinois Street—his boyhood parish—gained for him the gratitude of the Holy See. He was recently appointed by His Eminence Pope John to the Papal Order of St. Gregory,

a signal holy honor of the highest tradition of religious acceptance to a member of the laity.

Upon his investment with the Papal Order of St. Gregory, I sent him the following telegram:

JANUARY 16, 1960.

Hon. JOHN SBARBARO,
Assumption Church, Chicago, Ill.:

You have been the recipient of many high honors in your life. Mother Church, through this holy appointment of His Holiness Pope John, adds to the luster of your distinguished career.

God bless you.

ROLAND V. LIBONATI,
Congressman, Seventh District, Illinois.

Judge Sbarbaro, a lifetime Republican, served as first assistant State's attorney under the late Robert E. Crowe, State's attorney of Cook County. He also was a municipal court judge for one term—6 years—before becoming a superior court judge. His long tenure on that bench was punctuated by his brilliant judicial decisions, both in the fields of criminal and civil law. He had a complete grasp of the essentials and fundamental principles of trial jurisprudence.

He had great courage and refused to be intimidated by pressured opinion. He was honest and positive in his decisions.

His vast storehouse of knowledge included a thorough study of medical subjects—these scholarly accomplishments contributed much to his practical understanding of medico legal questions that presented complex interpretations in many trials.

His sudden death has taken from the helpless and downtrodden of all races and nationalities a true friend. He was truly a man, who through his intellect as a human, had the capacity to honor God. His heart was filled with sympathy and charity toward suffering humanity. He was a fighter for the rights of mankind regardless of creed or color.

He was a true and generous friend, whose happy nature and cultured mind, manifested the artistic attainments of a true gentleman. He was a student of opera and a strong supporter of all the arts.

And so the Almighty in his omnipotent judgment removed this able, alert master of law from our midst. His attractive personality and effective judicial rulings are lost to a grateful public. I personally have lost an intimate friend, whose profound philosophy and practical advice I shall sorely miss.

Judge Sbarbaro was indeed a brilliant man, but most of all he was a kindly and religious man—one who had time and patience for everyone, including the most humble. All members of the Illinois delegation in Congress knew him, both in his public and private life. He has answered the call of his Maker, his soul is at rest and with reverence we pay humble tribute to the memory of a great judge, a gentleman, a loyal and noble son of the State of Illinois.

We extend to his dear wife, Mabel, his brother, Anthony, and his sister, Anhelina Caviale, our sincere condolences.

McGOVERN BILL: ANOTHER NEEDED STEP TO IMPROVE THE LOT OF THE FARMWORKER, "AMERICA'S FORGOTTEN PEOPLE"

Mr. ROOSEVELT. 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 California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I am happy to join in the worthy effort of my able colleague of South Dakota [Mr. McGOVERN] by introducing today a measure identical to his recent proposal to improve the lot of our domestic farmworkers and to protect our family farms.

As my colleague explained on March 17, this proposal would amend title V of the Agricultural Act of 1949, popularly known as Public Law 78. This law, as the Members know, deals with the importation and use of Mexican farmworkers.

The program as it has operated over the years has brought with it a dual hardship—one, it has worked against the family farmer through unfair labor competition, and two, against the domestic farm worker who is the victim of depressed wages and poor working conditions.

The pending legislation calls for a 5-year "phasing out" of the program established by Public Law 78. During this interim period, the bill calls for a yearly reduction of the number of Mexican workers by 20 percent of the total made available in the preceding fiscal year.

Additionally, and of great import, the domestic farmworker would be given, during this phasing out period, greater work and wage protection by providing for improved requirements for the hiring of domestic farmworkers vis-a-vis Mexican nationals. These provisions are in line with the recommendations of a distinguished group of men who served as consultants to the Secretary of Labor in a study of the present law.

Mr. Speaker, last session I sponsored legislation to give minimum wage protection to the underprivileged domestic farm employee. It is my belief that the McGovern bill is a logical and necessary addition to an overall legislative program and effort to better the wages and working conditions of our farmworkers, aptly identified as America's forgotten people.

Also, it is in keeping with the concept of pending legislation to protect and maintain the family farm, the Family Farm Act of 1960, of which I am also proud to be a cosponsor.

I trust and hope that all of these matters will come in for affirmative congressional action at this session.

PAN AMERICAN HEALTH ORGANIZATION

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 115, authorizing the purchase of certain property in the District of Columbia and its conveyance to the Pan American Health Organization for use as a headquarters site, which is similar to a House bill earlier passed under suspension of the rules today.

The Clerk read the title of the Senate resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

Whereas the Government of the United States has a vital interest in the health of the peoples of the Americas; and

Whereas the Pan American Health Organization is the oldest continuing international health organization in the world; and

Whereas the Government of the United States has taken a leading role in the work of the Pan American Health Organization, which also serves as the regional organization of the World Health Organization; and

Whereas the Government of the United States, at the XIII Pan American Sanitary Conference in 1950, invited the Pan American Health Organization to make its permanent headquarters in the United States and offered a site for this purpose; and

Whereas there are many advantages for locating the Organization headquarters in Washington, where it can continue to enjoy close and mutually profitable working relations with the United States Public Health Service and other governmental, acadamic, and research organizations: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the Administrator of General Services to acquire by purchase, condemnation, or otherwise, including any expenses of such acquisitions, the land in the northwest section of the District of Columbia, known as square 59, bounded on the north and south by Virginia Avenue and E Street, and on the east and west by Twenty-second and Twenty-third Streets, together with any building and improvements thereon.

SEC. 2. The Administrator of General Services is hereby authorized to convey, without consideration, the property acquired under section 1 of this Act to the Pan American Health Organization, formerly known as the Pan American Sanitary Bureau and the Pan American Sanitary Organization, for use as a headquarters site, subject to the condition that the site development plan be coordinated with the National Capital Planning Commission.

The resolution was ordered to be read a third time, was read the third time, and passed.

The proceedings whereby the bill H.R. 7579 was passed were vacated, and that bill and a motion to reconsider were laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GROSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 7579.

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

There was no objection.

SOVIET NUCLEAR TEST BAN PROPOSALS

Mr. ROBISON. Mr. Speaker, I ask unanimous consent that the gentleman

from California [Mr. HOSMER] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. HOSMER. Mr. Speaker, late Saturday afternoon in Geneva the U.S.S.R. made a proposal at the Nuclear Test Ban Conference which has been written up and commented upon as a "concession," as a "softening of the Communist position," as indicating "a sincere desire to achieve agreement," and so on.

On Saturday, on Sunday, and so far today, Tsarapkin's carefully timed weekend announcement has been given news media display to world public opinion almost entirely in terms of the U.S.S.R.'s own self-serving declarations. This has been augmented in emphasis by the 3-day public hash and rehash of the Soviet viewpoint as expressed in the Soviet statement.

We must remember that the U.S.S.R. went to Geneva demanding an all-out test ban with no means to detect violations and no means to enforce compliance.

We must remember President Eisenhower's words in his 1959 state of the Union message that—

> We can have no confidence in any treaty to which the Communists are a party except where such a treaty provides within itself for self-enforcing mechanisms.

Although the proposal made by Tsarapkin Saturday appears to edge back from the Soviet's original extreme position, it also appears from available reports that it carefully preserves every single advantage hoped for in their initial demands.

There is only a shifting of position from a treaty status to a moratorium status for underground tests below 4.75 kilotons in intensity. There still appears to be no offer by the Soviets to include within a treaty self-enforcing mechanisms insisted upon at Geneva by our negotiators to insure that whatever may be agreed upon is, in fact, as binding on the Soviets as it would be upon the West.

We must remember that the big escape hole fought for consistently throughout the 15 months of these negotiations by Kremlin negotiators is either no violation detection machinery at all or machinery so inadequate it would be useless.

A great step forward for world peace will be taken if a treaty can be negotiated which, in fact, places equal nuclear testing limitations on both sides. It would be a step backward for world peace if a treaty is negotiated which, in fact, places limitations on the Western powers while providing the Kremlin unlimited opportunity to carry on nuclear weapons development behind the secrecy of the Iron Curtain.

The unfortunate and brutal fact of today's international life is that you cannot, as the President says, put any confidence in a treaty which the Communists sign which does not provide within itself for self-enforcing mechanisms.

In its 41-year history the Soviet Union has signed over 2,000 treaties with non-Communist countries. Every single one of which it has been expedient to break, they have broken. It is high time we pinned down for world public opinion this basic perfidy on which Communist dealings with the rest of the world is based.

A test ban with the Soviets would not be worth the paper it is written on without the adequate inspection-detection machinery backed by the means of enforcement demanded by our Geneva negotiators. If a treaty is, in fact, to substitute honest agreement for unrestricted Communist threats of force and blackmail in international relations, it will be accomplished only by dogged insistence that it contain such self-enforcing mechanisms.

Unless the Soviet's Saturday pitch accedes to this insistence on our part, it amounts to no more than the tired old illusory concession trick repeatedly used by Kremlin negotiators to euchre outrageous concessions from Western diplomats while pressing their own advantage.

Nor would it amount to any more than that if it does not fully accede to our insistence that the self-enforcing mechanism be written into the treaty before it is signed, not agreed upon later.

"Agreement to agree later" is another shopworn device used by Communist negotiators. Applied to this particular case it would simply mean that when it came time to agree on what are adequate inspection and detection systems to insure compliance with a test ban, the Soviets simply would never agree. This is exactly what happened with the Korean armistice's "agreement to agree later" provisions.

It also happens to concur precisely with the late Josef Stalin's observation from the Communist viewpoint that "sincere diplomacy is no more possible than dry water or wooden iron."

In short, the Tsarapkin honor system, sign-now-and-pay-later proposal, must be approached with the same scrutiny as a $3 bill.

If we fail to do so, if we surrender the self-enforcement principle for which we have fought so long and hard at Geneva, it would be a step away from peace, not toward it. It would abandon the first real opportunity we have had to achieve rules for peaceful international conduct, the observance of which does not depend upon Communist caprice.

Dashing the cold water of realism on hopes for agreement which may have been raised by Tsarapkin's cleverly deceptive announcement may be unpopular with some. But we must remember: the path of modern history is strewn with human death and misery consequent from naive acceptance of Soviet words and promises.

This we can ignore only at great peril.

H.R. 11235

Mr. ROBISON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. LINDSAY. Mr. Speaker, on Thursday, March 17, I introduced a bill, H.R. 11235, which would carry out the President's recommendation for the overhaul and modernization of the U.S. immigration laws. The President's message pointed out the need not only for improvement in the basic quota system, but also the necessity for creating a permanent system to be added to our basic laws whereby there could be admitted into the United States a reasonable number of refugees and escapees who have been driven from their homes by persecution, political upheaval, or natural calamity.

This is World Refugee Year. The United States, by Presidential proclamation, is one of 69 nations which has fixed upon this year as the time when at long last we must find some permanent solutions for the refugee problem. Although the President's proclamation and his specific recommendations in this field were transmitted to the Congress, no action has been taken by the Congress. This country is therefore left in the unfortunate position of having taken no action by way of relaxing our own immigration laws, in order to give meaning to World Refugee Year.

The time has come, Mr. Speaker, for action and not for mere words. This bill would authorize the Attorney General to parole into the United States upwards of 10,000 refugees each year. Further, the President is empowered, in emergency situations, to issue a proclamation to that effect and to admit greater numbers.

After such refugees have been in the United States for 2 years the bill authorizes the Attorney General to adopt a specified procedure, subject to congressional revision, whereby such persons may acquire permanent residence status.

With the safeguards in this bill, there can be no serious objections to the proposal for offering relief to worthy refugees and escapees who have fled from persecution and who seek asylum and a home. The United States has much to gain from this. As the President said in his message to the Congress:

> Nations who in the past have granted entry to the victims of political or religious persecutions have never had cause to regret extending such asylum. These persons with their intellectual idealism and toughness will become worthwhile citizens and will keep this Nation strong and respected as a contributor of thought and ideals.

The quota provisions of this bill are self-explanatory and simple of understanding. They represent a giant step forward by the United States in the abandonment of the national origins system. This is accomplished by predicating the distribution of the increase in the quota that would be provided to the various quota areas upon the basis of the actual immigration into the United States from each quota area between 1924 and 1959, and not upon the ethnic

composition of the United States as it existed in 1920.

Mr. Speaker, under unanimous consent I include at this point in the RECORD, as part of my remarks, an explanation and analysis of the bill:

EXPLANATION AND ANALYSIS OF THE PROVISIONS OF THE BILL TO AMEND THE IMMIGRATION AND NATIONALTY ACT SO AS TO MODERNIZE AND LIBERALIZE THE QUOTA SYSTEM AND PROVIDE FOR THE ADMISSION OF PERSECUTED PEOPLES, AND FOR OTHER PURPOSES

Sections 1, 2, and 3: These sections of the bill would provide moderate revisions in the quota system. The system would be brought up to date. Equitable distribution of additional quotas would be provided. A quota pool would be established to which unused quota numbers would be assigned. Mortgages on quotas would be eliminated. New political entities would be protected against decreases in quota. The ceiling of 2,000 on the quotas within the Asia-Pacific triangle would be removed.

Under the existing law the annual quota of 154,657 is computed by taking one-sixth of 1 percent of the white population in 1920, less Western Hemisphere immigrants and their descendants. The bill applies the same percentage to the 1950 total population of the United States as defined in the act. The result is an annual quota of 256,000, or an increase of 101,343. The bill further provides that when the 1960 census is completed, the annual quota will be recomputed upon the basis of one-sixth of 1 percent of the number of inhabitants in the United States in 1960.

Under the bill the existing quota of 154,657 would continue to be allocated as at present, but the present maximum subquota allocation of 100 to each colony would be raised to 200. With respect to the allocation of the quota over and above 154,657 the legislation would provide for an increase in the quota for each minimum quota area. This increase would be from the present 100 to 200. With respect to the allocation of the remainder of the increase in the quota authorization the bill would provide an important new feature designed to recognize actual immigration since the quota act of 1924. This would be accomplished by providing for the distribution of the remainder of the increase in the total quota to the several quota areas, so that there will be assigned to each quota area that proportion which the immigration to the United States since July 1, 1924, and up to July 1, 1959, from that area bears to the total immigration from all quota areas.

Another significant change proposed is to provide for utilization of unused quota numbers. Under existing law failure to use in the year all of the quota allocated to a particular area results in its being wiped out. It is not carried forward into the next year. The bill establishes a quota pool to which all unused quota numbers would be assigned for redistribution. Quota numbers thus assigned would be available for use only during the period of 1 year following their assignment. The quota numbers in the pool will be available for allocation only to natives of quota areas whose quotas have been oversubscribed during the previous fiscal year. Each such oversubscribed area will receive a percentage of the number of visas in the quota pool equal to the percentage that its prescribed allotted quota bears to the aggregate of the quota of all those quota areas whose quotas were oversubscribed during such previous fiscal year. The quota numbers in the pool will be issued only to qualified immigrants eligible for a preference status under paragraphs (1), (2), (3), and (4) of section 203(a) of the Immigration and Nationality Act.

The bill further proposes to delete entirely the ceiling of 2,000 imposed on the minimum quotas within the Asia-Pacific triangle. The law now provides that any increases in the number of minimum quota areas above 20 shall result in a proportionate decrease in each minimum quota so that the sum total of all minimum quotas within the Asia-Pacific triangle shall not exceed 2,000. As 20 minimum quotas of 100 each have already been established within the Asia-Pacific triangle, the creation of any additional minimum quotas within the triangle would require a proportionate reduction in the quota of each of these 20 countries. The proposed amendment, by removing the ceiling, would prevent such erosion of the minimum quotas within the triangle.

Looking ahead to probable political changes in the administrative arrangements of several areas, including the West Indies Federation, the bill would also assure to such a new political entity an immigration quota of not less than the total of subquotas or minimum quotas now comprising the area. Upon the recent merger of Syria and Egypt, each of which countries had a minimum quota of 100, the new quota for the larger quota area was reduced to 100 per year. The proposed amendment would prevent such a result.

The bill also would incorporate into the basic statute the provisions of Public Law 85-316 which removed the "mortgages" imposed on the annual quotas.

Sections 4 and 5: These provisions of the bill would revise and clarify existing parole authority covering the emergency admission of aliens into the United States. Also, procedures would be provided under which an alien who has been paroled into the United States might adjust his immigration status to that of a lawful permanent resident. Aliens paroled into the United States and who are presently here in an indefinite status include aliens admitted for emergency reasons or for reasons of public interest.

Section 4 grants the President power to authorize the parole by the Attorney General into the United States of refugees selected by the Secretary of State. Refugees are defined in the bill to include (1) persons who have been forced to flee from Communist territory or from a country in the Middle East because of persecution or fear of persecution based on race, religion, or political opinion, or (2) victims of war, political upheaval, or natural calamity who are unable to return to their former homes. The Attorney General would be authorized, in the absence of such proclamation, to parole annually not more than 10,000 such refugees.

Section 5 sets up a procedure whereby the immigration status of parolees may be adjusted to that of a lawful permanent resident. The Attorney General could grant such adjustment of status in his discretion after the alien has been in the United States for 2 years and if the applicant is of good character and if the adjustment would not be contrary to the national interest. A report of the Attorney General's action if favorable would be submitted to the Congress. Unless the Congress disapproved, the alien's entry would be recorded as of the date of the alien's last arrival in the United States. If the Congress did not approve the administrative action, the Attorney General is to require the departure of the alien from the United States.

Section 6: Section 202 of the act deals with the determination of quotas to which immigrants shall be chargeable. This section would revise section 202 so as to grant an Asian spouse the benefit of the quota of an accompanying spouse, and permit the Asian spouse of a native of a Western Hemisphere country to be classified as a nonquota immigrant if accompanying, or following to join, such spouse.

Section 7: Section 222 of the act prescribes the contents of a visa application. Subsection (a) deals with applications for immigrant visas and subsection (c) deals with nonimmigrant visas. Both require information as to "race and ethnic classification." This section would eliminate this requirement since the terms are not susceptible of definition and have served no useful purpose in the administration of the Immigration and Nationality Act.

RESTORATION OF FREEDOM TO THE CAPTIVE NATIONS OF CENTRAL AND EASTERN EUROPE

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. ZABLOCKI] is recognized for 1 hour.

Mr. ZABLOCKI. Mr. Speaker, I ask permission to revise and extend my remarks and also ask unanimous consent that all Members who desire to do so may have the permission to extend their remarks in the RECORD on the subject I will discuss.

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

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, with a view to the forthcoming summit meeting in Paris, I have today introduced a House concurrent resolution relating to the restoration of freedom to the captive nations of central and eastern Europe.

This resolution is being cosponsored by a number of distinguished Members from all sections of our country. The list of the cosponsors includes the following: Hon. ALVIN BENTLEY, of Michigan; Hon. WAYNE N. ASPINALL, of Colorado; Hon. EMILIO Q. DADDARIO, of Connecticut; Hon. HAROLD D. DONOHUE, of Massachusetts; Hon. THADDEUS J. DULSKI, of New York; Hon. LEONARD FARBSTEIN, of New York; Hon. DANIEL J. FLOOD, of Pennsylvania; Hon. AIME J. FORAND, of Rhode Island; Hon. LESTER JOHNSON, of Wisconsin; Hon. EDNA KELLY, of New York; Hon. EUGENE J. KEOGH, of New York; Hon. JOHN C. KLUCZYNSKI, of Illinois; Hon. MELVIN R. LAIRD, of Wisconsin; Hon. THOMAS J. LANE, of Massachusetts; Hon. ALVIN E. O'KONSKI, of Wisconsin; Hon. MELVIN PRICE, of Illinois; Hon. HENRY REUSS, of Wisconsin; Hon. ALFRED E. SANTANGELO, of New York; Hon. EDWARD J. DERWINSKI, of Illinois; Hon. JOHN D. DINGELL, of Michigan; Hon. JOHN LESINSKI, of Michigan; Hon. THADDEUS M. MACHROWICZ, of Michigan; Hon. ABRAHAM J. MULTER, of New York; and Hon. HERBERT ZELENKO, of New York.

In addition, similar concurrent resolutions are being introduced today by a number of other Members, including Hon. HUGH J. ADDONIZIO, of New Jersey; Hon. VICTOR L. ANFUSO, of New York; Hon. EMANUEL CELLER, of New York; Hon. WALTER JUDD, of Minnesota; Hon. MARGUERITE STITT CHURCH, of Illinois; Hon. STEVEN B. DEROUNIAN, of New York; Hon. HARRIS B. MCDOWELL, JR., of Delaware; Hon. ROMAN C. PUCINSKI, of Illinois; and Hon. PETER W. RODINO, JR., of New Jersey.

Mr. Speaker, the text of my resolution reads as follows:

CONCURRENT RESOLUTION RELATING TO RESTORATION OF FREEDOM TO CAPTIVE NATIONS

Whereas the rulers of the Soviet Union have repeatedly declared their determination to pursue relentlessly their political, eco-

nomic, and ideological drive for a worldwide victory for communism; and

Whereas, in its efforts to attain that objective, the Soviet Union, through force of arms, subversion, infiltration, and other methods, has imposed puppet Communist regimes upon the people of the captive nations of Eastern and Central Europe and exerted tireless effort to crush their spirit and to transform their countries into replicas—on political, economic, social, cultural, and administrative levels—of the Soviet Union; and

Whereas in direct violation of the provisions of the Yalta agreement, the people of the captive nations are still being denied the opportunity to solve their problems by democratic means and to choose, through free and unfettered elections, national governments of their own free choice; and

Whereas in contravention of duly ratified treaties of peace, of the Charter of the United Nations, of the Universal Declaration of Human Rights, and of expressions of the United Nations General Assembly, the people of the captive nations are being systematically deprived of the exercise of fundamental freedoms and basic human rights; and

Whereas the United States of America has consistently refused to sanction, either directly or by implication, the political status quo of the captive nations; and

Whereas the United States of America has stood firmly on the principle of self-determination, welcoming the enlargement of the area of freedom and self-government and insisting on the inalienable right of the people of the captive nations to live under governments of their own choice; and

Whereas the establishment of just and lasting peace is inconceivable without the restoration of freedom, independence, and national sovereignty to the captive people of Eastern and Central Europe, which objective the United States of America is determined to pursue by all feasible means: Now therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) The Congress of the United States calls for the respect of the fundamental freedoms and human rights of the people of the captive nations;

(2) The Congress of the United States reaffirms its belief in the inalienable right of the people of the captive nations to live under governments of their own choice; and

(3) The Congress of the United States urges the President to pursue energetically at the forthcoming summit conference the restoration of the fundamental freedoms and basic human rights of the people of the captive nations.

The reasons for introducing the above resolution may be summarized very briefly.

As we all know, less than 2 months from today—on May 16 to be exact—the heads of state of the great powers will hold a summit meeting in Paris.

There is every indication that the issue of disarmament, and the question of Berlin and West Germany, will probably dominate the discussions at the summit. Nevertheless, the agenda for the meeting is open, and has not been restricted to any specific item or items. I firmly believe, therefore, that the restoration of the fundamental freedoms and basic human rights to the people of the captive nations of eastern and central Europe should be one of the first subjects taken up at the summit meeting.

There are at least three separate reasons for my convictions on this subject, embodied in the concurrent resolution.

First, justice demands that these rights be restored to the people of captive nations;

Second, progress on the issue of disarmament—which is uppermost in the minds of many people throughout the world—cannot be achieved in a vacuum. It must be related at all times to the reality of the political situation in the world; and

Third, any agreement on disarmament which may come out of the summit meeting will not be worth the paper on which it will be written until we have some concrete evidence that the Soviets will abide by such an agreement.

The first two considerations do not require much elaboration. I am certain all of us will agree that justice demands the restoration of the fundamental freedoms and basic human rights to the people of the captive nations. There ought not be, anywhere within the free world, any disagreement on this point.

Further, I am certain we all realize that disarmament cannot be achieved in a vacuum. Effective disarmament can only be attained within the framework of a broader agreement providing for the solution of unresolved political issues. These issues are in evidence in all of the explosive situations existing along the entire circumference of the Communist empire: from Korea and the Formosa Strait in the Far East through southeast Asia and the Middle East to eastern and central Europe in the west.

It is unrealistic to expect to reach an agreement on disarmament—to see the world disarm—before those issues are settled. I believe, therefore, that the United States must be prepared to discuss at the summit each of the explosive situations I have mentioned.

This brings me to my third point, which has special bearing on the concurrent resolution I introduced: the point dealing with evidence of good faith on the part of the Soviets.

I firmly believe that, before we place our faith in any disarmament agreement, we must first insist that the Soviets live up to their past agreements—especially those which dealt with the fundamental freedoms and basic rights of the people of the captive nations.

Mr. Speaker, I would like to cite some of those earlier Soviet pledges—with particular reference to the ones embodied in the agreements reached at the Yalta Conference.

The Soviets solemnly promised to assist the liberated nations of eastern and central Europe—and I quote—"to solve by democratic means their pressing political and economic problems and to create democratic institutions of their own choice."

The Soviets affirmed—and I again quote—"the right of all peoples to choose the form of government under which they will live."

The Soviets pledged to facilitate—and I am still quoting—"the earliest possible establishment through free elections of governments responsive to the will of the people."

With respect to Poland, the Soviets were even more specific. They pledged themselves—and I quote—to "the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot. In these elections," the agreement continued, "all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates."

As we all know, none of these pledges have been fulfilled. The captive nations of eastern and central Europe were forcibly deprived of their sovereign rights, of their fundamental freedoms, and of their basic human rights by the Soviets. Soviet domination over the lives and affairs of the people of the captive nations continues to this very day.

Mr. Speaker, as sensible and realistic people, we cannot in good conscience put any faith in new Soviet pledges until they show some semblance of good faith by living up to the old ones.

This is precisely what the concurrent resolution which I introduced is intended to achieve. It reaffirms the right of the people of the captive nations to live under governments of their own free choice, and to enjoy basic human rights; and it urges the President of the United States to pursue energetically the attainment of those goals at the forthcoming summit meeting in Paris.

Mr. Speaker, I sincerely hope that this resolution will be overwhelmingly approved by this House at the earliest possible time.

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

Mr. ZABLOCKI. I yield to the gentleman from Michigan.

Mr. BENTLEY. Mr. Speaker, I am certain that the gentleman in naming the Members who have introduced similar resolutions today inadvertently omitted my name. I am sure that was an unintentional omission on his part, because he and I have discussed this matter at some length.

Mr. ZABLOCKI. It certainly was inadvertent, and at this time I want to say that the gentleman from Michigan has been most helpful in preparing the resolution. I welcome the gentleman's contribution and I am very happy that he has joined in the cosponsorship.

Mr. BENTLEY. I thank the gentleman from Wisconsin. I would like, Mr. Speaker, to pay tribute to him for his diligent and untiring work in preparing and putting forth this very important concurrent resolution which I hope and trust will be passed by the Congress prior to the forthcoming summit conference. Since I share the gentleman's viewpoint, the question of the freedom of the people of the captive nations, their right to live under their own chosen governments, and the restoration of their fundamental freedoms and basic human rights is of such importance that it should, under any circumstance, be a subject for discussion at the summit conference.

In this connection, Mr. Speaker, I would like to call attention to a resolution which I introduced on August 5, 1959, House Resolution 337.

The purpose of my resolution which is now pending before a subcommittee of the Committee on Foreign Affairs and on which hearings have been held would

have been, if adopted, the expression of the sense of the House that no summit conference be held until the Soviet Union and the leaders of the Communist governments of central and eastern Europe had taken some visible steps toward the holding of free elections.

I felt it very necessary, Mr. Speaker, in view of a great many documentary sources of the past regarding the expression of free elections in this part of Europe to endeavor to hold the Soviet Union and the Communist leaders to their promises in this connection.

I think, Mr. Speaker, we first of all must go back to August 14, 1941, the date of the Atlantic Charter, under which both President Roosevelt and Prime Minister Churchill signed an agreement which was endorsed 6 months later by Premier Stalin of the Soviet Union that those peoples and their countries—that is, the United States, the United Kingdom and the Soviet Union "respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them."

Next, Mr. Speaker, I think we should refer to the declaration of these three heads of state when they signed a declaration at Teheran on December 1, 1943, saying:

> We look with confidence to the day when all peoples of the world may live free lives, untouched by tyranny, and according to their varying desires and their own consciences.

Next, of course—and the gentleman from Wisconsin has already referred to this—there was the declaration by the same three heads of state at the Yalta Conference, February 11, 1945, when they pledged themselves that their "three governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe (c) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and (d) to facilitate where necessary the holding of such elections."

Then on December 10, 1948, the General Assembly of the United Nations adopted the following universal declaration of human rights which included the statement:

> The will of the people shall be the basis of the authority of government. This will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held in secret vote or by equivalent free voting procedures.

I also think, Mr. Speaker, reference should be made to the declaration forthcoming from the Yalta Conference with respect to free and unfettered elections on the part of the Polish provisional government.

Mr. Speaker, I think reference should be made to the three treaties of peace, signed on February 10, 1947, between the United States, Great Britain, and the Soviet Union on the one hand, and, respectively, Hungary, Bulgaria, and Rumania on the other hand, with reference to freedom and the implementing of human rights and fundamental freedoms on the part of the peoples of those three countries.

But I think it evident, Mr. Speaker, that the leaders of the Soviet Union and their Communist satellites in central and eastern Europe have cynically betrayed these and other wartime and postwartime pledges by brutally restricting the natural, unalienable rights of these people.

Mr. Speaker, I think reference should be made at this time to the fact that both the Republican and the Democratic Parties in their prior political platforms have made clear their own belief that the independence and the liberty of the captive nations forms a nonpartisan, or a bipartisan pledge on the part of both of our leading political parties.

For these and many other reasons, Mr. Speaker, I felt it incumbent to introduce House Resolution 337 last August, which has been pending, as I say, before the Committee on Foreign Affairs.

Of course, since the summit meeting has already been agreed to, with no promise on the part of the Soviet Union regarding the question of free elections, possibly the passage of House Resolution 337 at this time would be somewhat academic. But in view of its importance, Mr. Speaker, I ask unanimous consent to include its entire text in the RECORD at this particular point.

The SPEAKER pro tempore (Mr. WRIGHT). Without objection, it is so ordered.

There was no objection.

(The matter referred to is as follows:)

[86th Cong.,1st sess.]

HOUSE RESOLUTION 337

Whereas it was the declared principle of the Atlantic Charter, signed by the President of the United States and the Prime Minister of Great Britain on August 14, 1941, and publicly agreed to six months later by the Premier of the Soviet Union, that these persons and their countries do "respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them"; and

Whereas it was the declaration of these three heads of state, Roosevelt, Churchill, and Stalin, signed at the Teheran Conference of December 1, 1943, that "we look with confidence to the day when all peoples of the world may live free lives, untouched by tyranny, and according to their varying desires and their own consciences."; and

Whereas it was the conclusion of Roosevelt, Churchill, and Stalin, reached at the Yalta Conference on February 11, 1945, that their "three governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe * * * (c) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and (d) to facilitate where necessary the holding of such elections."; and

Whereas it was the resolution of the General Assembly of the United Nations concerning the universal declaration of human rights, adopted December 10, 1948, that "The will of the people shall be the basis of the authority of government. This will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held in secret vote or by equivalent free voting procedures."; and

Whereas it was also declared at the Yalta Conference that "The Polish provisional government of national unity shall be pledged to the holding of free and unfettered elections as soon as possible, on the basis of universal suffrage and secret ballot."; and

Whereas it was the declaration of the three treaties of peace, signed on February 10, 1947, between the United States, Great Britain, and the Soviet Union on the one hand, and respectively, Hungary, Bulgaria, and Rumania on the other hand, the "Hungary (Bulgaria and Rumania) shall take all measures necessary to secure to all persons under Hungarian (Bulgarian and Rumanian) jurisdiction, without distinction as to race, sex, language, or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion, and of public meeting."; and

Whereas the leaders of the Soviet Union, together with their subordinates in the satellite areas of Central and Eastern Europe, have cynically betrayed these and other wartime and post-wartime pledges by brutally restricting the natural, unalienable rights of these people; and

Whereas it was the declaration of the platform of the Republican Party in 1952 that, "It will be made clear, on the highest authority of the President and the Congress, that United States policy, as one of its peaceful purposes, looks happily forward to the genuine independence of those captive peoples."; and

Whereas in 1953 President Eisenhower stated that "It seems clear that the safety and future of the people of Eastern Germany can only be assured when that region is unified with Western Germany on the basis of free elections * * * it is still our conviction that this represents the only realistic road to German unity, and I assure you that my Government will continue to strive for this goal."; and

Whereas it was the declaration of the platform of the Democratic Party in 1956 that, "We look forward to the day when the liberties of all captive nations will be restored to them and they can again take their rightful place in the community of free nations. We shall press before the United Nations the principle that Soviet Russia withdraw its troops from the captive nations, so as to permit free, fair, and unfettered elections in the subjugated areas, in compliance with the Atlantic Charter and other binding commitments."; and

Whereas in 1958 President Eisenhower, in replying to Premier Bulganin's request for a summit conference, wrote, "You then (at Geneva in 1955) took the position that there were no grounds for discussing this question (of captive nations) and that it would involve interference in the internal affairs of the eastern European states. But have not subsequent developments shown that I was justified in my appeal to you for consideration of these matters? Surely the Hungarian developments and the virtually unanimous action of the United Nations General Assembly in relation thereto show that conditions in Eastern Europe are regarded throughout the world as much more than a matter purely of domestic scope. I propose that we should now discuss this matter. There is an intrinsic need of this, in the interest of peace and justice, which seems to me compelling."; and

Whereas the unanimous passage of the resolution concerning Captive Nations Week, July 17 through July 24, and the subsequent angry reaction of Premier Khrushchev, point up both the continued high level of unrest

on the part of the people of the United States in the fate of the captive nations and the feelings of guilt and the vulnerability of Premier Khrushchev on this account; and

Whereas the American people feel, with their governmental leaders, that the desire for freedom among the captive people of central and eastern Europe, from whom much of the American culture has been derived, has been and should continue to be kept sharply alive for reasons both of our own and their security; and

Whereas the American people, like many others, hold to the belief which our Founders expressed in the Declaration of Independence that governments derive their just powers from the consent of the governed; and

Whereas the American people also believe, as Abraham Lincoln put it, that there is "something in that Declaration giving liberty, not alone to the people of this country, but hope to the world for all future time."; and

Whereas the American people, never acquiescent in the enslavement of any peoples, believe, with their governmental leaders, that the pledges of the Soviet Union concerning the captive European countries must be honored if the world is to begin to find a true and lasting peace: Therefore be it

Resolved, That it is the sense of the House of Representatives that, before the President of the United States agrees to any future summit meeting with the head of government of the Soviet Union, the leaders of the Soviet Union should promise to hold free elections in the Communist-controlled countries of Central and Eastern Europe; furthermore, that before a summit conference takes place, some concrete and visible steps must be taken toward the holding of such elections.

Mr. BENTLEY. Mr. Speaker, I also ask unanimous consent to include a letter from the Department of State dated August 27, 1959, the text of this letter being a report from the Department on House Resolution 337, at this point.

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

There was no objection.

(The matter referred to is as follows:)

DEPARTMENT OF STATE,
Washington, August 27, 1959.

The Honorable THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs, House of Representatives.

DEAR MR. CHAIRMAN: The Department of State appreciates the opportunity afforded by your letter of August 11, 1959, to comment on House Resolution 337, a resolution providing for the holding, before any future summit conference, of free elections in the Communist-controlled countries of central and eastern Europe, which has been introduced and referred to the Committee on Foreign Affairs of the House of Representatives.

The Department of State does not favor the adoption of House Resolution 337 because it believes that the principal effect of this resolution would be to circumscribe unduly the freedom of action of the President and the executive branch of the U.S. Government in those matters of foreign policy planning and diplomatic negotiation that are directed not only toward the improvement of the present situation in Soviet-dominated central and eastern Europe but also toward the settlement of other complex issues in United States-Soviet relations.

In the Department's view, there is no evidence that Soviet leaders would promise to hold free elections in the Soviet-dominated countries of central and eastern Europe as a precondition for a summit meeting. In existing circumstances, therefore, the putting forward of such a condition could only tend to perpetuate the stalemate of interests which has prevailed for many years and to handicap this Government and its allies in working out gradually and progressively, as such matters will inevitably require, the conditions and foundations of a just and stable peace.

Finally, the Department believes that it is clear that the formula of free elections for the Soviet-dominated countries of central and eastern Europe, while desirable in proper perspective as an appropriately timed step in the process of the restoration of freedom and national independence to the captive peoples, can only reflect, as applied in House Resolution 337, an unrealistic and oversimplified conception of the highly complicated and interrelated problems which now confront the world. Such a narrow and restrictive approach to these problems cannot contribute effectively to their solution and can only seriously encumber the executive authorities of the U.S. Government in their efforts to achieve the fundamental objections of U.S. policy in central and eastern Europe as well as in other areas of the world that are threatened by Soviet Communist imperialism.

In the light of the foregoing considerations, the Department of State must conclude and respectfully submits that the adoption of House Resolution 337 would not serve the foreign policy interests of the United States.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this report.

Sincerely yours,
WILLIAM B. MACOMBER, JR.,
Assistant Secretary
(For the Acting Secretary of State).

Mr. BENTLEY. I regret to say that for various reasons the Department did not support the resolution and is in opposition to the adoption of House Resolution 337, but I feel to keep the record straight that the Department's reasons for opposing it should be set forth, although, of course, I cannot agree with them.

I think this matter is of overwhelming and consummate importance, to judge from the support it has received. I may say that the folders in front of me represent only a small part of the correspondence I have received in support of House Resolution 337 from many organizations, of which I have a list here, from many American patriotic organizations, from many organizations who are vitally interested in extending freedom and self-determination to the peoples of central and eastern Europe who have been deprived ever since the end of World War II through the Communist enslavement. I believe the question of the freedom of the captive peoples in the nations of central Europe should under any and all circumstances be a part of the agenda in the forthcoming conference. I trust my friend from Wisconsin and all of the cosponsors who support him in this resolution of his, and I commend them, will get this resolution passed by the Congress, that we will once again put the Congress on strong record as believing in the independence of the captive peoples and believing that it is a question that should be taken up and continually discussed with the Soviet Union at any and every opportunity, including the forthcoming summit conference.

Once again I thank the gentleman for yielding to me. I certainly extend to him my heartiest congratulations and the promise of my full support in the passage of this resolution, which I assume will go to the Committee on Foreign Affairs, of which both he and I are members.

Mr. ZABLOCKI. I thank the gentleman. I congratulate him on his fight for the basic freedom and human rights of the people of the captive nations.

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

Mr. ZABLOCKI. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I wish to join in commending the gentleman from Wisconsin [Mr. ZABLOCKI], a distinguished member of the Committee on Foreign Affairs, for initiating this discussion today. I am very proud to introduce a companion resolution which urges President Eisenhower to demand free elections for the captive nations when he meets with Soviet leaders at the summit conference in May. In view of the fact that the gentleman, as a member of the Foreign Affairs Committee, has played such an important part in the introduction of this resolution, we have high hopes of getting formal action on it before the President leaves for the conference. Fears have been expressed that the forthcoming summit conference will not produce any results. Already it appears that the stage is being set to somewhat deflate the conference.

I believe if the President will adopt the spirit of the resolution we are today introducing and carry this mandate from the American people with him when he sits down at the summit conference table, he can make a demand, a forthright, decisive demand, that before we can look to lasting peace in this world, before we can look to genuine disarmament, these people who are now being held captive by the Soviet Union must have a right to free elections, a right to select their own forms of government. The President can give real meaning to this conference by making such a demand on the Soviet rulers.

I have always believed there is a great deal more vigor in defending a right than opposing a wrong. We can certainly defend here with a clear conscience the right of these people to choose their own form of government. There is no question but that the people in Latvia, Lithuania, Estonia, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, East Germany, the Ukraine, and all the others being held captive by the Soviet Union today may very well constitute the balance of power between a lasting peace and ultimate war.

We must keep alive the hope of ultimate freedom for these people. The Soviet Union is most concerned because the Soviet Union knows it cannot rely on these people in the event that it touches off a third world war. I have said repeatedly that the gallant people in these captive nations, who traditionally have maintained their ties with the democratic West, want to restore their traditional relations with us as free people. If the Soviet Union ever succeeds in crushing the spirit of these captive nations through brute force and extended

brainwashing, she will then not hesitate to attack us. The spirit of these captive people is today the greatest deterrent to war and the best guarantee for peace. We must keep this spirit alive.

I think this resolution is important for another reason. This great trend of cultural exchanges and economic exchanges, while I am very happy about it and endorse the purpose of it, could very well create the impression that the United States has accepted as the status quo the position of these captive nations under their Communist rulers. Should this feeling really take hold behind the Iron Curtain, it would demoralize whatever spirit still remains among these people and whatever hope still remains that some day they are going to see the spark of freedom in their own country as we, in America, enjoy it today. I believe by adopting this resolution and by the President taking a positive and forthright position at the summit, he would, indeed, be documenting the fact that this Nation has not given up its traditional belief that all people in the world should be free because that is what we are fighting for now and that is what we fought the last war for.

Finally, I would like to point out, Mr. Speaker, it is important that this resolution be adopted because nothing ruffled the Soviet Union as thoroughly as the captive nations resolution last year when we observed Captive Nations Week in this country. This is an indicator that the Soviet Union is very, very mindful of the fact that the people behind the Iron Curtain in the captive nations are yearning for a tie with the West. I believe, therefore, that it is very important that this resolution be adopted. I join in commending the gentleman who obtained this time today under special order of the House, and urge that we all work very hard to get this resolution passed. I also strongly recommend that the gentleman who obtained this special order for today write to President Eisenhower and advise the President of the action that we are taking here today and advise him of the proposal that has been submitted on a bipartisan basis. I hope we are able to get the support of the President on this resolution.

Mr. Speaker, I would like to call the attention of the gentleman to the fact that in the last session of this Congress, I introduced a resolution, House Resolution 491, calling for the placing of the subject of the captive nations on the summit agenda. The report from the Department of State was a negative one. Again, I introduced the resolution, House Resolution 520, urging that the President discuss liberation of the captive nations at his Camp David meeting with Premier Khrushchev. We did not get any answer from the Department of State on my second proposal until Congress adjourned 2 days before Khrushchev's arrival in Washington. I sincerely hope that the Department of State is not going to use this same type of delaying technique in giving us a reply on the resolution we are introducing today until after the summit meeting. I hope the Department of State will move forthrightly because if it does not, if it opposes this resolution, then we will move to conclude that the State Department and the President have in fact accepted the "status quo" of the captive nations. The Communists keep referring to the "Spirit of Camp David." This is an excellent opportunity for us Americans to show that the spirit of Camp David means freedom for all people. I think if the President were apprised personally of what we are doing here today, perhaps the President will lend his own weight to this resolution to help create the spirit that we are trying to generate. Certainly, there is no question but what we can put the United States and the entire free West in the forefront, if we would today demand the liberation of these captive nations. We have been on the defensive too long. We should make it crystal clear to Khrushchev that the free world will not pull its forces out of Berlin until the Soviet Union withdraws its forces from the captive nations and permits all of these great people to choose their own forms of government.

Mr. ZABLOCKI. Mr. Speaker, I thank the gentleman from Illinois [Mr. PUCINSKI] for the fine statement he has made, and I commend him for the work he has done in his activity in introducing the resolutions in the first session. I hope the gentleman will include that in his remarks in the body of the RECORD at this point.

(The matter referred to is as follows:)

HOUSE JOINT RESOLUTION 491

Joint resolution relating to restoration of freedom to captive nations

Whereas the unprecedented reception given the Vice President of the United States by the people of Poland on his recent trip to that country has demonstrated the strong bonds of friendship between these people and the United States; and

Whereas by this spontaneous greeting for an American official the people of Poland have spoken loud and clear their sincere desire for the same freedom enjoyed by western democracies; and

Whereas this demonstration was in fact the first real opportunity for the free world to see the sincere regard which the people behind the Iron Curtain have for the free world; and

Whereas the same feeling would be expressed by the peoples of all other captive nations if they had a similar opportunity: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That—

(1) It is the intent of Congress that the formulators of American foreign policy should hereafter insist that all future summit conferences include on the agenda a discussion of restoration of full freedom to the captive nations now being held in the Soviet bloc;

(2) The Congress of the United States urges the President that he press for such peaceful restoration of full freedom for the people of the captive nations when he meets here in the United States with Russian Premier Nikita S. Khrushchev; and

(3) The Congress of the United States is resolute in its belief that the people of the captive nations should have an opportunity to freely express their will in choosing their own philosophy of government and they should also have the freedom to elect those who will govern their respective countries.

HOUSE JOINT RESOLUTION 520

Joint resolution relating to restoration of freedom to captive nations

Whereas the unprecedented reception given the Vice President of the United States by the people of Poland on his recent trip to that country has demonstrated the strong bonds of friendship between these people and the United States; and

Whereas by this spontaneous greeting for an American official the people of Poland have spoken loud and clear their sincere desire for the same freedom enjoyed by western democracies; and

Whereas this demonstration was in fact the first real opportunity for the free world to see the sincere regard which the people behind the Iron Curtain have for the free world; and

Whereas the same feeling would be expressed by the peoples of all other captive nations if they had a similar opportunity: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) The Congress of the United States urges the President that he press for such peaceful restoration of full freedom for the people of the captive nations when he meets here in the United States with Russian Premier Nikita S. Khrushchev; and

(2) The Congress of the United States is resolute in its belief that the people of the captive nations should have an opportunity to freely express their will in choosing their own philosophy of government and they should also have the freedom to elect those who will govern their respective countries.

Mr. ZABLOCKI. Mr. Speaker, I assure the gentleman that the Soviet Union is very sensitive—very, very sensitive when it comes to its indefensible position as to the status of the dominated nations—the nations that are captive nations. I want to assure the gentleman from Illinois [Mr. PUCINSKI] that the gentleman from Wisconsin who is now addressing the House will certainly advise and directly advise the President of the proceedings this afternoon.

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

Mr. ZABLOCKI. I yield.

Mr. GROSS. Has the gentleman been referring to the resolution that was on the Consent Calendar today or is this another resolution?

Mr. ZABLOCKI. This is not the resolution that was on the Consent Calendar today. This is another resolution.

Mr. GROSS. Of course, if the gentleman will yield further, my only opposition to that resolution was, as I believe the gentleman knows, the fact that it provides any funds that are saved to the taxpayers of this country would be spent for additional technical assistance in foreign countries. That was my objection and my only objection to that resolution.

Mr. ZABLOCKI. I fully understand the gentleman's objection, and I hope the gentleman from Iowa will have an opportunity to vote in the very near future on the resolution.

Mr. GROSS. But, without that language in it, if I may ask the gentleman?

Mr. ZABLOCKI. It is not my intention to amend the resolution stricken from the Consent Calendar today.

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

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

Mr. FEIGHAN. Mr. Speaker, the 86th Congress inspired the common man the world over, brought new hope to the millions of captive people behind the Iron Curtain, and struck genuine fear into the minds of the leaders of the international Communist conspiracy during the last session by enactment of the Captive Nations Week resolution, which has now become Public Law 86-90. I know of no single action by our Government during all the years I have been privileged to serve the people of the 20th District of Ohio, which has done more to advance the cause of peace with justice, or to make our Nation more respected and admired by men in all walks of life the world over. Many who had lost hope that we would come to understand the true nature of the Communist conspiracy in time to take effective action against it have been renewed in their faith that freedom's cause is the wave of the future. Others who have spent many years of devoted service to their country have brought new strength and courage to their official tasks in the knowledge that at long last we had returned to the battlefield of moral and political ideals.

The Captive Nations Week resolution not only serves notice on the leaders of Russian communism that the United States intended to lead the crusade for peace with justice, by standing firmly by those great ideals which have made us the hope of the world, but it provided evidence we had no intention of limiting the application of those inspiring ideals. Committees of the Congress have worked long and diligently to uncover the truth about the methods and scope of Communist aggression, to identify all the nations of the world which have fallen victim to this new imperialism, and to uncover the truth about the hidden nature of imperial communism. From these studies we have learned much. In my judgment these basic lessons stand out:

First. The U.S.S.R. is nothing more than a prison of nations, that is, non-Russian nations all of whom have won and held their national independence at some time during the past 40 years. These once free and independent nations were the first to fall victims to the new imperialism of the Russian Communists.

Second. The Russian Nation alone, among all the nations of the U.S.S.R., is the only one which has failed to produce a national independence movement at a time in history when this powerful human appeal is reshaping the order of the world. The evidence is clear that the Russians prefer the concept of a Soviet state and to this view they have every right because we believe in the right of all nations to freely choose their form of government. But we do not agree the Russians have the right to impose their peculiar concepts of government upon other nations.

Third. During the past 40 odd years the Russians have imposed by force their peculiar concepts of government upon a score of nations, thus establishing an empire which far exceeds the dreams of Tzar Peter who was the first Russian to propose a world empire as the goal of the Muscovites. It is the existence of this empire of captive nations which has caused the dangerous tensions which grip the world and threaten the outbreak of another war. We must accept the fact that these dangerous tensions will continue to exist as long as this empire of captive, non-Russian nations exists.

Fourth. All the captive nations suffer a common plight, that is, they are all subjected to the same tyranny, terror and police state control. In this common plight there is common cause. And this common cause is strengthened because the vast majority of the people of the captive non-Russian nations are struggling for their liberties, their freedoms and for their national independance. It is essential, therefore, that the Governent of the United States continue to view this problem in its broadest aspects, to regard the independence of each captive nation as important as the independence of any other nation.

Fifth. It is in the nature of things that we should join the common cause of all the captive nations because the political goals they seek are the key to a just and lasting peace.

I have studied the resolution introduced by my good friend, the Congressman from Wisconsin [Mr. ZABLOCKI] and congratulate him for the initiative he has taken to strengthen the hand of President Eisenhower for the forthcoming summit conference. I call to the attention of my friend the need to broaden his proposal to include all the captive nations. As I read his resolution I sense that its intent is limited to the captive nations of central and east Europe. I am certain that he did not intend to do so as he was one of the leaders in causing the enactment of the Public Law 86-90, which carries no geographical limitations. I am equally certain that he regards the captivity of the Baltic Nations, the nations of the Caucasus and the Far East to be equally worthy of our support and recognition.

I ask, therefore, that the wording of the resolution introduced by Mr. ZABLOCKI be changed so that it conforms to the existing law with respect to the captive nations. I am suggesting that we spell out all the captive nations listed in Public Law 86-90 so that no one will misunderstand the seriousness of our purposes in enacting that law. There are those who, liking the old order of things, would like to degrade and belittle the Captive Nations Week resolution. Not the least among these is the Russian leader Khrushchev, who has been busy attacking the good faith of Congress in enacting the law which has officially established the third week of July as Captive Nations Week.

In the spirit of helpfulness, I am proposing some additions to the resolution introduced by Mr. ZABLOCKI which I feel are in keeping with prior action by the Congress.

The urgent need exists for Congress to provide unstinting support for President Eisenhower in his role as leader of the free world nations at the summit conference this May. Extensive plans are now being made for that meeting. Everyone recognizes that the basic issue at the summit conference is human rights, the rights of nations and people, and no other consideration can take priority over that fact. Recently President Eisenhower gave voice to his determination to support the principle of self-determination for the people of free Berlin. This conforms with our role as defender of human rights and President Eisenhower knows that he has the complete support of the American people in standing firm on this issue. But the future of free Berlin is only one of the issues, important though it may be, which will come up at the Paris meeting.

There now remains little doubt that the main objective the Russian Communists will seek at the Paris meeting is an acceptance by the leaders of the free world of a status quo with respect to their empire. They seek and desperately need what they call recognition for the permanency of their empire of captive nations. There are signs that they will be willing to pay a price for such recognition; that is, a price involving nonessentials. At no point, however, can we expect them to make concessions which conform to the requirements of a just and lasting peace. Their concepts of justice are completely alien to those of free men and the only peace they will recognize is the imposed peace of communism which now rests heavy upon almost one-third of the human family. That is why the underlying issue, the priority issue and the only issue of substance to be taken up at the Paris summit meeting, is peace with justice for all nations and all people.

This setting provides an unusual opportunity for President Eisenhower to climax his two terms as President by emerging from the Paris summit meeting as undisputed champion and leader of the cause of peace and justice. He can do this by casting aside the straightjacket of nonessentials which the Russians have imposed upon the agenda for the meeting, by refusing to get bogged down with secondary issues and by insisting that since the purpose of the meeting is to remove the causes which have created dangerous tensions between nations, the first item to be taken up and to be resolved is the question of the future status of the captive nations. Such a position is completely consistent with the policy statements made by the President during his recent good-will tours of Europe and Latin America. The common man in those areas of the world will be looking for the President to undertake such action, to follow through at the summit where the real test of our serious intentions will take place. Hundreds of millions of people behind the Russian iron curtain are anxiously awaiting the Paris summit meeting, awaiting clear and unequivocal actions which will assure them that our Government thinks no less of them and their aspirations for human freedom. President Eisenhower and President Eisenhower alone carries this heavy responsibility to the Paris summit meeting. Congress can and should take every means to assure the President of its complete support for his expected

followthrough on the high promises made during his free world tour, but it remains for the President to emerge from the Paris summit meeting as the undisputed champion and leader of the cause of peace with justice for all nations.

In order to meet any doubts that may exist, particularly in the minds of the Russian leaders, that a Democratic majority in the Congress may create a difference of opinion with the President on the question of peace with justice, I urge that the resolution offered by my good friend from Wisconsin [Mr. ZABLOCKI] carry a direct appeal on this score from the Congress to all nations and peoples of the world. Such an appeal would be in strict conformity with what the President has been urging upon all the nations and peoples of the world and its acceptance would remove any doubts that may exist as to the unbreakable unity all Americans have on this all-important issue.

I have, therefore, introduced a concurrent resolution which seeks the same purposes as that proposed by my colleague from Wisconsin [Mr. ZABLOCKI], and which conforms to the language and intent of the captive nations resolution passed during the first session of Congress.

My resolution reads as follows:

CONCURRENT RESOLUTION RELATING TO RESTORATION OF FREEDOM TO CAPTIVE NATIONS

Whereas the rulers of the Soviet Union have repeatedly declared their determination to pursue relentlessly their political, economic, and ideological drive for a worldwide victory for communism; and

Whereas, in their efforts to attain that objective, the leaders of Russian communism, through force of arms, subversion, infiltration, and other unlawful means, have imposed puppet Communist regimes upon the people of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas the leaders of Russian communism have employed organized tyranny, terror, mass killings and deportation, and other inhuman means to crush the spirit of the people of these captive nations and to transform their countries into political, social, economic, and cultural replicas of the Russian Soviet State; and

Whereas, in direct violation of the commitments set forth in the Atlantic Charter and the provisions of the Yalta Agreement, the people of the captive nations are still being denied the right of self-government by democratic means and the opportunity to choose, through free and unfettered elections, national governments of their own free choice; and

Whereas in contravention of duly ratified treaties of peace, of the Charter of the United Nations, of the Universal Declaration of Human Rights, and of expressions of the United Nations General Assembly, the people of the captive nations are being systematically deprived of the exercise of fundamental freedoms and basic human rights; and

Whereas the 86th Congress did unanimously enact the Captive Nations Week resolution as a testament of support for the legitimate aspirations of the people of all the captive nations, thus recognizing the common plight of all the submerged nations forcibly incorporated into the Russian Communist Empire during the past 42 years; and

Whereas, the President of the United States has concurred in this action by Congress by signing the resolution into law and declaring by public proclamation that the third week of July shall henceforth be observed officially as Captive Nations Week; and

Whereas the United States of America has stood firmly on the principle of self-determination, welcoming the enlargement of the area of freedom and self-government and insisting on the inalienable right of the people of the captive nations to live under governments of their own choice; and

Whereas the United States of America has consistently refused to sanction, either directly or by implication, the political status quo of the captive nations, which the leaders of Russian communism have persistently attempted to impose upon the countries of the free world, particularly the United States;

Whereas the attainment of a just and lasting peace is inconceivable without the restoration of freedom, independence, and national sovereignty to the captive nations forcibly incorporated into the Russian Communist Empire, the United States of America is determined to pursue by all peaceful means, the emancipation of these nations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) The Congress of the United States reaffirms its intention to stand firmly by the people of the captive nations in their aspirations for freedom, liberty, and national independence;

(2) The Congress of the United States invites the active cooperation of all nations and men of good will in a crusade for peace with justice and freedom for all mankind; and

(3) The Congress of the United States urges the President to pursue energetically and as a matter of first priority at the forthcoming Summit Conference the inalienable right of all people to self-government, individual liberty, and the basic human freedoms, and, in particular, the restoration of these God-given rights to the people of the captive nations.

Mr. ZABLOCKI. I thank the gentleman for his excellent statement. His recommendations will receive my utmost consideration when this matter will be acted upon by the Foreign Affairs Committee.

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

Mr. ZABLOCKI. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Is it the opinion of the gentleman from Ohio that this legislation is a logical followup to the resolution adopted by the Congress and signed by the President last year proclaiming Captive Nations Week?

Mr. FEIGHAN. Absolutely; with complete certainty. The resolution that has been introduced by our distinguished and able Member from Wisconsin should be broadened to include all nations. His resolution embodies only central and eastern Europe. I feel that it should embody all nations of the world, including Asia, all of Europe, and any other nation that is not free. Any nation that is not free is captive. I am in thorough accord with the objective of my colleague's resolution. I certainly appreciate the gentleman's undertaking and feel that he is deserving of the highest praise.

The Zablocki resolution includes only Poland, Czechoslovakia, Hungary, Rumania, and Bulgaria. That is what I think eastern and central Europe means. Some may say it means more than that, but the fact it is open to dispute plays right into the hands of the Russians and their efforts to discredit Public Law 86-90, which reads as follows:

S.J. RES. 111

Joint resolution providing for the designation of the third week of July as Captive Nations Week

Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Viet-Nam, and others; and

Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating the third week in July 1959 as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each

year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

Approved July 17, 1959.

Mr. PUCINSKI. Mr. Speaker, if the gentleman will yield further, it is my feeling that the gentleman from Ohio has made a very significant contribution in suggesting expanding and defining the term "captive nation" and to take in all of the captive peoples of the world. May I ask one more question? Perhaps the gentleman from Ohio or the gentleman from Wisconsin would like to comment on this frequent argument that we hear from Communist rulers. Whenever the suggestion is made that the question of freedom of these captive people be discussed at the summit conference, the Soviet Union always holds out the argument that these are internal matters of the respective captive nations and therefore do not belong on the agenda of the summit conference. I wonder if either the gentleman from Ohio or the gentleman from Wisconsin would like to comment on this totally fallacious argument that is always presented by the Soviet Union?

Mr. FEIGHAN. It is a specious argument. Every agreement among the cobelligerent victorious nations during and subsequent to World War II, such as the Atlantic Charter, the Yalta Agreement, every peace treaty entered into by the victorious powers after the war, and all other agreements, emphasized and agreed that every nation should have the opportunity to determine its own destiny by free and unfettered elections, unharassed by alien occupation forces. Only after a free and unfettered election has taken place in any nation, can the United States and other nations who were parties to agreements insisting upon the right of self-determination of any nation, agree that any subsequent elections are internal matters.

Mr. ZABLOCKI. I would like to say to the gentleman from Illinois that certainly if the Communist forces were not in Hungary, we could then say that any difference of opinion in that country would be an internal matter. However, when by sheer force a power dominates the policies in a country it is not an internal matter. In my opinion it is not only within the scope of discussion of the summit meeting, but we have an obligation to the free world to demand that atrocities and Communist violations be placed on the agenda of the conference. The argument of the Soviets is absolutely erroneous; it is very specious. Of course, they will try to sweep under the rug the conditions that exist today in captive nations.

In answer to the gentleman from Ohio I wish to reiterate that we cannot possibly hope to have disarmament unless and until the explosive situations and problems are resolved. It is very necessary that the political problems throughout the world, from the Communist-dominated Chinese mainland, North Korea, North Vietnam, Tibet, central and eastern Europe must be solved before we can ever hope to move toward disarmament. I believe that the United States must insist on the inclusion of the restoration of freedom to all captive nations at the summit conference.

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

Mr. ZABLOCKI. I yield to the gentleman from Michigan.

Mr. BENTLEY. With respect to the argument on the part of the Soviet Union that the question of free elections is an internal matter and not subject for discussion at the summit conference, I refer again, as I did in my own remarks, to the fact that the Soviet Union, the United Kingdom, and the United States signed a treaty of peace with Hungary, Rumania, and Bulgaria which guaranteed the responsibilities of the three signatory powers to the holding of free and unfettered elections in the three countries which, of course, were the wartime allies of the Axis.

To the extent that the treaties of peace have been violated in these particular provisions it does directly become a subject for consultation and cooperation, if possible, between the three powers—ourselves, the British, and the Russians, and under no circumstances can be termed merely a question of internal politics with respect to those three countries, because it directly refers to the terms of the peace treaties arising out of World War II under which we and the British and the Russians adopted certain mutual guarantees with respect to the question of free elections. If free elections have not been held, according to the terms of the treaties themselves, we have the right to take those matters up with our wartime partners.

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

Mr. ZABLOCKI. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Is it the position of the gentleman from Michigan [Mr. BENTLEY] that since these people in the captive nations are forced to accept governments that they did not elect freely, that it is now as much our responsibility as anyone else's to make sure that the wartime agreements are carried out, that the provisions of the agreements are carried out which would, in fact, guarantee them free elections?

Mr. BENTLEY. If the gentleman will yield to me for the purpose of permitting me to answer the gentleman from Illinois, I will say that it is our responsibility more than anyone else's.

I would like to call the gentleman's attention to the fact that in Hungary, one of the three powers with whom we have a peace treaty, there were free elections in November of 1945 at which the Communist Party got approximately 25 percent of the total votes. There were semifree elections in August of 1947 at which time the Communist vote shrunk to 20 percent. That was the last free election, so far as I know, anywhere in eastern or central Europe. But I think it is a very good criterion of what would happen, if there were free elections, to the Communist Parties in those countries. I venture to say that their vote would be less than half of what they got even in those elections.

I say that it is our responsibility according to the terms of the treaty of peace, and on that basis, if no other, we would be perfectly entitled to take this matter up with the British and the Soviets at the summit conference.

Mr. PUCINSKI. I thank the gentleman for his forthright answer.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentlelady from Illinois.

Mrs. CHURCH. Mr. Speaker, I want to particularly thank the gentleman for his courage, resolution, and good judgment in introducing this resolution today. I was very proud to tell the gentleman that I wished to be listed as a cosponsor, and I hope to forward this great movement with him.

Mr. Speaker, I would like to say to the gentleman that it has been my pleasure and greatly to my benefit to serve on his subcommittee during the last 8 years in the Congress. I know of no one who has given more conscientious effort or closer dedication to the cause of freedom than the gentleman from Wisconsin. I think I have been fortunate to be under his leadership for so long, and I can assure him that in this and other matters where he leads so soundly I shall always follow.

I hope the gentleman has listed me as a cosponsor, because I so indicated to his office.

Mr. ZABLOCKI. I have so listed the gentlelady as a cosponsor. I am deeply grateful for the very kind words she has spoken about me. I want to commend the gentlelady for her efforts in the past and the cooperation that I have received from her in the Committee on Foreign Affairs.

Mrs. CHURCH. I am sure the gentleman will agree with me that where freedom is denied our own freedom is threatened.

Mr. ZABLOCKI. I do agree.

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

Mr. ZABLOCKI. I yield.

Mr. PUCINSKI. Does the gentleman from Wisconsin have any indication that he is at liberty to discuss as to what is the position of the State Department regarding this effort to strengthen the President's hand at the summit meeting?

Mr. ZABLOCKI. May I advise the gentleman that last week at an executive session of the Foreign Affairs Committee—I shall, therefore, not identify the representative of the State Department—I inquired of the representative whether such a resolution as was today introduced would be helpful in the summit conference discussion and whether such a resolution would reiterate the strength and posture of our will. I am pleased to advise the gentleman from Illinois that this high-ranking State Department official stated, and I quote: "As an offhand reaction, I would be inclined to think it would be useful." Naturally I advised him that I hoped the executive branch would promptly send a favorable report on the concurrent resolution.

Mr. PUCINSKI. I thank the gentleman.

Mr. RODINO. Mr. Speaker, I am very pleased to join with Congressman

ZABLOCKI today in introducing a resolution which deals with the restoration of freedom to the captive nations of Europe.

This resolution reaffirms what has been basic to American policy from the beginning: that these peoples have an inalienable right to choose the government under which they shall live. The United States has never recognized the legality of the puppet regimes imposed upon them by a foreign aggressor against their will and without their consent.

The peoples of the captive nations have continually resisted their oppressors, always in the secrecy of their hearts and sometimes in bloody martyrdom. Despite years of police-state tyranny, they continue to hope for the liberty and freedom which is rightfully theirs.

In addition to reaffirming their right to self-determination, this resolution urges the President to press for a restoration of freedom at the forthcoming summit conference. I urge every Member of the House to keep faith with the captive nations by supporting this resolution.

Mr. DERWINSKI. Mr. Speaker, I wish to join with numerous Members of Congress by introducing the concurrent resolution relating to restoration of freedom to captive nations. My action, like those of my colleagues, is intended to show the peoples of the world our constant desire for freedom for all mankind by holding out the firm and unshakable hope in the eventual triumph of freedom over tyranny.

Certainly, it is fitting and proper for Congress to remind the President, as he approaches the forthcoming summit conference, of our constant interest in the restoration of freedom of the nations now held against their wills behind the Iron Curtain. I especially remind the President of the tragic consequences—not only for the United States but for millions of free people—of the diplomatic failures of our Presidents at Teheran, Yalta, and Potsdam. Certainly, the policy of firmness that President Eisenhower will display at the coming summit meeting with Soviet Dictator Khrushchev is necessary so that worthwhile progress might be achieved. Appeasement is always a failure. President Theodore Roosevelt, in his policy of "speak softly but carry a big stick," set sound fundamental precepts for our conduct of foreign affairs that, when followed, always have been successful.

The people of the world must not be misled by any Soviet propaganda statements before, during, or after the coming conference. The Communists' plans for worldwide conquest are so apparent to all of us that we must not mistake their pious gestures of peace to mean a change in their fundamental philosophy.

WILLIAM JENNINGS BRYAN: THE GREAT COMMONER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 5 minutes.

Mr. HECHLER. Mr. Speaker, on March 19, 1860—a century ago last Saturday—occurred the birthday of a great American and a great Democrat, William Jennings Bryan.

Elected to the House of Representatives at the age of 30, he served two terms in this body and went on to become the youngest man ever to run for the Presidency after he swept the convention with his Cross of Gold speech in 1896.

William Jennings Bryan gave a text to the country when he proclaimed:

> I fear the plutocracy of wealth, I respect the aristocracy of learning, but thank God for the democracy of the heart.

Mr. DORN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. HECHLER. It is a great honor to yield to my good friend and colleague from South Carolina, the Honorable WILLIAM JENNINGS BRYAN DORN.

Mr. DORN of South Carolina. I thank my colleague from West Virginia.

May I say that it is fitting and proper that this House pause during its great deliberations here to pay tribute and homage to William Jennings Bryan, who was born 100 years ago last Saturday, March 19.

William Jennings Bryan came along at a time when the Democratic Party's fortunes were at a very low ebb, and by his principles and ideals, his dynamic personality and his oratorical ability, he rejuvenated the Democratic Party. Many of the great measures he advocated have since become the law of the land during subsequent Democratic administrations.

When William Jennings Bryan made his famous campaign in 1896 he was only 36 years old. During this great election year when we are considering various candidates in both political parties it might be well to remember that some of the greatest leaders in all the history of the world have been young men. William Jennings Bryan was one of them. William Pitt of England was 24 when he was Prime Minister, and the greatest Prime Minister England ever had. I do not think how old or how young a candidate for President is should enter the question, but rather his character and ability to lead this country.

I want to thank my great friend from West Virginia for yielding. Since my distinguished friend from West Virginia [Mr. HECHLER] has been a Member of this body he has impressed those of us on both sides of the aisle. It is an indication of the continuing interest of the people of America in our political welfare when they send men to this Congress like my friend from West Virginia. I commend the gentleman from West Virginia for the great record he has made here in so short a time.

I commend the gentleman again for bringing to the attention of this House a great American's birthday; a man who was not a conformist but who believed in standing up for those principles and ideals in which he believed.

I was named WILLIAM JENNINGS BRYAN because my father disagreed with our great President Woodrow Wilson on the question of our entrance into World War I. He sided with William Jennings Bryan. Of course, Mr. Speaker, once we were forced into that war, Bryan, like all Americans, backed our gallant soldiers in their unsurpassed achievements on the battlefields of Europe.

Mr. HECHLER. I thank my friend, the gentleman from South Carolina, for his generous personal remarks about me and for his illuminating comments on the man for whom he was named, William Jennings Bryan.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman from West Virginia yield?

Mr. HECHLER. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. At the time that William Jennings Bryan was giving us the benefit of his services, it was my privilege to be attending Northwestern University Law School at the Masonic Temple on the northeast intersection of State and Randolph Streets. We admired William Jennings Bryan very, very much. He was all that my good friend, the gentleman from South Carolina said—an orator, a statesman—we can't—at least some of us and, certainly, I cannot go along with his political philosophy, but one thing I do want to say for the record is that his namesake is possessed of all the ability as an orator—and is there such a word as "convincer"?—and only last week our colleague from South Carolina gave us an example of how he could work his charm, to charm the birds off the perch or off the limb. But of his ability, and one thing that I would say to him that I regret is that always when he speaks the office force that I am privileged to have in my office, when they know of it, insist upon coming over and listening to him. I cannot go along with the political views of my friend, the gentleman from South Carolina, but I certainly can be persuaded by what he has to say on the floor of the House.

Mr. HECHLER. I appreciate the contribution of my friend, the gentleman from Michigan.

William Jennings Bryan served 2 terms in this body. He was elected in 1890 from the State of Nebraska and served from 1890 to 1894. He was the youngest man ever to run for the Presidency when he ran in 1896.

I believe that the Republican Party produced two great Presidents—Abraham Lincoln and Theodore Roosevelt. Theodore Roosevelt inherited and took many of his ideas from those first propounded by William Jennings Bryan.

The poet Vachel Lindsay immortalized Bryan's great election battle in 1896 when he wrote:

> There were truths eternal in the gab and tittle-tattle,
> There were real heads broken in the fustian and the rattle.
> There were real lines drawn:
> Not the silver and the gold,
> But Nebraska's cry went eastward against the dour and the old
> The mean and the cold.

In a coat like a deacon, in a black Stetson hat
He scourged the elephant plutocrats
With barbed wire from the Platte
Gigantic troubadour, speaking like a siege-gun
Smashing Plymouth Rock with his boulders from the West—

July, August, suspense
Wall Street lost to sense
August, September, October,
More suspense
And the whole East down like a wind-smashed fence.

Then Hanna to the rescue
Hanna of Ohio
Rallying the rollertops
The bucketshops
Threatening drouth and death
Promising manna.

Rallying the trusts against the bawling flannelmouth
Invading misers' cellars
Tin cans, socks
Melting down the rocks
Pouring out the long green to a million workers
Spondulix by the mountainload, to stop each tornado
And beat the cheapskate, blatherskite,
Populistic, anarchistic,
Deacon-desperado.

Election night at midnight
Boy Bryan's defeat
Defeat of western silver
Defeat of the wheat
Victory of letter files
And plutocrats in miles
With dollar signs upon their coats
Diamond watch chains on their vests
And spats on their feet.

Victory of custodians
Plymouth Rock.
And all that inbred landlord stock
Victory of the neat.

Defeat of the aspen groves of Colorado's valleys
The blue bells of the Rockies
The blue bonnets of old Texas
By the Pittsburgh alleys.

Defeat of alfalfa
And the mariposa lilly
Defeat of the young
By the old and silly.

Prairie avenger,
Mountain Lion,
Bryan, Bryan, Bryan, Bryan.

IMPRISONMENT OF BISHOP JAMES EDWARD WALSH IN RED CHINA

The SPEAKER pro tempore (Mr. WRIGHT). Under previous order of the House, the gentleman from Connecticut [Mr. DADDARIO] is recognized for 5 minutes.

Mr. DADDARIO. Mr. Speaker, I was distressed this weekend to learn of the steps taken by Red China to sentence Bishop James Edward Walsh to prison for 20 years on charges of espionage.

Earlier this year I commented on the action taken against United Press International Reporter Bill Yim, who had been permitted to enter Red China with the full understanding that he would be allowed to cover a story. Once inside, he was arrested.

Bishop Walsh was in China as a missionary, concerned with the well-being of humans, not with politics. He had been under surveillance since the Red takeover in 1949, and under arrest since the fall of 1959.

Throughout the years, efforts have been made by our Government to persuade the Communist Chinese to liberate Americans held in Red prisons. These include an outstanding young American from my district, John T. Downey, of New Britain. Continuing talks have not resulted in any concession by the Chinese. Despite word given by Chinese negotiators long ago that prisoners of the Korean conflict would be released, these men have been held in jails.

It has been obvious for some time that this contributed nothing to the solution of world tensions. So long as Red China claims its right to hold these men whom it imprisoned after unconvincing trials, there is full reason to hold the Communist regime beyond the pale of civilized nations.

Now Red China has compounded her sins by the action taken against Bishop Walsh. The bishop was a man of religion. He had declined, despite permission offered by his superiors, to leave his post. In 1956 he wrote:

> Here in Shanghai I share the lot of Chinese clergy who cannot leave, who must share all the pressure and annoyance. They are the key factor in the church situation in China these days. There is some good, I think, giving them a little help or encouragement, if only as a moral gesture. I don't wish to do anything to separate myself from them of my own volition.

He also expressed his feelings in these words:

> I don't feel inclined to get off the earth just because some people dislike my religion. Internment and death are simply the normal risks that are inherent in our state of life, a small price to pay for carrying out cur duty, in our particular case a privilege because it would associate us a little more intimately in the cross of Christ.

Those of us who have watched the pattern of behavior established by the Chinese Communists since the Civil War that brought them to power over the mainland have known for many years of the cruel indifference to human feeling that it represents. A handful of men who can watch millions die as they seek to consolidate their power, who can tear apart families by the thousands to increase their labor supply, who retreat only for tactical advantage and press forward in areas heedless of the world conflagrations they might touch off, are not likely to be moved by the spirit of compassion and humanity that motivates Bishop Walsh.

This latest action of the Chinese Reds has caused new revulsion on the part of the American people. It may well be argued that nothing better could be expected from a Godless regime which feels itself threatened by any appeal to the soul of mankind. The moral should be clear. We cannot lessen our attention to a regime which is so inimical to the hope of peace. Nor can we reduce our efforts to seek the freedom of those held in Chinese jails despite the nature of the tyranny that sends them there.

I think it well, too, that all members of the House meditate on the feelings expressed in this editorial from the New York Times which comments on the fate of Bishop Walsh:

BISHOP WALSH'S CRIME

Bishop James Edward Walsh, of Cumberland, Md., may spend the rest of his life in a Chinese prison for offending the Red China government. At 69, he has been a servant of the Chinese people and of his church for almost half a century. All of us, of whatever religion, can share in an admiration for Bishop Walsh and indignation for the cruel 20-year sentence inflicted upon him.

An associate, the Very Rev. John F. Donovan, vicar-general of the Maryknoll Fathers, said of him: "If love is a crime, then he is guilty; if opposition to a brutal and tyrannical regime is a crime, he is guilty; if allegiance to his church is a crime, then he is guilty." In the raw, bitter communism of mainland China most of the civilized virtues are crimes and the Sermon on the Mount is full of treason.

Secretary Herter's protest will carry little weight with a government which charges our own Government with an "imperialistic scheme to subvert the Chinese people's democratic regime." But outrages such as this may well be remembered when somebody inquires why we do not want Red China in the United Nations or a Red Chinese Ambassador in Washington.

INFLATION IN ITS WORST AND LEAST UNDERSTOOD FORM—STRANGLING INTEREST RATES

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

Mr. HOLIFIELD. Mr. Speaker, in his state of the Union message, President Eisenhower reported a budget for the current fiscal year of $79.8 billion, and proudly announced a surplus of $4.2 billion, the interest alone on which would amount to $200 million. He also declared himself stoutly opposed to inflation in any form. He said:

> We must fight inflation as we would fight a fire that imperils our home. Here is an opponent of so many guises that it is sometimes difficult to recognize.

And he reported a national debt of $290 billion on which the interest charges alone are to cost the taxpayers $9.6 billion, or 12 percent of all Government expenditures.

The press hailed his message as a shift in fiscal strategy—a shift to greater reliance on a tighter fiscal policy and away from the almost total reliance on tight money policy.

It is important to define these terms. The tight money policy is well known to every worker, businessman, and farmer in the United States. Credit has been tight and money scarce for more than a year. This tight money policy is now and has been for years the policy of the executive branch of the Government, administered with devastating effectiveness through two media: First, the Federal Reserve Board, and secondly, the Treasury Department itself in offering both short- and long-term bonds, bills, notes, and certificates. The Federal Reserve has repeatedly raised rediscount rates—the rates which Federal Reserve banks charge member banks for loans it makes to them—with the inevitable result that the interest rate paid by the public on the money it borrows has

marched upward and upward. On numerous occasions the Treasury has put a higher interest coupon on a new issue than the market required. The total effect of these two administration actions is prohibitive rates for the use of money, interest rates which have now reached the level of 1928.

Fiscal policy is simply a combination of the taxing and the expenditure policy of the Government. This is the area in which the Congress has exercised the predominant functions in recent years. However, the Congress must now assert its constitutional power over the tight-money policy, in addition to its traditional function in fiscal policy, for the compelling reason that the administration's tight-money policy has drastically disrupted fiscal policy as laid down by the Congress. The Constitution gives to the Congress the power to "coin money and determine the value thereof." Yet the value of money has continuously eroded under the present administration to the point that the fiscal function of Congress has been defeated.

In this, of course, reference is made to the inexcusably high interest rates which have been foisted upon the people of the country by the administration.

Wall Street notwithstanding, there is no such thing as a "free money market" or a "natural" interest rate. Credit, that is, the use of money, is a commodity like anything else. Money is issued only by the Government, and the cost of the use of money, or interest, likewise is the direct product of Government action.

Today, we are saddled with a national debt of $290 billion. In 1946 the Federal debt was $269 billion. The interest on the national debt in 1946 was $4.8 billion, and the interest on it for fiscal 1961 will be $9.6 billion. The Federal debt has risen less than 8 percent since 1946, but the interest on the debt has risen 100 percent. The national debt has risen under the present administration from $266 billion in 1953 to a staggering $290 billion.

Today, $1 out of every $9 the wage earner takes home is paid by him in interest charges, and $1 out of very $9 collected in taxes by the Federal Government is paid in interest on the national debt.

These figures impel closer scrutiny. The wage earner sees only 80 percent of his wages, since 20 percent is withheld at the source by his employer for Federal income tax. Out of his take-home pay, the average wage earner in the United States pays $1 out of every $9, or 11 percent in interest on his family obligations—his mortgage, the notes on his car, and TV, and so forth. The employer pays over the 20 percent withheld to Internal Revenue. Out of this 20 percent, the Federal Government pays $1 out of every $9—11 percent, actually closer to 12 percent—to the money lenders in the form of interest on the national debt.

The fiscal policy of the Government—taxes and expenditures—has been disrupted by the administration's tight-money policy because Congress has lost control of the cost of money, and the cost of money in the form of interest on the national debt has been inflated beyond all reason. Here is inflation in its most insidious guise.

The irony of the administration policy is that the very weapon which it has employed to fight inflation has blown up in the face of the American people. The form of inflation which has concerned the administration has been the inflation of wages and prices. To combat this form of inflation, the administration has inflated the cost of money—interest—to the point that the cost of money is the greatest single drag on the economy today. In the budget the cost of money, $9.6 billion, equals 12 percent of the total budget, and is far in excess of the amount budgeted for any other function, with the exception of national defense. Yet the cost of money has been treated as sacrosanct, something not to be questioned, just paid.

The Washington Post in its lead editorial of January 11, 1960, said:

> The tragedy is that only the needs of the Treasury seem to be sacrosanct in administration fiscal planning. Here the realities are faced, and there is much candid talk about the debt, interest cost, and the perils of inflation.

But the budget, itself, is not sacrosanct. The President said so in his press conference of Wednesday, January 13, 1960. He explained that—

> A budget, after all, is not a paper that you go to jail on if you happen to be a little bit wrong. A budget is an estimate, a plan for expenditures and revenues, and you get your balances on that basis.

We find, therefore, that the cost of money, interest rates, is sacrosanct from the very nature of the administration's position for the past 7 years, but that the budget which is the embodiment of fiscal policy is not sacrosanct. The difference is readily explained—the cost of money is wholly controlled by the executive branch of the Government under the present veto form of government, whereas Congress has something to say about the budget.

The Congress will be hard-pressed to find ways of reducing the budget as presented. It will mean the sacrificing, or deferring, of many functions of Government indispensable to national growth. As done in prior years, the Congress will scrutinize every item in the budget, and save where possible. But to what avail? There is a mountainous item in this budget that Congress can do precious little about, and that is the interest on the national debt which has been increased to its present strangling figure of $9.6 billion by the money policy of this administration.

During 1947–52, with a policy of adequate money, but fiscal tightness, resulting in a budget surplus of $12.4 billion, our growth was at the healthy rate of 4½ percent a year. During 1953–58, a period of tight money, but loose fiscal policies, resulting in a deficit of $8.5 billion, our growth rate declined to around 2 percent a year. The tight money policy of this administration is the epitome of inflation, and the direct beneficiaries are the moneylenders. Bank profits have increased a whopping 135 percent in the past 10 years.

The chairman of the House Ways and Means Committee stated on the floor last September that Congress might be disposed to raise the statutory ceiling of 4¼ percent on long-term Government bonds if the budget for fiscal 1961 showed a surplus. It is therefore not surprising to find that the new budget indicates a surplus of $4.2 billion. Is Congress now to disrupt the possibility of this surplus, or of any surplus, by permitting the further unbridled inflation of the cost of money which would, in turn, dissipate whatever surplus might eventuate?

In the next year, the Government is going to have to borrow about $100 billion, most of it refinancing. Each boost of one-quarter of 1 percent in interest would add $250 million to the cost of carrying the national debt; in 20 years it would add up to $5 billion. An increase of 1 percent on the $100 billion borrowed would add $20 billion in interest costs on the debt in the next 20 years.

Interest rates on Government securities have reached their highest levels since the 1930 depression years. Three-month Treasury bills bearing 1.766 percent interest in 1952 now are being marketed for 5 percent and more. Bonds marketed for 2.68 percent interest in 1952 now are bearing the maximum legal rate of 4.25 percent. The average length of the national debt has declined from 5 years, 8 months in 1952, to less than 4 years, 7 months today.

We were able to finance World War II at an average interest rate of 2.38 percent—approximately half the interest rates which the present administration has promoted and accepted. And we incurred an annual average deficit of $52 billion during the war, the debt increasing $209 billion from $49 billion in 1941 to $258.7 billion in 1945. For 2 decades before the present policies were put into effect, U.S. bonds were held at or close to par with an interest rate approximately half what we are paying today.

Who is responsible for the economic morass engulfing the country? The administration is. The administration, through the Treasury Department, has repeatedly issued Government bonds and notes at interest rates higher than necessary. The administration has inexorably marched the cost of short-term Government financing to the 4.25 percent ceiling on long-term Government bonds, and beyond, until today the cost of short-term financing to the Government is between 5 percent and 5.36 percent. The administration, through the Federal Reserve Board, controls the amount of money and credit in the banking system, and controls the level of interest rates in the whole economic system, mainly by buying or selling Government securities, controlling the ratio of bank reserves to loans, and increasing the interest rates paid by member banks. The Federal Reserve, by refusing to buy long-term Government bonds, has defaulted miserably in its duty to help maintain an orderly market for Government securities, instead driving higher and higher the interest rates on short-term Treasury offerings which

it buys in competition with the public; this with the knowledge and active acquiescence of the Treasury Department, whose Secretary is ex-officio Chairman of the Federal Reserve Board.

Equally significant is the fact that the discount rate—the interest charged by Federal Reserve to its member banks—is 4 percent, the highest since the early 1930's.

The administration caused the Federal National Mortgage Association—Fannie Mae—to offer on January 26, 1960, 12-year debentures totaling $100 million at 5⅙ percent—5.17 percent. Fannie Mae's 10-year issue of April 1959 carried 4⅜ percent interest, and its 10-year issue of March 1958—3⅝ percent interest. But in January 1960, the Congress had to be taught a lesson so that Congress would come to its senses and repeal the 4¼ percent ceiling on long-term—more than 5 years—Government financing. Therefore, the moneylenders are to receive 5⅙ percent on $100 billion, and Congress is to be coerced into repealing the 4¼ percent ceiling.

The result is rampant inflation—inflation of the profits of the bankers and of the wealthy; and this under the guise of controlling inflation.

The traditional position of the Democratic Party has been one of supporting low interest rates on money. The Republican Party has traditionally supported high interest rates and tight money. High interest rates cause the rich to get richer, and the poor to get poorer.

The tight-money, high-interest policy of the administration is costing the American public $10 billion a year more than in 1952, in higher payments on home mortgages, business loans, time purchases, State and local taxes, and interest on the national debt.

A family buying a low-priced car in 1960 on time, will pay nearly $200 more in interest than they would have paid in 1952. In 1952 a $10,000 FHA mortgage at 4 percent interest could be paid off over 25 years at a total cost of $15,840—of which interest was $5,840. In 1959, the same mortgage—now at 5¼ percent would cost $18,000 to pay off—of which interest is $8,000. The extra $2,160 would have bought another bedroom and bath.

The farmer in particular suffers from the high-interest squeeze. Through the wisdom of our great President Franklin D. Roosevelt, the small farmer was given 4½-percent money to buy seeds, feed, fertilizer, machinery, and equipment. The banks would not lend him any money. But he could borrow it at 4½ percent from the Farm Credit Production Association. This 4½-percent money was the salvation of the small farmers. Then last October, came the "magic 5s." The Treasury Department offered $2 billion in 4-year 10-month notes at 5 percent. There was a run on the banks by depositors in New York and other large cities to withdraw their savings so they could join in the bonanza. The Government offering was oversubscribed 5½ times to 1, $11 billion in money offered for a $2 billion issue.

This response in itself is convincing evidence that the interest rate was unjustifiably high. Out of context, this high interest is difficult to comprehend; in context, understanding becomes easy—the administration was determined to force Congress to raise the statutory ceiling of 4¼ percent on long-term Government bonds—maturity of which is more than 5 years—so the administration could have issued up to $100 billion in long-term Government bonds at 5 percent or higher. The compromise bill reported by the Ways and Means Committee permits up to $17.1 billion refunding on a base national debt of $285 billion.

This, of course, would put such amounts in the hands of the moneylenders for 20 to 30 years, as far as this or succeeding long-term issues are concerned.

Two great Presidents of this country, Andrew Jackson and Woodrow Wilson, were swept into office by the people because they revolted against the Money Trust. The American people will have the opportunity to sweep yet another great Democratic President into the White House next November to save their children from economic servitude.

President Eisenhower, in his state of the Union message, expressed solicitude over "our children's inherited mortgage," in the form of the national debt. The national debt cannot be reduced now, or in the future, with the high interest rates which his administration has aggressively sponsored. The inflation of the cost of money to the Government rose 89.2 percent on 3- to 5-year Government issues, and 102.2 percent on 9- to 12-month Government issues in the 7 years from 1952 to the spring of 1959. But the interest rates of the spring of 1959 cannot hold a candle to the interest rates being paid by the Government in January 1960.

On Tuesday, January 12, 1960, the Government sold $1.5 billion of 1-year Treasury bills at 5.067 percent—actual yield, 5.36 percent. This is an unbelievable jump in interest rates from the 3.835 percent paid by the Treasury on its issue of $2 billion of 340-day Treasury bills dated May 11, 1959.

Now to get back to the small farmer who barely managed to get by on the 4½-percent money. With this manipulated jump in interest rates on Government notes, his 4½ percent suddenly increased to 7 percent, a rate the small farmer cannot afford to pay. The administration has sold him down the river.

The plight of the city dweller is much worse. The banks with characteristic ingenuity have devised for him an interest rate of 18 to 23 percent. This is a new bank service, both to him and to the merchant who sells him furniture, a TV set, or a suit of clothes. Here is how it works. The depositor goes to his bank and declares his assets. The bank checks his credit standing and repayment ability, and then tells him that he and his family can buy up to $500 at any time, and repay the bank a fixed monthly amount. This is what is known as a line of credit, and the service is frequently identified as the revolving credit plan. The bank issues a credit card to the depositor, and he and his family proceed to spend their $500, paying to the bank 1½ percent a month, or 18 percent a year. In this process the man of the family buys a suit of clothes for $60, presenting to the merchant the credit card issued to him by the bank. The merchant sells him the suit of clothes for $60 and sends the bill to the bank the same day. The bank, rendering another new service, this time to the merchant, sends him by return mail a check, not for the $60, but for $57. The bank has collected an additional 5-percent interest by discounting the merchant's bill of sale, and this 5 percent is interest for 1 day only. So we find the cost of the use of the money involved in the modest purchase of a $60 suit of clothes to be more than 23 percent per annum, the bank exacting a tribute that even exceeds the 20 percent paid by the family to the Federal Government for income taxes.

Just as bad is the fact that the merchant has been saddled with a hidden partner who does not pay the salaries of the merchant's business, the cost of his inventory, his rent and utilities, and other business expenses. The merchant's net profit on the $60 suit of clothes would hopefully be 10 percent and the bank has cut itself in for half of this profit. This is a country run for the benefit of the moneylenders. This is economic servitude. The merchant is faced with the choice of surrender to the banks' credit card system or refusal to honor the customers' desire to use it. If the merchant refuses to honor the banks' credit card scheme, the customers—who do not understand the premium they pay—walks over to the merchant's nearest competitor who will honor the system.

In case anyone missed the point, this demonstrates the dollar moving at high velocity. The Treasury and the Federal Reserve Board have repeatedly insisted that the turnover or velocity of money in times of high business activity makes the amount of money in circulation less significant. They use this argument as an excuse for making money scarce and tight and, therefore, dear. Dear money demands high interest rates. Plentiful money earns low interest.

The family paying 18 percent interest on the suit of clothes, and the merchant giving the bank half his profit should both take notice that they have helped retard inflation by making the dollar move fast, that is, at high velocity. It matters not that the bank is waxing fat off this same velocity, or that the family cannot buy a dress for the wife instead of paying the 18 percent interest to the bank. This is the most insidious form of inflation. It is suffocating most of the families of our country, just as surely as carbon monoxide.

But it is, at the self-same time, suffocating the buying ability, or purchasing power, of the family after the $500 line of credit is spent by the family on an inevitable 2- or 3-month buying spree. The family cannot buy again until it has reduced the $500 line of credit figure below that figure, and then only in the amount of the reduction. What it really

means is the pledging of the family's future income for some durable, but just as frequently, nondurable commodities.

The prosperity enjoyed by the merchants on the basis of the family's buying spree is short lived—then what? And who pays the piper if the family's income meets reverses, even though temporary? The bank's line of credit has the best security in the world, although ostensibly unsecured. The bank has the signatures of both husband and wife on the note and can foreclose on every asset they own, even the equity in their home and their car. This new bank service is a form of family fiscal insanity, with suicidal tendencies. The family has been delivered into bondage.

The plight of the businessman is almost as bad as that of the farmer and the city dweller when it comes down to his working capital. The cost and scarcity of money for working capital have become exorbitant to the point that the money lenders are reaping a harvest. Last year more than $12 billion was lent to businessmen on prime security at interest rates of 10 to 14 percent by factors and commercial finance companies, whose risk was minimal. How long can a business stand this? No wonder so many businesses have had to close the doors, creating unemployment and hardship.

Then there is the home buyer who needs an FHA or a GI mortgage. The present ceiling of 5¼ percent on GI mortgages attracts few lenders. The legal ceiling on FHA mortgages is 6 percent, but the FHA has set the current limit at 5¾ percent. Both figures are farces when current lending practices are examined.

The home buyer must pay up to 12 points, or 12 percent, by way of commission to the lender in order to procure an FHA loan at 5¾ percent. In other words, the buyer applies for a loan of $10,000; he actually receives 12 percent less, or $8,800; but he must repay the $10,000 plus interest of 5¾ percent. Then there is a proposal pending before the Congress which is designed to remedy the present unavailability of GI mortgage money. It will help the GI to pay more interest than the law presently allows. He will be able to borrow at 5¼ percent—if he also pays 1 percent of the loan, or 1 point, at closing, and an additional 2 percent, or 2 points, to the homebuilder.

These high interest rates are strangling the families of America. This administration has long forgotten that the function of money is to serve the people, not enslave them.

Today, for the first time in the history of the country, we have, or think we have, inflation at the selfsame time that there is no scarcity of goods. The inflation we are suffering is Government created, promoted, and continued—it is the inflation of interest rates.

This conviction on the part of many responsible, informed Americans is crystallizing in a groundswell that Congress cannot ignore. One of the ultraconservative newspapers of the Nation, the Washington Star, reported on Thursday, January 21, 1960, as follows:

CHICAGO, January 21.—The high-interest rate policy being pursued by the Eisenhower administration stood condemned here today by the National Association of Home Builders in the severest and most sweeping criticism by this 40,000-member group of a major Government economic policy since New Deal days.

Convention delegates assailed the policy for having "obviously failed," for boosting rates beyond the "legal limits of usury," for having forced a return to financing methods "proved unsound 30 years ago," and for bearing down most unfairly on small businessmen and moderate-income families.

It was the consensus of observers at the homebuilders' sessions that if the Messrs. Stevenson, Humphrey, Symington, Kennedy, and other Democratic hopefuls fail to study the protest, they will be missing a bet. For it reflects a deep disenchantment on the part of the industry with a basic administration policy now being pushed vigorously in Congress with a request for an unlimited interest rate ceiling on long-term Government bonds, an effort widely interpreted as heralding a new round of rate increases.

HELD INEFFECTIVE

In its protest adopted yesterday, the association pointed out that home buyers are the Nation's largest private users of long-term credit. For the Government to rely on pushing interest rates still higher as its chief anti-inflationary activity is both ineffective and unfair the organization said.

"The attempt to control excessive total demand for credit and to stimulate savings through ever-rising interest rates has obviously failed," the builders' statement said.

"Interest rates approach—and in some cases exceed—the legal limits of usury. One major group of Americans has been successfully controlled—the tens of thousands of modest-income home buyers who only a short time ago could have bought homes well within their means, but are now disqualified by the high cost of credit."

NEW RECESSION?

Warning that a new business recession could be the result, the statement said:

"In 1957, the same combination of restraints now imposed on our industry caused a severe drop in construction that triggered a general business recession. Unless immediate effective action is taken to distribute more fairly the impact of tight money, this pattern will inevitably be repeated."

The United States is closer to 1928 than at any time since. The Republicans brought us the crash of 1929 and the depression that followed. They are setting us up for the same national disaster today.

The chief economist of one of the leading banks of the country in December 1959 exulted over the fact that interest rates have now returned to the neighborhood of levels prevailing in 1928, a year of good business. He pointed out that for the first time in 30 years, in other words for the first time since 1928, the money supply is below 50 percent of our gross national product.

The money supply in 1928 was 28 percent of the gross national product, and in mid-1959 the money supply was 29 percent of the gross national product. This, of course, is not just good, it is excellent for him and his bank—which last December declared a 100 percent stock dividend on an 11-cent increase in its quarterly share dividend.

Who has reduced the money supply to this ominous ratio? The present administration has done it. Now the Federal Reserve which has already hiked the discount rate five times in less than 2 years threatens to turn the screw once more. The history of the past 40 years conclusively demonstrates that a recession or depression is the likely result.

The very latest figures, covering calendar year 1959, provide conclusive proof of the administration's fallacious policy on money supply. During the year there was a rise in business of 10 percent, as shown in the industrial production index rise from 150 in late 1958 to 165 by the close of 1959. During the same 1-year period the supply of money increased less than 1 percent, from $139 billion to $140 billion. The $140 billion is made up of $28 billion in currency and $112 billion in demand deposits in commercial banks.

These prohibitively high, deliberately inflated, interest rates are about to choke the stock market, just as the stock market was choked in 1929. The inflated interest rates have driven up the yield on Government securities to the point that stocks must pay an increase of 67 percent dividends during 1960 to compete. This is an impossibility for the obvious reason that the unavailability of money, and the inflated cost of money at present interest rates, are suppressing the ability of business to expand. The stock market is acutely responsive to the economic health, or sickness, of the country. It is an exceedingly sensitive barometer. The country's investment brokers have been preaching that investment in common stocks is a hedge against inflation, in that the common stocks will appreciate in direct relation to the cheapening of the dollar through inflation, thereby providing the investor, particularly those on fixed incomes, with this same appreciation in his savings. But this philosophy has been oversold, with the result that millions of uninformed Americans have bought into the stock market. Today the answer is at hand, and it is most sobering. The price-earnings ratio of stocks have now exceeded the 1929 ratio of 19.1 to 1; in 1959 the ratio was 19.5 to 1, a drop from the 1958 ratio of 20.9 to 1. The price-earnings ratio is simply explained—it is the ratio of the cost of a stock against the earnings of the corporation, a comparison of dollars. Thus, if the earnings of a corporation are $1, the stock of the corporation is costing $19.5 at a price-earnings ratio of 19.5 to 1. This ratio is extravagantly on the high side. It has exceeded safety. The safe maximum ratio is no more than 15 to 1. What does this mean? It means that the stock market today consists of 25 percent water, and the public stands to lose at least 25 percent of its investment.

Between the first day of the "golden sixties" and January 22, 1960, a period of 3 weeks, values in the stock market eroded $15.2 billion. The President's roseate declarations of optimism and prosperity are a poor match for reality.

Is the businessman optimistic, or is he worried, about the "soaring sixties"? An answer was provided to this question by the Washington Post of Sunday, Jan-

uary 10, 1960, in the lead story on its financial page, as follows:

The stock market started this week as if the 1960's were golden and ended as if they were lead.

Amid considerable debate in Wall Street as to what the new year and the next decade would bring, prices rose to still another record high in the Dow Jones industrial average on Tuesday only to sink below the New Year's Eve high in the Dow by the Thursday close.

Trading for 1960 started with the immense stimulus of an agreement to end the 8-month steel strike, thus settling the major uncertainty overhanging the American economy. By Wednesday, however, Wall Street had to reckon with interest boosts on brokers' loans and the worry that hikes in other interest rates would follow.

By Thursday, rates were higher for commercial credit and bankers' acceptance and the street began to wonder whether the Federal Reserve Board, which meets on Thursdays, would boost the discount rate after the market close. The Fed took no action this week, but one thing was sure, brokers said—from now on it will be one "nervous Thursday" after another until the discount rate is either raised or there is some conclusive evidence that it will not be boosted in the immediate future.

And the New York Times of Friday, January 15, 1960, amplified, as follows:

With the steel dispute cleared away from the economic horizon, businessmen confidently are planning to step up borrowing to increase inventories, build plants and buy new equipment.

* * * The growing demand from borrowed money promises to push interest rates still higher in the months immediately ahead—for the Government and consumers, as well as businessmen. With banks, insurance companies, and other lenders already hard pressed for loanable funds, many would-be borrowers will find it increasingly difficult to line up loans—at any interest rate.

* * * * *

Worried about inflation, the Federal Reserve System for months has been keeping a tight rein on the funds banks have available for lending.

Our President stated his great concern in his state of the Union message for mortgaged debt which our children are to inherit, a debt in the staggering amount of $290 billion. Yet it is the same President who made a gift of $20 billion to the private utilities of this country in the form of accelerated tax amortization. And what happened to the $20 billion? A good part of it was distributed by the utilities to their stockholders, in the form of dividends, many tax free. Eight of these utilities gave their stockholders more than $72 million in tax-free dividends in 1958 alone. This same $20 billion applied to the national debt would have meant that the national debt would have risen under President Eisenhower from $266 billion to $270 billion, not from $266 billion to $290 billion. And the interest rates which he now wants raised to fund the national debt would not have spiraled upward to their present ridiculous level.

The administration has not only slowed our rate of growth, it has reduced the management of the national debt to a shambles through tight money and loose fiscal policies. Unless Congress, meaning this session of this Congress, asserts its constitutional powers and brings under control the cost of money, it will go through an exercise of futility in appropriating money for a President's budget which is riddled with meaninglessness since the cost of money is maintained for the benefit of Wall Street and the Money Trust.

The Republicans arranged things in the years from 1920 to 1929 so that nearly 40 percent of our national income was going to 5 percent of the people of this country. With the banks exacting 4 percent to 23 percent tribute on every turn of the dollar, at greater and greater velocity, this same situation is repeating itself. Unless the process is reversed, inexorably 40 percent of our national income will once more go to 5 percent of our people, namely, the moneylenders, and economic chaos will follow. The Government, through the White House and the executive department can avert this national disaster, but undoubtedly will not. That leaves it squarely up to the Democratic Congress.

What can the Democratic Congress do? And how shall it go about doing it?

Some of the Democrats have studied the economic analyses of Leon H. Keyserling, former economic adviser to President Truman. Mr. Keyserling has just published his latest analysis of the national economy, entitled "The Federal Budget and the General Welfare." It is replete with sound statistics and judgment in economics. But the Republican propagandists had a field day, as usual, with it. In substance, Mr. Keyserling was derided as a wild-eyed liberal, an advocate of extravagant spending and inflation. This is the same tack which the Republican propagandists used so effectively in the last session of Congress. In January 1959 they tagged the Democratic majority in Congress as the party of "spenders," and the Democrats suffered themselves to think, act, and legislate defensively for the following 8 months. The tag was like a plague that the Democrats fought to live down, even though the charge of the plague was entirely without foundation.

If the Democrats are to save the country from an inevitable recession, or worse still, depression generated by the administration's policy of suffocating interest rates, the Democrats will have to master the fundamentals of fiscal and monetary policy, and then carry the message to the people in terms they will understand. The Democrats will have to spoon feed the truth. They will have to use terms that the milkman, the factory worker, the plumber, and the farmer can take to the family table for discussion and explanation.

Our two most recent great Democratic Presidents, Harry Truman and Franklin D. Roosevelt, had this facility. And the moneylenders hated them. Of far greater importance, these two Presidents knew how to handle Wall Street and the Federal Reserve System. They told the moneylenders in no mistaken terms that they would buy Government securities at interest rates below 3 percent, or the Treasury would print its own money. This is how the average cost of money to finance a $209 billion deficit in the four World War II years averaged only 2.38 percent.

The Federal Reserve System was created by Woodrow Wilson to save the country from "robber raids" on money by Wall Street cliques. Congress gave the Federal Reserve banks broad governing powers over the supply of money on the theory that Federal Reserve would be the guardian of the people. Under this administration Federal Reserve has employed these same powers to enslave the people it was created to protect. Most people do not know that much of the money in circulation is Federal Reserve notes, issued by the Federal Reserve banks against the Government securities which they buy. These Government securities in their vaults take the place of gold or silver as the foundation for the issuance of money. But what has happened in the past 7 years? The Federal Reserve banks have refused to buy long-term Government bonds because they would make a greater profit on short-term Government securities. Then they have issued paper money against these profitable securities, and picked up still another profit in the interest rates they charge borrowers on the new money. These banks have deliberately inflated the interest profits and thereby provided themselves with a handsome double profit. The Treasury can issue this same money directly and apply on the national debt the Federal Reserve banks' profit in this unholy process.

Again, the Federal Reserve banks have refused to buy Government long-term securities on the open market. The people of the country would directly benefit from this type of purchase because, first, the supply of money would be expanded, and, second, the interest on these purchases is returned to the Federal Treasury. But the Federal Reserve banks would lose some of their mounting profits. The Federal Reserve banks have subverted the interest of the people of this country to obsession for profits and strangling control of the economy. This is a flagrant violation of the trust reposed in the Federal Reserve System by the Congress of the United States.

Not content with strangulation of the economy in this country, the game of the moneylenders has crossed the Atlantic. On Thursday, January 21, 1960, the Bank of England, without notice, raised the discount rate from 4 percent to 5 percent, notwithstanding the fact that there is little or no inflationary pressure in England. Prices have been stable there nearly 2 years. In this country the Federal Reserve has raised the discount rate five times in the past 2 years on the pretext that it was controlling inflation. What excuse has the Bank of England? The answer is simple—manipulation of the supply and cost of money by the international financiers. With interest rates in the United States deliberately inflated beyond all reason by this administration, the English bankers have acted on the pretext that they needed to stop the flow of English investment pounds to this country. Now that the Bank of England has taken this drastic step, with the concomitant restriction in money supply in England and inevitably higher profits for the English bankers

and likely recession in the English economy, the drums are beginning to roll in Wall Street to pressure another increase by our Federal Reserve in the discount rates. Today at 4 percent the Federal Reserve discount rate is higher than it has been at any time since the early 1930's. How much nicer will it be for the moneylenders to push it up to 5 percent.

Somewhere, somehow, America has lost its way. America is slowly bleeding, and the Democrats must stop the hemorrhaging before it is too late.

The critical nature of the problem can be explained in simple terms. The American economy is like a man running uphill. As he progresses, his heart must beat faster and faster to pump the blood through the body. The blood is the supply of money. The man keeps running, unaware that he is bleeding. The blood he is losing is the cost of money, interest. The more blood he loses, the faster the heart works, until it finally fails. The moneylenders are draining off the blood as fast as they can. The moneylenders have sold the American people a cruel, phony theory. They have convinced the American people that the more work each dollar does, that is, the faster it turns over, the less money is needed for the economy to pump. Each time the dollar works harder, by turning over and over at an increasingly higher velocity, the moneylenders take their cut in the form of inflated interest, 4 to 23 percent. The Democrats must staunch the flow of blood, the diminution of the money supply, and force down the cost of money to the Truman level in 1953 of 3 percent or less.

Otherwise the economy, which is now faltering, will collapse. What will the average American then have to protect himself against family disaster? The only real protection he will have is the insurance of his deposits, up to $10,000 in the banks under the Federal Deposit Insurance Corporation, and in savings and loan associations under the Federal Savings and Loan Corporation. But what average American family has $10,000 on deposit today? Most American families are in hock up to their ears.

The other so-called built-in controls are without meaning unless the administration would choose to utilize them. This is the same administration that has encouraged the Federal Reserve System to exploit the American people, in brazen derogation of the trust and fiduciary powers in it reposed.

The Russian leaders may have little knowledge on some subjects, but Mr. Khrushchev probably has sized up the folly of America and knows that the United States is apt to commit economic suicide. It may well be a simple matter for the Russians to ease the tensions throughout the coming summit conferences and thereby feed the American desire for peaceful optimism, which is coupled with a false sense of economic well-being. Mr. Khrushchev may well be advising his colleagues to let the American people enjoy their stupor of peace and prosperity, at least until they vote into office a new administration pledged to carry out the disastrous policies of the past 7 years. America may not survive another 1933.

The American voters in the November 1958 elections told Congress what they expected. In January 1959 the Republican propagandists told the Democratic majority what they were—spenders—and this untrue nomenclature erased the voice of the electorate. The Democratic Congress has only the few months of this session to justify the confidence of the overwhelming average Americans, and to extricate our economy from collapse. Congress must.

RIGHT OF EQUAL AND FREE SUFFRAGE UNDER THE CONSTITUTION OF THE UNITED STATES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. BENTLEY] is recognized for 5 minutes.

Mr. BENTLEY. Mr. Speaker, in connection with the pending legislation intended to uphold the rights of all American citizens to exercise their free choice of suffrage at the polls, I feel it pertinent to call to the attention of the House the fact that the U.S. Constitution contains a specific provision intended to provide a manner for enforcement of the right of free and equal suffrage. Simply, this constitutional provision, which can be found in section 2 of the 14th amendment, states that wherever the right to vote is denied to any American citizen, except for certain serious and specific crimes, either for Federal or State office, the congressional representation in the House of Representatives from the State where disenfranchisement may have occurred shall be reduced proportionately for the number of people who are thus denied the right of suffrage.

I have requested the Library of Congress to prepare a study of the legislative history of this particular section of the Constitution which I have just received and which I will include as a part of my remarks at this point. I should point out that it is obviously too late for the consideration of legislation which would implement this particular section at this time, but I do commend it to the attention of Members for future study and possible action in future sessions. It seems to me that, since we are dealing with a matter of constitutional rights, the simplest solution would be to seek a remedy within the Constitution itself, which cannot be challenged in the courts on the grounds of its constitutionality. Regardless of the outcome of the pending legislation before the House, I sincerely trust that it will be possible to keep this matter alive and, if I am fortunate to be a Member of the 87th Congress, I intend to do all in my power to press for congressional action in this direction.

The study referred to above is as follows:

"Amendment XIV, section 2: Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State."

This never used, all but forgotten provision was considered by many of its framers to be the heart of the 14th amendment. (See, e.g., Globe, 39th Cong., 1st sess. (1866), 2459, where Representative Thaddeus Stevens, of Pennsylvania, states: "The second section I consider the most important in the article. It fixes the basis of representation in the Congress. If any State shall exclude any of her adult male citizens from the elective franchise, or abridge that right, she shall forfeit her right to representation in the same proportion. The effect of this provision will be either to compel the States to grant universal suffrage or so shear them of their power as to keep them forever in a hopeless minority in the National Government.")

By a rather curious quirk of history, the first section of the amendment, requiring the States to give "equal protection of the laws," which was, relatively speaking, an afterthought, has far outshadowed the second section in the extent of its effects on the rights on the former slave race and indeed on the rights of all citizens. There are some, however, who would attribute the demise of the second section not to any curious quirk, but rather to deliberate design. James G. Blaine, in volume II of "Twenty Years of Congress," at page 418, said:

"The adoption of the 15th amendment seriously modified the effect and potency of the second section of the 14th. * * * The prime object [of the 14th amendment] was to correct the wrongs that might be enacted in the South, and the correction proposed was direct and unmistakable; viz, that the Nation would exclude the Negro from the basis of apportionment wherever the State should exclude him from the right of suffrage.

"When, therefore, the Nation by subsequent change in its Constitution declared that the State shall not exclude the Negro from the right of suffrage, it neutralized and surrendered the contingent right, before held, to exclude him from the basis of apportionment. Congress is thus plainly deprived by the 15th amendment of certain powers over representation in the South, which it previously possessed under the provisions of the 14th."

Another who suggests that the section was abrogated by the 15th amendment is R. A. Maurer in his article entitled "Congressional and State Control of Elections Under the Constitution," 16 Georgetown Law Journal 314, 338—April 1928. The plain fact, however, is that the 15th amendment does not expressly repeal the second section of the 14th. Moreover, the prohibitions of the 15th amendment are expressly limited to denials or abridgments of the right to vote by reason of race, color, or previous condition of servitude while the 2d section of the 14th is not so limited at all. As a matter of fact, the section contains no prohibitions.

PAST EFFORTS AT ENFORCEMENT

It is not quite true to say that Congress has never attempted to enforce this section. After the Ninth Census, when Congress was considering the bills for reapportionment of Representatives, it entertained and adopted an amendment to one of them which restated the second sentence of section 2. (act of Feb. 2, 1872, ch. 11, sec. 6, 17 Stat. 29; 2 U.S.C., sec. 6.) Although this amend-

ment was proposed by the Senate Committee on the Judiciary, the House, by resolution, had earlier instructed the Secretary of Interior to determine "the number of male inhabitants in each State being 21 years of age, and citizens of the United States, whose right to vote in such State * * * is denied, or in any way abridged, except for participation in rebellion, or other crime." Although the Secretary reported that there were 43,329 such persons, with the largest number, 9,265 being in the State of Missouri, he indicated that he placed very little reliance on his statistics. There is no indication in the congressional debate on what the statistics were based or how they were acquired but we do know that the application of the figures to a House of Representatives composed of either 243 or 283 Members made no difference in the number which would be apportioned to each State. (Globe, 42d Cong., 2d sess., 1872, p. 617. See also pp. 609–610, 612, 617, 618, 674–675, and 678 for other references to the amendment.)

Although we have found no indication that any effort has been made since the ninth census to compile any statistics which would furnish the Congress with a reasonable basis for enforcing the provisions of section 2 of the 14th amendment, from time to time there have been advocates of congressional action in this area. When the Selected Committee on the 12th Census reported an apportionment bill which did not take into account any denial or abridgment of voting rights, Representative Crumpacker, of Indiana, wrote a 25-page dissent to the report—House Report No. 2130, 56th Congress, 2d session, 1900. Mr. Crumpacker emphasized the extent to which literacy requirements tended to disenfranchise Negroes and concluded that the representation of the States of Louisiana, Mississippi, North Carolina, and South Carolina should be reduced by three each. Although Mr. Crumpacker's effort was unsuccessful, the Republican platform of 1904 contained a plank calling for the introduction of a bill to effect enforcement of the amendment. No evidence has been found, however, to indicate that any real effort was made to enact such a law.

Around 1920, the NAACP became active in pressing for legislation to require reduction in apportionment for denial of voting rights. It was contended that representation in some of the Southern States would be reduced by as much as 40 percent if the amendment were enforced. Ten thousand votes in Mississippi were as powerful as 97,000 votes in Indiana because of restrictions against Negroes. It was about this time that George H. Tinkham, a Representative from Massachusetts, became the perennial advocate of enforcement of section 2, the champion of equal representation. In December of 1920 he introduced a resolution asking that the Committee on the Census be authorized to inquire into the denial of voting rights and requiring that representation be reduced in those States where disenfranchisement was found. At a hearing before the committee on January 4, 1921, Mr. Tinkham made an 18-page statement, replete with charts, in which he argued that the principal laws under which Negroes were disenfranchised were those requiring the ability to read and write and the payment of poll taxes as a prerequisite for voting. His contention was that the very existence of the laws gave Congress the right to act and that no evidence was needed to show that the laws were being administered in a discriminatory manner. (Hearings before the Committee on the Census on Apportionment of Representatives, Dec. 28 and 29, 1920, and Jan. 4, 5, and 6, 1921, 63d Cong., 3d sess., pp. 97–115. See also pp. 28, 35, 68, for other statements advocating enforcement of amendment XIV, sec. 2.) The bill as reported by the committee did not take into account the provisions of the 14th amendment and the managers on both sides of the bill refused Mr. Tinkham floor time in which to speak. He offered an amendment which after lengthy debate was finally ruled out of order as not germane to the matter before the House (60 CONGRESSIONAL RECORD, 1434, 1648, 1682–1688).

Throughout the rest of his years in Congress, Mr. Tinkham continued to press for enforcement of this section. Though he was concerned for the Negro, his principal interest seems to have been to secure equal representation for all under the provisions of the Constitution. His last effort to enforce the section, so that "fraudulent majorities in Southern States could not elect the President and control the Congress" seems to have been made in 1927–28. On December 25, 1927, he introduced another resolution which would require the Committee on the Census to make diligent inquiry into the question of denial or abridgment of voting rights. On February 28, 1928, he spoke before the House for an hour and a half urging that some action be taken, but the 70th Congress took no action.

Although no exhaustive search has been made in the RECORD to identify all measures which have been introduced to give effect to the 2d section of the 14th amendment the only ones which have readily come to light since the days of Mr. Tinkham are those introduced by Senator MCNAMARA, of Michigan, in the 85th and 86th Congresses.

The McNamara proposal would establish a joint committee on congressional representation which would determine after each biennial election whether the representation of any State should be reduced in accordance with the provisions of amendment XIV, section 2. The Senator first introduced this proposal as an amendment to the Civil Rights Act of 1957 when H.R. 6127 was being debated in the Senate. Senator JAVITS, of New York, associated himself with the Senator from Michigan in advocating this amendment. By voice vote, however, the Senate rejected the proposal (CONGRESSIONAL RECORD, vol. 103, pt. 10, pp. 13461–13465). The bill was reintroduced as S. 2709 but the 85th Congress took no further action on it. Senator MCNAMARA introduced the proposal again as S. 1084 on February 17, 1959. The bill was referred to the Committee on the Judiciary but as yet the 86th Congress has taken no further action on the proposal.

THE MEANING OF SECTION 2

Before considering any questions about the possibility or desirability of enforcing this section, it seems appropriate to consider some of the questions which arise in trying to determine what it means. We know that all of the States in the exercise of their power to establish qualifications for voting have disenfranchised many groups of people for reasons other than participation in rebellion or other crime. Tables summarizing some of these qualifications and describing the groups disqualified are included as appendixes to this report. R. A. Maurer (op. cit.) asks:

"Did Congress and the States, when they approved this section, mean to deprive the States of their well established and fully recognized power to fix reasonable restrictions upon the right to vote, such as residence, intelligence, property, tax payment, idiocy or lunacy, guardianship, pauperism?" (16 Geo. L. J. 314, 338).

How similar this question is to one asked by Senator Clark, of New Hampshire, during the Senate debate on section 2:

"If the Senator will pardon me for a moment, I wish to inquire whether the committee's attention was called to the fact that if any State excluded any person, say as Massachusetts does, for want of intelligence, this provision cuts down the representation of that State." (Globe, 39th Cong., 1st sess., p. 2767.)

The answer given him by Senator Howard, of Michigan, speaking for the Committee of Fifteen which did the major work in framing the reconstruction measures including this one, was as follows:

"Certainly it does, no matter what may be the occasion of the restriction. It follows out the logical theory on which the Government was founded, that numbers shall be the basis of representation in Congress, the only true, practical and safe Republican principle. If, then, Massachusetts should so far forget herself as to exclude from the right of suffrage all persons who do not believe with my honorable friend who sits near me [Mr. Sumner] on the subject of Negro Suffrage, she would lose her representation in proportion to that exclusion. No matter what may be the ground of exclusion, whether a want of education, a want of property, a want of color, or a want of anything else, it is sufficient that the person is excluded from the category of voters, and the State loses representation in proportion" (ibid.).

The general principle seems clear but it becomes less so when we try to apply it to particular situations. If a State denies the right to vote to anyone who has not paid a poll tax, does the section contemplate the exclusion from the population count all those males over 21 who did not pay the tax or only those who could not pay the tax? If a State establishes a literacy test as a voting qualification, is it necessary that a man take the test and fail it before he is discounted? The theory on which Mr. Crumpacker and Mr. Tinkham based their recommendations for reduction in apportionment would have discounted those who did not pay the tax and those who were considered illiterate whether they attempted to pass the test or not. Although the debate in 1866 gives no conclusive answer to these questions, those who did speak on them probably leaned to the meaning given the section by Mr. Crumpacker and Mr. Tinkham. If this be the true meaning, it would have to be applied to every restriction, however reasonable it might be. If one State denied the right to vote to all who had resided in the State less than 6 months, then all who fell in that class would be discounted whether they made any attempt to vote or not. If another State denied the right to all who resided in the State less than 10 years, all who fell in that class would be discounted. Presumably an equitable result would be reached because the less reasonable restriction would ordinarily embrace a much larger number of persons.

There is yet another difficulty in discovering the meaning of section 2. It refers to rights which have been abridged as well as denied. In ordinary usage the terms are not necessarily synonymous, though they are sometimes used interchangeably. More significant, however, is the fact two such words would not ordinarily be used in a statute unless they were intended to have different meanings. It seems safe to say, however, that if "abridge" means anything less than "cut off" or "refuse to grant" the section cannot be enforced. If, for instance, a right is to be considered abridged when a condition is put upon it, then no State would be entitled to any Representatives at all, because every State has placed some condition on the right to vote other than those mentioned in section 2. Another of Mr. Howard's replies sheds a little light on this question. When Senator Stewart of Nevada asked how the word "abridged" would operate, Senator Howard said:

"The word 'abridged' I regard as a mere intensitive, applicable to the preceding sentence.

"I suppose it would admit of the following application: A State in the exercise of its sovereign power over the question of suffrage

might permit one person to vote for a member of the State legislature, but prohibit the same person from voting for a Representative in Congress. That would be an abridgement of the right of suffrage; and that person would be included in the exclusion, so that the representation from the State would be reduced in proportion to the exclusion of persons whose rights were thus abridged" (ibid.).

Senator Stewart pressed for further clarification, asking:

"Take a case of this kind: suppose that in the South they should allow the Negroes to vote who had been in the Army, or who had educational qualifications; would those who did vote be included in the basis of representation, or would that be an abridgement of that class of persons so that they would be excluded?" (ibid.).

Though Senator Howard's answer could have been clearer, it seems safe to say that it was his understanding that no one who voted would be excluded regardless of the conditions he had to meet in order to be qualified to vote.

There is one additional problem of interpretation for us which did not exist for those who were considering the meaning of the section at the time of its adoption. What effect has the 19th amendment had on it? Since the States have been prohibited from denying the right to vote on account of sex, must Congress exclude the females over 21 years of age whose right to vote has been denied or abridged? Logically, section 2 of the 14th amendment should be construed as having been modified by the 19th amendment. If a State were to set up voting qualifications which discriminated against females, it would be only equitable to reduce its representation in the proportion which the number of such female citizens shall bear to the whole number of males and females 21 years of age in the State. As a practical matter, the result would be relatively the same whether women were taken into account or not, because there are no States which discriminate against females and because the number of males and females of voting age is relatively equal.

There is one final comment which should be made about the meaning of section 2. It provides that the "representation * * * shall be reduced." This language is materially different from that which is used in the last sections of the 13th, 14th, and 15th amendments which provide that "the Congress shall have the power to enforce" them "by appropriate legislation." The language of section 2 is mandatory, seeming to impose a duty of enforcing it, while the languages of the other sections simply gives Congress the power to enact legislation or not as it sees fit.

In summarizing the meaning of section 2 we can say that although the congressional debate at the time of its adoption makes it quite clear that its primary purpose was to encourage the Southern States to enfranchise the Negro without requiring that they do so by providing for a reduction of their political power in proportion to the number of denied the right to vote, it is also quite clear that the section was consciously framed in language broad enough to require reduction in the representation of any State which denied the right to vote to any citizen, black or white, 21 years of age for any reason other than participation in rebellion or other crime. To enforce the amendment as its plain meaning together with the congressional debate at the time of its adoption seem to indicate if it was intended to be enforced, Congress would have to take into account denials of the right to vote based on literacy, idiocy, insanity, pauperism, length of residence, payment of taxes, or subscription to a loyalty oath and whatever other restrictions a State may impose on the right of franchise.

THE MEANS OF ENFORCEMENT

Once the meaning of section 2 has been established, the next question to be answered is, "How can the Congress enforce it?" The answer to this question is not difficult to find, but the numbers on which a reapportionment would be based certainly are. The most obvious way for Congress to enforce the section would be to direct the Bureau of the Census to ascertain for each State the number of citizens over 21 who were denied the right to vote for any reason except participation in rebellion or other crime.

In order to gather such statistics, each census taker would have to be familiar with the State election qualification laws and the questions he asked would have to be framed very carefully in order to determine whether an individual who made no attempt to vote would have been ineligible under the law even if he had tried. In some States this would be relatively easy to determine. Under Michigan law, for instance, the only reason a citizen 21 or over may be denied the right to vote is that he has lived in the State for less than 6 months and in a city or township for less than 30 days. There are several other States in which the determination would be almost as simple as it would be in Michigan. Among them are Idaho, Indiana, Illinois, Iowa, Kansas, Kentucky, and Tennessee.

In many other States the determination would be exceedingly difficult. In Alabama, for instance, in addition to longer residence requirements, the law requires that the person be of good character and embrace the duties and obligations of citizenship under the Constitution of the United States and Alabama, that he be able to read and write in English any article of the Constitution of the United States which may be submitted to him by the board of registrars, and that he must have paid all poll taxes due for the 2 preceding years. He would also be disqualified if he were an idiot or insane person. There are at least 19 States which have some sort of literacy requirement; 5 which require a poll-tax payment; 44 which exclude idiots, insane persons, or persons under guardianship; and 9 which exclude paupers. The most difficult determinations for the census taker to make would be those in connection with character and literacy. Little need be said about character determinations. Literacy determinations need more attention.

Although the Bureau of the Census publishes estimates of illiteracy, statistics by age for States were last available from the 1930 census. By Bureau definition, illiteracy is "the inability to read and write either in English or any other language." The following paragraph was included in a recent Bureau report containing a table of estimates of illiteracy by States as of 1950:

"Statistics collected in the current population survey show that about three-fourths of the population with no schooling and somewhat more than one-half of those with only 1 year of school are illiterate, and progressively smaller proportions of persons with 3, 4, and 5 years of school report that they cannot read and write. All persons with 6 or more years of school completed are assumed to be literate. Since educational attainment tends to be low among older persons, rural residents, and nonwhites, the presence of a large proportion of these persons in the population of a State tends to be associated with a lower level of education of the population and, hence, a higher proportion of illiterates." (Current Population Reports, series P-23, No. 6.)

The estimated number of illiterates 15 years old and over runs from a low of 3,000 in Nevada to a high of 407,000 in New York; and in percentages, from a low of 0.9 in Iowa to a high of 9.8 in Louisiana. In addition to the fact that these statistics include people under 21 they are not useful for 14th amendment purposes for another reason. They would be inadequate for States, like New York, which disfranchise a significant number of citizens who are literate in languages other than English, or for those States in which, by discriminatory administration of literacy tests, people who can read and write English are disqualified from voting.

There is an additional problem which will be considered here, though it may properly belong in the earlier discussion on the meaning of section 2. In States which require previous registration as a condition for voting, how should the man be counted who is turned away from the polls because he has not registered? And what of the man who has not registered but does not bother to appear at the polls because he knows he would be turned away. In each of these cases we presume a man who is otherwise qualified to vote. If such persons are to be excluded in apportioning representatives their number might be much larger than those excluded for all other reasons put together. If such persons are not excluded, would the constitutional mandate be truly carried out? Probably not. And this answer leads us to our next question.

If Congress should decide to enforce section 2, must it base its reduction in apportionment upon an actual count of all kinds of denials of the right to vote or may it base the reduction upon something less? May it, for example, single out denials because of failure to meet literacy requirements and ignore denials for any other reason? And may it base the reduction upon estimates rather than upon an actual count? Representatives Crumpacker and Tinkham would agree that Congress may base the reduction upon estimates and may ignore denials for reasons about which it has no adequate information on which to base a reduction. Not all would agree with these gentlemen, however. As a matter of fact, Mr. Tinkham, in a statement before a subcommittee of the Committee on the Census, calls attention to a committee resolution of June 2, 1951, which read:

"It is the opinion of the committee that these provisions (of section 2) clearly require as proper procedure the introduction of a bill or resolution providing for an investigation with reference to a particular election in a specific State or States, as to whether in such election in such State or States the right to vote was denied, within the meaning of the Constitution, to citizens entitled to the right to vote." (Hearings before a subcommittee of the Committee on the Census on Apportionment of Representatives, House of Representatives, 67th Cong., 1st sess., June 27, 28, 29, 1921, p. 7.)

Whatever may be the correct answer in terms of the intention of those who adopted the amendment, or of its true meaning, or in terms of reaching a just and equitable result, the answer in terms of the sheer power of Congress seems quite clear. Congress can do whatever it chooses to do without much likelihood of any court review of its action, or of its refusal to act. In an action brought on the theory that Virginia would be entitled to four rather than nine Representatives if section 2 were enforced, avis—district court upheld a motion to dismiss based on the ground that "questions relating to the apportionment of Representatives among the several States are political in their nature and reside exclusively within the determination of Congress." In affirming the judgment of the lower court, the court of appeals stated:

"We think that this contention presents a question political in its nature which must be determined by the legislative branch of the Government and is not justiciable. It is well known that the elective franchise has been limited or denied to citizens in various States of the Union in past years, but no

serious attempt has been made by Congress to enforce the mandate of the second section of the 14th amendment, and it is noteworthy that there are no instances in which the courts have attempted to revise the apportionment of Representatives by Congress." (*Saunders* v. *Wilkins*, 152 F. 2d 235, 237–38 (4th Cir. 1945); cert. denied, 328 U.S. 870 (1946); rehearing denied, 329 U.S. 825 (1946).)

If the Congress did act to enforce the second section of the amendment, any complaint that the apportionment was wrong would presumably be based upon the alleged failure of the United States to guarantee to the States a republican form of government as required by article IV, section 4 of the Constitution. But the Supreme Court has indicated that questions arising under this section rest with the Congress to decide—*Luther* v. *Borden* (7 How. 1, 42 (1849)).

In summary, it may be said that, however difficult it might be to acquire the information on which to base a reduction in apportionment, such information can be obtained and the 2d section of the 14th amendment can be enforced. The most logical source for information on which to base a reduction in apportionment is the same source on which the Congress relies for statistics on which to base apportionment, the Bureau of the Census. The Congress, however, must give the Bureau more than a restatement of section 2 like the one which appears in section 6 of title 2 of the United States Code. It must tell the Bureau in specific terms what information it wants.

SHOULD THE 14TH AMENDMENT, SECTION 2, BE ENFORCED

Once it is admitted that section 2 of the 14th amendment was not repealed by the 15th amendment and that it is not so wholly unintelligible as to be unenforceable there is little valid ground on which to base any argument that it should not be enforced. So long as it remains a part of the Constitution and is deliberately ignored, it becomes like a gangrenous limb and endangers the life of the body of the Constitution. If, indeed it is already like a gangrenous limb, incapable of performing its ordained function, then like any other incurably diseased organ it should be amputated, repealed by another amendment just as the 18th amendment was repealed. Despite the theoretical unassailability of the preceding proposition there are many practical considerations which militate against either enforcement or repeal. And the arguments which can be made against any attempt at enforcement which falls short of embracing all denials of the franchise in all States of the Union are quite valid and convincing.

ARGUMENTS AGAINST ENFORCEMENT

1. Section 2 of the 14th amendment has been repealed by the 15th amendment. The purpose of section 2 was to encourage the Southern States to enfranchise the Negro. It did not prohibit the States from denying the Negro the right to vote but required reduction in representation to the extent of such denial. There were many who advocated an outright grant of the franchise to the Negro and others who thought it too soon for the Negro to exercise that right intelligently. Section 2 was a compromise between these opposing positions and with the adoption of the 15th amendment it became obsolete and was in effect repealed.

2. The Constitution, from its adoption, gave the States the right to establish qualifications for its voters. It is inconceivable that this section contemplated the imposition of a penalty on the States for making the right to vote depend upon reasonable conditions like residence, literacy, or even sanity. Democracy derives its strength from the sound judgment of the electorate in casting its vote. How can a stranger in town vote wisely in the selection of a mayor or how can one vote intelligently for State or Federal officers if one is not reasonably familiar with the institutions of government?

3. The section is so unintelligible that it cannot be enforced. Or if its meaning be clear it would be impossible to make the determinations and assemble the statistics which are necessary in order to make a thoroughly equitable reapportionment based on denials of the right to vote in each of the States.

4. Whatever attempt is made to reduce apportionment because of denials of the right to vote the Congress cannot and should not confine itself to the consideration of denials on account of race or color. At the time the 14th amendment was adopted it was proposed that such denials be the only ones considered and the proposal was rejected. If representation is unequal now, to ignore denials for other reasons while weighing denials because of race would cause an imbalance in representation in the other direction. Such result was not intended by the amendment.

ARGUMENTS FOR ENFORCEMENT

1. The section has not been expressly repealed by the 15th amendment. Nor can any repeal by implication be read into it. The 15th amendment deals only with denials or abridgements of the right to vote because of race, color, or previous condition of servitude. It prohibits the States from making such denials. Insofar as the 14th amendment impliedly permitted such denials, it may have been repealed But it cannot be understood that if a State would make such denials its apportionment can no longer be reduced. Moreover, section 2 of the 14th amendment is not limited to denials because of race or color. It embraces all denials for any reason except participation in rebellion or other crime. Whatever effect the 15th amendment could have on denials because of race or color it could have no effect on denials for any other reason.

2. Section 2 does not prohibit the States from establishing reasonable voter qualifications or for that matter from establishing unreasonable voter qualifications. It simply sets up an entirely new system of apportioning representatives. The primary basis for representation is to be the whole number of persons in a State. But that number is to be reduced in the proportion which the number of citizens 21 years of age or over who are denied the right to vote save for participation in rebellion or other crime bears to the total number of citizens 21 or over. If a State establishes property qualifications, which under the Constitution it is permitted to do, its representation is to be reduced in proportion to the number of people of voting age who do not meet the qualification. This is true for any other condition on the right to vote. It is quite clear from the legislative history of the section that this was intended to be its effect.

3. The section is not unintelligible. The reluctance to enforce it may be due to an unwillingness to accept the plain meaning of the section rather than to any innate obscurity in the section itself.

4. So long as the section remains unenforced the House of Representatives does not have the balance the Constitution intended that it have. Because the statistics necessary to enforce it would be difficult to obtain is no reason to neglect to obtain them. It is difficult to ascertain the total number of persons in a State. Yet this must be done. And when it is done there are sometimes disagreements about the results which are obtained. After the census in 1920, some States, including Kansas and Mississippi, objected to the results which were obtained. Yet the apportionment was made. Unquestionably whatever statistics were obtained to furnish a basis for reduction in apportionment would also give rise to some objections. But no one can complain if a reasonable effort is made to obtain valid statistics and then apply them in a manner which is reasonably calculated to result in the kind of equitable apportionment of Representatives contemplated by section 2.

TABLE I.—*Residence requirements*

State	Years in State	Time in county	Time in precinct or ward
Alabama	2	1 year	3 months.
Alaska	1		30 days.
Arizona	1	30 days	Do.
Arkansas	1	6 months	1 month.
California	1	90 days	54 days.
Colorado	1	90 days (30 days in city or town).	15 days.
Connecticut	1	6 months	
Delaware	1	3 months	30 days.
Florida	1	6 months	
Georgia	1	do	
Idaho	½	30 days	
Illinois	1	90 days	30 days.
Indiana	½	60 days in township	Do.
Iowa	½	60 days	
Kansas	½		Do.
Kentucky	1	6 months	60 days.
Louisiana	1	1 year in parish	3 months.
Maine	½	3 months in city, town, etc	
Maryland	1	6 months	6 months.
Massachusetts	1	6 months in city or town	
Michigan	½	30 days in city or township	
Minnesota	½		30 days.
Mississippi	2	1 year in city or town	1 year.
Missouri	1	60 days	
Montana	1	30 days	
Nebraska	½	40 days	10 days.
Nevada	½	30 days	Do.
New Hampshire	½	6 months in town	
New Jersey	½	60 days	15 days (in city of 4th class).
New Mexico	1	90 days	30 days.
New York	1	4 months	Do.
North Carolina	1		Do.
North Dakota	1	90 days	Do.
Ohio	1	40 days	40 days.
Oklahoma	1	6 months	30 days.
Oregon	½		
Pennsylvania	1		2 months.
Rhode Island	1	6 months in town or city	
South Carolina	2	1 year	4 months.
South Dakota	1	90 days	30 days.
Tennessee	1	3 months	
Texas	1	6 months	
Utah	1	4 months	60 days.
Vermont	1	3 months in town (to vote for representatives to general assembly or justices).	
Virginia	1	6 months	
Washington	1	90 days	30 days.
West Virginia	1	60 days	
Wisconsin	1		10 days.
Wyoming	1	60 days	Do

TABLE II.—*Other requirements*

State	U.S. citizenship required	Age	Literacy required	Poll tax prerequisite for voting	Loyalty oath
Alabama	X	21	X	X	X.
Alaska	X	19	X		
Arizona	X	21	X		
Arkansas	X	21		X	
California	X [1]	21	X		
Colorado	X	21			
Connecticut	X	21	X		X.
Delaware	X	21	X		
Florida	X	21			X.
Georgia	X	18	X		
Idaho	X	21			X.
Illinois	X	21			
Indiana	X	21			
Iowa	X	21			
Kansas	X	21			
Kentucky	X	18			
Louisiana	X	21	X		
Maine	X	21	X		
Maryland	X	21			
Massachusetts	X	21	X		
Michigan	X	21			
Minnesota	X [2]	21			
Mississippi	X	21	X	X	X.
Missouri	X	21			
Montana	X [3]	21			
Nebraska	X	21			
Nevada	X	21			
New Hampshire	X	21	X		
New Jersey	X	21			
New Mexico	X	21			
New York	X [1]	21	X		
North Carolina	X	21			X.
North Dakota	X	21			
Ohio	X	21			
Oklahoma	X	21			
Oregon	X	21	X		
Pennsylvania	X [4]	21			
Rhode Island	X	21			
South Carolina	X	21	X		
South Dakota	X [5]	21			
Tennessee	X	21			
Texas	X	21		X	
Utah	X [6]	21			
Vermont	X	21			X.
Virginia	X	21		X	
Washington	X	21	X		
West Virginia	X	21			
Wisconsin	X	21			
Wyoming	X	21	X		

[1] At least 90 days before election.
[2] At least 3 months before election.
[3] By election.
[4] At least 1 month.
[5] Must have resided in the United States 5 years.
[6] For 90 days.

TABLE III.—*Persons disqualified from voting*

State	Idiots, insane, under guardianship	Commission of felony or infamous crime	Paupers	Others
Alabama	X	X		Vagrants and others.
Alaska	X	X [1]		
Arizona	X	X [1]		
Arkansas	X	X		
California	X	X		Aliens ineligible to citizenship.
Colorado	X			While in prison.
Connecticut	X	X [1]		
Delaware	X	X	X	Convicted of election offenses; disfranchised 10 years.
Florida	X	X [1]		Interested in election wager.
Georgia	X	X [1]		
Idaho	X	X [1]		Chinese or Mongolian decendants not born in United States.
Illinois	X	X [1]		
Indiana	X	X [1]		While imprisoned.
Iowa	X	X		
Kansas	X	X [1]		Dishonorably discharged soldier, bribery.
Kentucky	X	X [1]		In prison for penal offense.
Louisiana	X	X [1]		Inmates of prison or charitable institution, deserters and those dishonorably discharged from armed services unless reinstated.
Maine	X		X	
Maryland	X	X [1]		
Massachusetts	X		X	Corrupt election practices; disfranchise for 3 years.
Michigan				
Minnesota	X	X [1]		See body of report under "Qualifications for Voting" regarding Indians.
Mississippi	X	X		Indians not taxed.
Missouri	X	X [1 2]		While in prison or poorhouse.
Montana	X	X [1]		
Nebraska	X	X [1]		
Nevada	X	X [1]		Duel.
New Hampshire		X [1]	X [1]	Violation of election law. [1]
New Jersey	X	X		Do.[1]
New Mexico	X	X [1]		
New York	X	X [1]		Election offenses; shall not vote at such election.
North Carolina	X	X [1]		
North Dakota	X	X [1]		
Ohio	X	X [1]		2d offense under election laws.
Oklahoma	X	X [1]		While in poorhouse or prison.
Oregon	X	X [1]		
Pennsylvania				Election offense; disfranchised 4 years. Bribery at election; for such election.
Rhode Island	X	X [1]	X	Residing on lands ceded by Rhode Island to United States.
South Carolina	X	X [1]	X	While in prison.
South Dakota	X	X [1]		
Tennessee		X [1]		
Texas	X	X [1]	X	
Utah	X	X [3]		
Vermont				Bribery for vote, disfranchised for such election.
Virginia	X	X	X	Duel.
Washington	X	X [1]		Indians not taxed; subversive activities.
West Virginia	X	X [4]	X	Bribery in election (while under conviction).
Wisconsin	X	X [1]		Bribery; [1] duel; election wager, disfranchised for such election.
Wyoming	X	X [1]		

[1] Unless civil rights have been restored.
[2] Connected with election.
[3] Treason or election offense.
[4] While under conviction.

MISUSE OF UNION FUNDS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

Mr. HOFFMAN of Michigan. Mr. Speaker, while a Member is not permitted under the rules to talk to people in the galleries, there is nothing in the rules insofar as I have ever been able to discover, which prohibits discussion while stenographers, employees of the House, the Parliamentarian, and the Speaker on occasion are present and I will now take advantage of that privilege even though the gentleman from Texas is not in the chair. Some years ago Walter Reuther, president of the UAW-CIO created a public review board to pass upon the actions of the union as to whether they were proper and ethical, honest, moral and upright. All very distinguished and impartial men were placed on that board. More recently, when the Republican on the Senate McClellan committee filed a report questioning some of the things which the union had been doing, Reuther referred that report, that part of the report written by the Republicans to this board, and asked that they pass upon the actions of the union in connection with the Kohler strike. That the board determine whether they were proper or illegal. He wanted a clean bill of health. If you look at Business Week of March 12, you will find a statement there giving the names of the members of the board and paying tribute to their intellectual integrity.

But perhaps the better way is to read from Business Week of March 12 last.

I read:

And because they are enemies, Reuther has been goaded into an impetuosity that could damage one of his own creations, for which he has reaped perhaps his greatest public acclaim. That is the impartial Public Review Board.

WHAT IT IS

The review board—seven representatives of religion, law, and education—was established 3 years ago to insure "high moral and ethical standards in the administrative and other practice * * * and to further strengthen the democratic processes * * * within the union." It has decided 42 cases, half or more against the UAW's officers and the International Executive Board.

This week, the review board had to make what its chairman, Rabbi Morris Adler, called the most difficult decision. It had to decide whether or not to grant Reuther's request to review charges made by GOLDWATER and three fellow Republicans on the Senate Labor-Management Investigating Committee. Whichever way it decides either the review board or the union will lose stature.

CAN'T WIN

Leaving aside initial reaction to the decision, the long-term results could lay the board open to a charge of being a rubber stamp for the union, or the UAW open to a charge of being tolerant of violence and other unsavoriness.

It is a decision that the review board should never have had to make, and that its members faced unwillingly. The union's International Executive Board mousetrapped itself and the review board in a manner scarcely credible except that the name of GOLDWATER has the same effect on Reuther as a kick in the shins on anyone else. Then, too, Reuther and the Public Review Board have never had quite the same view of the board's function.

1. WHEN HONESTY HURTS

This is the background of the dilemma:

Early last month, news stories began coming from Washington indicating that the four Republicans on the McClellan committee—GOLDWATER, MUNDT, CURTIS, and CAPEHART—were dissatisfied with the report being drafted by the committee's staff. Soon it became apparent that what was biting the four Republicans was the lack of harsh words about Reuther and the UAW.

So in mid-February, GOLDWATER put into the hands of reporters what was termed "separate views" of the Republicans on the committee. This document mentioned the "clear pattern of crime and violence which has characterized and has generally been associated with UAW strikes," implying that UAW is just as prone as the Teamsters to corruption and underworld alliances.

A few days later, UAW's international excutive board, at Reuther's urging, voted to refer the charges contained in the separate views to the public review board "for a thorough and impartial review so that an impartial report could be made by the public review board to the membership of the UAW and to the public."

Strange action

This action is a real stunner for these reasons:

There is not yet an official minority report of the McClellan committee, although a long, detailed report is in preparation, which may or may not contain statements made in the separate views.

The separate views are no more than the kind of blast from GOLDWATER and the Republicans that Reuther and the UAW should expect in an election year.

The international executive board did not set forth a bill of particulars. So, in essence, it was asking the review board to review the opinions, and the reasons for them, of four Members of the U.S. Senate.

UAW officers have a reputation for being meticulously honest with their members' money and labor, so the document that GOLDWATER distributed hurt the pride of Reuther and his colleagues. Their instinctive reaction was to get the public review board—with its unchallenged integrity—to attest the union's rectitude.

What to do?

The review board's members are widely scattered. Rabbi Adler, Circuit Judge Wade H. McCree, and the Canadian, Magistrate J. A. Hanrahan, are in the Detroit area. Catholic Monsignor George G. Higgins and Methodist Bishop G. Bromley Oxnam, are in Washington, D.C. Dr. Jean T. McKelvey is a Cornell University professor and Dr. Edwin F. Witte, teaches at the University of Wisconsin. They meet only a few times a year. One meeting was scheduled for this past Wednesday.

What the board could review to fulfill Reuther's request was uncertain to its members, who were well aware of the political nature of the Republicans' document. But Rabbi Adler felt, early this week, that the board members know enough about the general nature of the charges not to want to duck the matter simply because an official minority report has not been issued. Whether the GOLDWATER charges are official or merely personal opinion has now become irrelevant to the central concern. The review board is being tested by the UAW and in the eyes of the public. It knows it is being tested, and up to now, it has been independent of the UAW almost to the point of truculence.

II. WATCHDOG OR HIGH COURT

The test involves a variety of factors not too closely related to the actual ground rules for making the decision. From the start, the board has insisted that everyone connected in any way with the union must act in strict, letter-of-the-law observance of the UAW constitution. So it has always had to answer only one question in deciding whether to consider any case: Does the board have jurisdiction under the union's constitution? There is no appeal from the board's decisions; when it decides it does not have jurisdiction, that ends the matter.

But this time the board members have to be aware of other factors.

Public watchdog

In first proposing the Public Review Board to the union's convention in 1957, Reuther talked in terms of a "public watchdog"—a body that could investigate, hold hearings, and report on the ethics of any practices and activities of UAW officers and members. Implicit in everything Reuther said about the Public Review Board was the view that the board could and should initiate action on its own.

But the board has not launched investigations on its own initiative. The constitutional provision establishing the board and defining its role is shadowy on this point. The board has become, in the minds of its members and in its actions, strictly an appeal body—a supreme court, rather than a suspicious observer. And, says a member, "The board is not anxious to extend its jurisdiction."

A UAW member can appeal any decision affecting him, first to the local, then to the international executive board. An appeal from the decisions of the IEB can be taken either to the biennial convention or to the Public Review Board, but not to both. Most appeals relate to such things as procedures and the outcomes in local elections. Only a few have pertained to ethical practices, which is mainly what the charges in the "separate views" involve.

Narrow ground

The board has been exceedingly careful to render decisions on narrow constitutional grounds. It set this pattern right at the start, when—in the only instance at all comparable to the present one—the UAW executive board asked the review board to review decisions made by the international and local executive boards in cases of union officials who admitted past membership in the Communist Party.

These men had been given hearings, and the UAW units concerned and decided they were not barred under any ethical practice codes from holding office in the union.

Some of the men had refused before a Senate committee to answer some questions pertaining to their associates in past Communist activity, and this gave GOLDWATER a chance to ask what the UAW was doing about officials who took the fifth amendment when questioned about communism.

The Public Review Board ignored the entire matter of the propriety of the conduct of the UAW people before the Senate committee and of the particulars of the ethical practices codes. It examined only one factor: Did the UAW conduct a proper review of the cases? It concluded that it had done so, and "we are unable to say that the actions of the International Union with regard to these individuals has not been consistent in spirit as well as in letter with the AFL-CIO Ethical Practice Code."

Going outside

In those cases, the UAW's executive board obviously was asking the Public Review Board to give a critique, so to speak, for the public on how conscientiously the union observes ethical codes of conduct. Now, in the case of the "separate views," it has asked again for a public testimonial—but it has neglected to give the Public Review Board a hook. It is not asking the review board to review any action of the international union. And that is perhaps the biggest test presented by Reuther.

He and the other officers suggested in a press release that the Public Review Board go over all official records and testimony before the National Labor Relations Board pertaining to the Kohler strike, because a considerable part of the "separate views" commented on UAW's conduct in that strike. The International Executive Board expressed confidence that "such an impartial and objective review of the facts will expose the report of the Republican minority."

The difficulty with that approach is that the Public Review Board has no jurisdiction over a Senate committee, and merely to review the records that the UAW officers cite is bound to leave the review board subject to a charge of "whitewash" by UAW opponents. If it dug deeper where it has jurisdiction, and looked at the conduct of UAW during the Kohler strike, it could not avoid the finding that two UAW members went to jail for assault on the picket line. It's not likely that UAW officers are anxious for that kind of a review of the Kohler affair.

It is far more likely that the UAW executive board wants the Public Review Board, in addition to being the high court of appeals in union administrative decisions, to be a "watchdog" as it defines the term—a defender that will extol the union's probity anytime anyone throws rocks. And the air should be filled with rocks in this election year.

Unique status

The UAW is the largest union with any such organization as the Public Review Board; it is the only one with such a board that has been active.

The review board has repeatedly rapped the knuckles of union chieftains for not adhering strictly to methods prescribed by the UAW constitution; it has even inspired some change in the constitution to clarify procedures and rights of members. Board members are proud of the nature of their decisions and are lavish in praise of UAW for permitting them to function without the slightest murmur or gesture of pressure to influence decisions.

Board members also feel that their actions have been under scrutiny by other unions, by management, and by government—that

they are making history and possibly erecting a model for others. That's why they feel that what they do about the case of the "separate views" is so important.

Will they continue to be a supreme court only to break a path for other unions—who knows, some day perhaps for even the Teamsters—or will they repeatedly be asked to make a public display—like a bodybuilder's ad in the pulp-paper magazines—of UAW's moral and ethical posture?

That's the real test and decision.

More recently Walter has conceived the idea that perhaps he might not be able to deceive the board members and would not get a clean bill of health from them; that the facts were against him, that he has been guilty of all sorts of reprehensible things, that his union has misused the funds of the union in employing professional thugs, and that he has misused the funds of the union in sending goons to Wisconsin—Sheboygan—to violate the law deliberately and repeatedly.

If I get the feeling correctly, the purpose—well, he wants to get out of that invitation to these gentlemen to look over his records, and there is only one way out they can find. I do not know that they want to, but if they did, that is to claim lack of jurisdiction.

So here we have the case of the union and the president of the union, Reuther, asking that the certificate of honesty that was issued by Bob Kennedy be declared to be an accurate one while Reuther challenges the accuracy of the statement of the Republicans on the McClellan committee. I am suggesting that Reuther may be just a little uncertain, let us call it, because he knows the facts; a good reason why he is uncertain about what the board may do, what its decision may be. He seems to want to get out of the unusual situation in some way.

I hope the board brings the facts to light. Walter Reuther is worse than Jimmy Hoffa. Jimmy Hoffa extorted money—you know what that is, money—and hires criminals to do his dirty work, but Reuther hires criminals to violate the law, steals away civil rights guaranteed by the 5th and 14th amendments.

CIVIL RIGHTS

Mr. DOWDY. 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 Texas?

There was no objection.

Mr. DOWDY. Mr. Speaker, since my remarks of March 11, the proceedings on these so-called civil rights proposals have emphasized the validity of what I said at that time by revealing other ill-advised objectives that could only yield tragic results to our Nation and our people.

Not only are you setting the precedent of conclusive presumption of guilt, which is wholly foreign to our Anglo-Saxon jurisprudence, but the free and secret elections, which we were many years in obtaining, would be destroyed.

Other proposals being advanced here are particularly oppressive. One of them is the dangerous part III that we struck from the 1957 bill. Part III is the thought control section, which gives the Attorney General the authority to bring a citizen into court and convict him without due process, by depriving him of his legal rights.

Thinking citizens easily see the danger in this. In November 1958 the headlines in the Worker, the official newspapaper of the Communist Party in New York, told of their plan to bring pressure on this Congress to enact part III, and their pressure is having effect on some.

Another part of the pending bill is intentionally worded to destroy the right of trial by jury in criminal contempt cases. Its effect is that a citizen could be placed in jail for 2 years and fined $10,000 for writing a letter, or making some chance remarks which some Federal authority might think would interfere with a school. This is destruction of the right of free speech guaranteed by the Constitution. It would ban the constitutional right to freely assemble, because you might attend a meeting where a remark made by a speaker would make the whole group subject to arrest, and conviction for criminal contempt—again without benefit of a jury trial.

The attempt is also made to revive the old FEPC proposal, which was defeated some years ago and should be defeated again.

The following are the constitutional guarantees which are under attack right now, in both Houses of Congress: Freedom of speech, press, assembly, jury trials, appeals, open hearings, and even freedom of religious belief. You must agree with me that they are all worth fighting to preserve, and to my utmost strength, I am fighting to preserve them. I will again be criticized for refusing to vote with the radical northern Democrats, but I will not vote with anybody who is wrong. I will put principle above party any day. I plead with you to help defeat these alien proposals.

I ask you to consider again my remarks of March 11. The freedom of the American people is at stake.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FALLON (at the request of Mr. GARMATZ), for Monday, March 21, 1960, on account of official business.

Mr. MCGINLEY, for March 21, 1960, on account of necessary business trip to congressional district.

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. HECHLER, for 5 minutes, today.

Mr. DADDARIO, for 5 minutes, today.

Mr. HOLIFIELD, for 30 minutes, today.

Mr. PORTER, for 60 minutes, on Thursday next.

Mr. BENTLEY, for 5 minutes, today, to revise and extend his remarks and include extraneous material.

Mr. HOFFMAN of Michigan, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. KING of Utah and include extraneous material.

Mr. ALGER.

Mr. BELCHER and include extraneous matter.

Mr. HOLTZMAN.

(At the request of Mr. ROBISON and to include extraneous matter, the following:)

Mr. WESTLAND.

Mr. DEVINE.

(At the request of Mr. DORN of South Carolina and to include extraneous matter, the following:)

Mr. MULTER.

Mr. SHIPLEY.

Mr. BARR.

Mr. LIBONATI.

ADJOURNMENT

Mr. DORN of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 54 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 22, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1965. A letter from the Administrator, Small Business Administration, transmitting the 13th Semiannual Report of the Small Business Administration covering operations between July 1 and December 31, 1959, pursuant to Public Law 85-536; to the Committee on Banking and Currency.

1966. A letter from the Acting Director, U.S. Information Agency, transmitting the 13th Semiannual Report of the U.S. Information Agency for the period July 1 to December 31, 1959, pursuant to Public Law 402, 80th Congress; to the Committee on Foreign Affairs.

1967. A letter from the Chairman, Federal Power Commission, transmitting a copy of the recently issued map entitled "Major Natural Gas Pipelines, December 31, 1959"; to the Committee on Interstate and Foreign Commerce.

1968. A letter from the Secretary of Agriculture transmitting a draft of proposed legislation entitled "A bill to amend the act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton, as amended, by defining certain offenses in connection with the sampling of cotton for classification and providing a penalty provision, and for other purposes"; to the Committee on Agriculture.

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. HÉBERT: Committee on Armed Services. H.R. 10959. A bill relating to the employment of retired commissioned officers by contractors of the Department of Defense and the Armed Forces and for other purposes; with amendment (Rept. No. 1408). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on House Administration. House Resolution 482. Resolution relative to the contested election case of Mahoney against Smith, Sixth Congressional District of Kansas; without amendment (Rept. No. 1409). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 11272. A bill to authorize the Secretary of the Interior to permit the occupancy and use by the Congressional Club of certain lands in the District of Columbia which are under the jurisdiction of the National Park Service; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 11273. A bill to authorize the Secretary of the Interior to permit the occupancy and use by the Congressional Club of certain lands in the District of Columbia which are under the jurisdiction of the National Park Service; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL:

H.R. 11274. A bill to provide that the unincorporated territories of the Virgin Islands and Guam shall each be represented in Congress by a Territorial Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN of New York:

H.R. 11275. A bill to provide that the unincorporated territories of the Virgin Islands and Guam shall each be represented in Congress by a Territorial Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 11276. A bill to provide that the unincorporated territories of the Virgin Islands and Guam shall each be represented in Congress by a Territorial Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H.R. 11277. A bill to provide that the unincorporated territories of the Virgin Islands and Guam shall each be represented in Congress by a Territorial Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

By Mr. ADDONIZIO:

H.R. 11278. A bill to prevent the use of stopwatches, work measurement programs or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.R. 11279. A bill to authorize the acquisition of land for donation to the Pan American Health Organization as a headquarters site; to the Committee on Public Works.

By Mr. FLYNN:

H.R. 11280. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. GEORGE:

H.R. 11281. A bill to amend title 38 of the United States Code in order to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Veterans' Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 11282. A bill to amend the Internal Revenue Code of 1954 to permit a deduction from gross income for campaign expenses of candidates for public office; to the Committee on Ways and Means.

H.R. 11283. A bill to amend the Internal Revenue Code of 1939 and 1954 with respect to the apportionment of the depletion allowance between parties to contracts for the extraction of minerals or the severance of timber; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 11284. A bill to provide for the establishment of a Veterans' Administration hospital in Queens, Suffolk, or Nassau Counties, N.Y.; to the Committee on Veterans' Affairs.

By Mr. HARMON:

H.R. 11285. A bill to amend the Internal Revenue Code of 1954 to provide that the child-care expense deduction shall be allowed a woman without regard to her marital status or income; to the Committee on Ways and Means.

By Mr. MACDONALD:

H.R. 11286. 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. 11287. A bill to amend the Immigration and Nationality Act so as to modernize and liberalize the quota system and provide for the admission of persecuted peoples, and for other purposes; to the Committee on the Judiciary.

By Mr. MOULDER:

H.R. 11288. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

By Mr. PUCINSKI:

H.R. 11289. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 11290. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 11291. A bill to amend title V of the Agricultural Act of 1949, as amended, to provide, in connection with the employment of workers from Mexico, protection against unfair competition from corporate agriculture to the American family farm, and protection for the employment opportunities of domestic agricultural workers in the United States, and for other purposes; to the Committee on Agriculture.

By Mr. SPENCE:

H.R. 11292. A bill to amend title II of the Social Security Act to include Kentucky among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 11293. A bill to amend the provisions of title II of the Social Security Act relating to disability freeze and disability insurance benefits so as to eliminate the age 50 requirement for such benefits, to eliminate the waiting period for such benefits in certain cases, to provide a period of trial work for certain individuals receiving such benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. WOLF:

H.R. 11294. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 11295. A bill to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; to the Committee on Education and Labor.

By Mr. COHELAN:

H.R. 11296. A bill to amend title V of the Agricultural Act of 1949, as amended, to provide, in connection with the employment of workers from Mexico, protection against unfair competition from corporate agriculture to the American family farm, and protection for the employment opportunities of domestic agricultural workers in the United States, and for other purposes; to the Committee on Agriculture.

By Mr. GEORGE:

H.R. 11297. A bill to reduce the cost to the U.S. Treasury of farm price and income stabilization programs, to provide means by which producers may balance supply with demand at a fair price, to reduce the volume and costs of maintaining Commodity Credit Corporation stocks, to provide for distribution to needy people and public institutions of additional needed high protein foods, to preserve and improve the status of the family farm through greater bargaining power, to provide a marketing program for wheat, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of California:

H.R. 11298. A bill to direct the Secretary of the Interior to establish a research program in order to determine means of improving the conservation of game fish in dam reservoirs; to the Committee on Merchant Marine and Fisheries.

By Mr. SHIPLEY:

H.R. 11299. A bill to create and prescribe the functions of a National Peace Agency; to the Committee on Foreign Affairs.

By Mr. COAD:

H.R. 11300. A bill to amend the Natural Gas Act to prohibit a rate increase from becoming effective, subject to bond, before a pending rate increase proceeding has been finally determined; to the Committee on Interstate and Foreign Commerce.

By Mr. BOYKIN:

H.R. 11301. A bill to authorize and direct that the national forests be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes; to the Committee on Agriculture.

By Mr. BRADEMAS:

H.R. 11302. A bill to amend section 601 of title 38, United States Code, to provide for the furnishing of needed services of optometrists to veterans having service-connected eye conditions; to the Committee on Veterans' Affairs.

By Mr. BENNETT of Florida:

H.J. Res. 654. Joint resolution proposing an amendment to the Constitution of the United States relating to Presidential inability; to the Committee on the Judiciary.

By Mr. GEORGE:

H.J. Res. 655. Joint resolution designating the red rose as the national flower of the United States; to the Committee on House Administration.

By Mr. PELLY:

H.J. Res. 656. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

By Mr. ADDONIZIO:

H. Con. Res. 621. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. ANFUSO:

H. Con. Res. 622. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Con. Res. 623. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Con. Res. 624. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. DADDARIO:

H. Con. Res. 625. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. DEROUNIAN:

H. Con. Res. 626. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. FLOOD:

H. Con. Res. 627. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. JUDD:

H. Con. Res. 628. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. McDOWELL:

H. Con. Res. 629. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. PUCINSKI:

H. Con. Res. 630. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Con. Res. 631. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. ROSTENKOWSKI:

H. Con. Res. 632. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H. Con. Res. 633. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. ZELENKO:

H. Con. Res. 634. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. VANIK:

H. Con. Res. 635. Concurrent resolution expressing the sense of the Congress with respect to the distribution of nuclear weapons and nuclear weapons secrets to other nations; to the Joint Committee on Atomic Energy.

By Mr. FEIGHAN:

H. Con. Res. 636. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mrs. CHURCH:

H. Con. Res. 637. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. SANTANGELO:

H. Con. Res. 638. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. BARR:

H. Res. 481. Resolution to create a Committee on Fiscal Planning; to the Committee on Rules.

By Mr. ASHMORE:

H. Res. 482. Resolution relative to the contested election case of Mahoney against Smith, Sixth Congressional District of Kansas; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to enact the Forand bill to provide health insurance coverage as part of social security benefits; to the Committee on Ways and Means.

Also, a memorial of the Legislature of the State of Nevada, memorializing the President and the Congress of the United States relative to requesting the continuance of aid to the American Indian; 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. COHELAN:

H.R. 11303. A bill for the relief of Chuan Mai Chang; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 11304. A bill for the relief of Mrs. Marguerite de Soepkez; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 11305. A bill for the relief of Stefanos Georgios Mattes; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 11306. A bill for the relief of Maria Rosa Agostini; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 11307. A bill for the relief of Romuald Chmura; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Tragic Death of Attorney Harry Meyers of Chicago

EXTENSION OF REMARKS

OF

HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. LIBONATI. Mr. Speaker, it was well said by the sages through the ages that—

> You who mourn the loss of loved ones, let there come the comfort that, though the dust returns to the earth as it was, the spirit returns to God who gave it. Death is not the end. Our dear loved ones have passed through the gateway of life into the peace of the hereafter that endureth always. We know that all of us must tread the same path, though we know not when the hour may strike. Let us so live that the coming of that hour shall find us unafraid. May our deeds do honor to the memory of our beloved whom Thou has taken unto Thyself. In unshaken trust in Thy wisdom and loving kindness, we give praise unto Thy name.

And so these reflections are so befitting to alleviate the great pain and sadness befalling the relatives of my distinguished friend and celebrated lawyer, Harry Meyers, who for many years practiced law in the city of Chicago.

It was his sad fate to meet death as a victim of the midair disaster in the explosion of the Northwest airliner turboprop Electra jetplane near Tell City, Ind., in the Ohio River Valley, while en route to Miami. He was a bosom friend of the distinguished jurist, the Honorable John A. Sbarbaro, and had accompanied him on that ill-fated journey.

They always traveled together. Their loss was mourned by the bench and bar of Illinois.

He was a calm, gentle person, whose depth of understanding in the law marked him as a leader at the bar. He was accepted as an authority in his chosen field—the criminal law. He was kindly to and considerate of his fellow humans. It was a natural thing that he and Judge Sbarbaro were attracted to one another in a close bond of friendship.

The completeness of this great tragedy in the consummation of the mortal remains of all the passengers—attests to the suddenness of the disaster.

As though in this life they were reduced suddenly into the fading shadows of another world—a world of everlasting grace, where the soul retains the identity of the individual in his corporeal existence upon the earth. In the world of men we cannot but accept the belief that everlasting life is the reward for these who have kept the faith. These two friends inseparable in life were inseparable in death—God knows.

With prayers and sincere condolences to the eminent physician Dr. Max Meyerovitz, of Chicago, who practiced for 50 years near my home at Taylor and Racine Avenue, and his good brother Ben. May God give them strength in this their saddest hour. We, their friends, pray with them for his soul—may he rest in peace.

Ohio State, Champions of Western Conference and NCAA

EXTENSION OF REMARKS

OF

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. DEVINE. Mr. Speaker, to its laurels as Big Ten champion, Coach Fred Taylor and his great Ohio State University basketball team added the National Collegiate Athletic Association title Saturday night, March 19, 1960, de-

feating California by the widest margin ever registered in a championship in the NCAA tournament history.

Coach Fred Taylor is to be congratulated for his outstanding leadership and guidance of the fine young men who made up this championship team. Much credit also must be given to Jack Graf and Frank Truitt for their excellent work in scouting and assisting in coaching.

The championship is the result of strictly team effort and although there are a number of oustanding individual stars on this ball team, their sportsmanship and team play were particularly impressive.

The State of Ohio and the Nation are justly proud not only of the starting five, Jerry Lucas, Larry Siegfried, John Havlicek, Joe Roberts, and Mel Nowell, but also the bench strength of fine players possessing nearly equal abilities Dick Furry, Richie Hoyt, Howie Nourse, Bob Knight, Gary Gearhart, John Cedargren, Jim Allen, J. T. Landis, Nelson Miller, Jerry Milliken, and Dave Barker are entitled to an equal share of the credit.

Greek Independence Day

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. MULTER. Mr. Speaker, as the Fourth of July is our national holiday, so independence day under various names is the signal holiday for many nations of the world.

For the Greeks, independence day has special and perhaps unique significance. Celebrating the beginning of the revolt against Ottoman rule which began on March 21, 1821, Greek Independence Day marks the renewal of the traditions of freedom, independence and cultural excellence which have been the hallmarks of Greece since ancient times.

Indeed, if there were such a thing as a copyright on these ideas the Greeks would hold it. For it is to ancient Greece that we must look for the source of our ideas of individual freedom, of the relation between the free citizen and the state and of many other of the highest achievements of Western civilization. The Greeks conceived these ideas, developed them and put them into practice, and finally, through their writings, transmitted them across the dark ages of history so that they might be reborn in modern forms.

These ideas and traditions have never really been lost in Greece, although that country through the centuries suffered heavily from alien rule and oppression. Throughout the long Muslim rule, lasting more than 300 years from the 15th to the 19th centuries, these ideas and traditions kept Greek society alive and ready to reassert its rightful place in the world. The Greeks fought bitterly for their independence for over 6 years from 1821 to 1827 and in this fight and victory set an example for the nations of the modern world.

As Greeks celebrate the 139th anniversary of the beginning of their renewal of independence, the sentiments of all people committed to freedom and independence are with them.

Regulation of the Price of Gas at the Wellhead

EXTENSION OF REMARKS

OF

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. BELCHER. Mr. Speaker, under leave granted, I wish to insert in the RECORD the following letters.

Realizing the importance of the gas industry to our State and realizing the confusion that has existed in regard to the regulation of the price of gas at the wellhead by the Federal Power Commission, I wrote a letter to the President urging him to send a message to Congress concerning the gas situation. I herewith include as part of my remarks a copy of the letter which I wrote to the President and a copy of the letter the President sent to me.

FEBRUARY 5, 1960.

The Honorable DWIGHT D. EISENHOWER,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: You will recall that at the time you vetoed the gas bill that was passed by the Congress, I vigorously urged you to sign it, and it was a severe disappointment to a lot of my constituents when you vetoed it.

I have defended your veto on the ground that at the time that you were compelled to either sign or veto the bill, there were a lot of rumors floating around Washington as to bribes having been offered to other Members of the Senate. It developed that these rumors were unfounded. However, if you had signed the gas bill after the information that you had concerning Senator CASE and then a scandal had developed you would have been severely criticized. My people have accepted this defense. However, many of them keep saying, "if the President is for a gas bill, why hasn't he said something about it since the veto?"

Therefore, I sincerely hope that you will see fit to send some kind of a message to the Congress advocating the passage of a gas bill during this session. I am thoroughly convinced that justice demands a bill which removes the power from the Federal Power Commission to establish the price of gas at the wellhead. The only occasion for establishing the price of any commodity is that there is a monopoly granted to some industry, such as public utilities. There is no monopoly in the production of gas. There are over 8,000 producers competing with each other for the market. To say that these 8,000 have a monopoly at the same time that we say that 4 or 5 automobile companies that make all the automobiles don't have a monopoly is asinine.

There is not a commodity that doesn't deserve price fixing just as much as gas at the wellhead. Therefore until the time that we have complete price controls in this country, we shouldn't control the price of one commodity except on the basis of a monopoly.

I certainly hope that you will give this serious consideration.

With best wishes, I am,

Sincerely yours,

PAGE BELCHER,
Member of Congress.

THE WHITE HOUSE,
Washington, March 17, 1960.

Hon. PAGE BELCHER,
House of Representatives,
Washington, D.C.

DEAR PAGE: Your recent letter expressed the hope that I would send a message to Congress during this session advocating once again the passage of a gas bill. I feel sure that everyone clearly understands my position on this matter. I have strongly favored the elimination of public utility-type regulation of producers of natural gas. Both before and since the veto of the gas bill in 1956 I have advocated legislation to this end. I still favor such legislation.

In existing circumstances, however, a mere reiteration of my viewpoint on this matter would probably serve no useful purpose. I am ready and willing to support this legislation in this session with full vigor if those in control of Congress give some indication that they will join in this effort.

With warm regard.

Sincerely,

DWIGHT D. EISENHOWER.

Secretary of State Christian A. Herter Commended for His Protest to Red China for Their Sentencing of Bishop James Edward Walsh

EXTENSION OF REMARKS

OF

HON. LESTER HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. HOLTZMAN. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD I would like to include a letter I have today written to the Honorable Christian A. Herter, Secretary of State, congratulating him on the prompt and forthright protest to the Communist government of Red China against the harsh and unreasonable sentencing of Bishop James Edward Walsh.

We are certainly aware of the fact that the Communists are not amenable to any suggestions we might make. However, we must stay with this protest and continue our efforts to effect the release of Bishop Walsh and others who have been the innocent victims of totalitarian thinking.

I would also like to include an editorial which appeared in today's New York Times, entitled "Bishop Walsh's 'Crime'."

The letter to Secretary of State Herter, and the editorial follow:

MARCH 21, 1960.

Hon. CHRISTIAN A. HERTER,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I am very pleased to learn of your prompt, vigorous and entirely justified protest against the patently unfair sentences meted by the Red Chinese

to Bishop James Edward Walsh, and many of his colleagues.

This new incident so vividly recalls many other instances relating to our fliers, Cardinal Mindzenty, Archbishop Stepniac, and numerous other political and religious persecutions perpetrated by the Communist countries.

We have learned from bitter experience that the Communists do not understand decency, and construe decency to be weakness. We have also learned from this experience that only by a continuing and firm stand can we ever accomplish anything with these totalitarian governments.

I accordingly urge that you continue your strong protests and bring every pressure possible to see to it that Bishop Walsh and his colleagues are promptly released.

I am sure you know that you have all the American people behind you in this effort.

With my best wishes, I am,

Sincerely yours,

LESTER HOLTZMAN,
Member of Congress.

[From the New York Times, Mar. 21, 1960]

BISHOP WALSH'S "CRIME"

Bishop James Edward Walsh, of Cumberland, Md., may spend the rest of his life in a Chinese prison for offending the Red China Government. At 69, he has been a servant of the Chinese people and of his church for almost half a century. All of us, of whatever religion, can share in an admiration for Bishop Walsh and indignation for the cruel 20-year sentence inflicted upon him.

An associate, the Very Reverend John F. Donovan, vicar-general of the Maryknoll Fathers, said of him: "If love is a crime, then he is guilty; if opposition to a brutal and tyrannical regime is a crime, he is guilty; if allegiance to his church is a crime, then he is guilty." In the raw, bitter communism of mainland China most of the civilized virtues are crimes and the Sermon on the Mount is full of treason.

Secretary Herter's protest will carry little weight with a government which charges our own Government with an "imperialistic scheme to subvert the Chinese people's democratic regime." But outrages such as this may well be remembered when somebody inquires why we do not want Red China in the United Nations or a Red Chinese Ambassador in Washington.

Pensions for Veterans of World War I

EXTENSION OF REMARKS

OF

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. SHIPLEY. Mr. Speaker, early this year I introduced H.R. 9466 which provides payment of pensions to veterans of World War I. A number of other Members of Congress have introduced such proposals and interest is growing in providing such pensions. Recently the national junior vice commander of the Veterans of World War I of the U.S.A., Inc., outlined the legislative objectives of this organization to the House Committee on Veterans' Affairs which included monthly pensions. The question is shall these veterans of World War I receive an across-the-board monthly pension of $100.

The truth is that the veterans of World War I are indeed a special and unique group of veterans but only in the sense that as of now the discrimination has been against them and not for them. They have not been treated on a par, in terms of veterans' benefits, with the veterans of other wars. In other words there is a residual debt owing to the veterans of World War I based on the fact that the Congress and this Government has shown greater—and I may say—wiser largesse for the veterans of World War II and the Korean war. There was no GI bill of rights for the veterans of World War I as there was for the veterans of the other two recent wars. Those who complain that an across-the-board pension for veterans of World War I would create an unfortunate precedent that would mean a similar across-the-board pension for the other veterans, are thus in error. It would create no such precedent. The reason simply is that this proposed pension is not for the purpose of giving the World War I veterans what other veterans did not not receive, so that to be fair other veterans should also be entitled to it.

On the contrary this pension is intended to make up to the World War I veteran for the difference in benefits between what he received and what the World War II and the Korean veterans received. It does not bring the pension idea out of joint so that it will have later to be corrected in favor of veterans subsequent to World War I. Rather it brings into a relationship of justice the overall gratitude of the country toward the World War I veteran so that the benefits he receives will—at long last—be brought up as equal as may be to the immense and intelligently conceived benefits that have been accorded the veterans of our subsequent two wars.

The veteran who went soldiering in World War I lost a fixed value—so to speak—out of his life and his career. This he was never permitted to retrieve as the other and subsequent veterans were permitted to retrieve it through the GI bill of rights. They got some benefits to be sure but nothing in proportion to what the country gave the others. This proposed pension of $100 a month corrects that inequality. Since it corrects the inequality it does not create a precedent.

The very justice of the World War I veterans' case should make it publicly acceptable and I hold the people of the United States generally would approve it. Moreover the statistics from a fiduciary standpoint show that such a pension is sound arithmetically and far from a burden to the Federal budget in relation to the results it would produce. There are, as of December 1959, 2,724,000 World War I veterans. The cost of the program therefore in the first year would come to about $1.9 billion. This would be gradually but consistently reduced since the average age of World War I veterans is now 65.7 years. For example some 9,000 World War I veterans died in the month preceding December 1959. For the second year the program would come, according to estimates from the Veterans' Bureau, to something less than $1.780 billion. The third year it would be less even than $1.7, and so on. The sum is formidable to be sure. But it is not by any means an insurmountable problem in a Nation with a gross national product now rapidly climbing to $500 billion annually. The pension is acceptable to the American people not only because it is financially feasible but because it is morally right and corrects an injustice that cries to high heaven for judgment.

Wins Service Award

EXTENSION OF REMARKS

OF

HON. JACK WESTLAND

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. WESTLAND. Mr. Speaker, in times of peace, even during a cold war, many of us are inclined to overlook the fine job our armed services are doing to protect our Nation.

One of the units defending us has its headquarters at Redmond, Wash., in my district, and I believe this unit typifies the hard work and devotion to duty of our soldiers, marines, sailors, and airmen. This unit is the 4th Missile Battalion, 60th Artillery.

Under leave to extend my remarks in the RECORD, I want to insert a news story which appeared on page 1 of the March 3 issue of the Sammamish Valley News, published in Redmond, Wash.

LOCAL NIKE UNIT NAMED THE BEST IN UNITED STATES

Redmond's military units were named the most outstanding in the entire U.S. Air Defense Command at a special ceremony held on the parade ground of D Battery's control area Monday morning.

Presentation of the trophy for the best Nike-Hercules firing record in the United States during 1959 was made by Maj. Gen. P. H. Draper, Jr., Chief of Staff of the Army Air Defense Command. The general, who is stationed at Colorado Springs, Colo., was on a 3-day orientation tour of the 31st Artillery Brigade units throughout Washington.

Acceptance of the trophy for the men was made by Lt. Col. Richard F. Cox, commander of the 4th Missile Battalion. Colonel Cox also accepted a similar trophy for outstanding performance presented by the 31st Brigade Headquarters at McChord Air Force Base.

Accompanying General Draper on his visit to Redmond were Brig. Gen. Daniel O'Connor, commanding general of the 31st Brigade; Lt. Col. P. A. Anson, secretary to the general staff, U.S. Air Defense Command; and Maj. Charles A. Duncan, training officer of the 26th group.

Mr. Speaker, the Department of the Army has informed me the trophy was awarded for the highest annual service practice score during calendar year 1959 for a battalion of three batteries or less. The 4th Missile Battalion scored 8,249 points out of a possible 9,000 points.

Since the battalion was first organized in December 1917 at Fort Monroe, as part of the 60th Artillery Regiment, it has served with distinction. During World War I, the battalion earned cam-

paign streamers for its action at St. Mihiel and the Meuse-Argonne.

Its demobilization in February 1919 at Fort Washington, Md., was only for a brief period. The unit was reconstituted and reorganized 3 years later as the 60th Artillery Battalion, Antiaircraft, at Fort Crockett, Tex. It was expanded to regimental size later and sailed to the Philippine Islands, where it fought the Japanese forces until May 6, 1942.

Before it was forced to surrender, the unit earned three Distinguished Unit Streamers. These decorations were embroidered Manila and Subic Bays 1941–42, Manila and Subic Bays 1942, and Defense of the Philippines. It also won the Philippine Presidential Unit Citation, embroidered "7 December 1941 to 10 May 1942." Among its campaign streamers, of course, is the one which reads Philippine Islands.

Its officers and enlisted men have earned for the battalion the 1957 USARADCOM annual service practice championship in addition to its recent award.

Mr. Speaker, I congratulate these men and believe they represent the type of personnel in all forces. They are men who in preparing for war help maintain the peace.

National Defense

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, March 21, 1960

Mr. WILEY. Mr. President, recently I delivered over Wisconsin radio stations an address in which I stated that our country has adequate anti-Communist deterrent power. I also outlined the defense timetable for the future, and said that our country will need a space academy; and I announced that publication of an updated internal security manual. I ask unanimous consent that my remarks be printed in the RECORD.

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

ADDRESS BY SENATOR WILEY—UNITED STATES HAS ADEQUATE ANTI-COMMUNIST DETERRENT POWER; OUTLINES DEFENSE TIMETABLE FOR FUTURE; SAYS UNITED STATES WILL NEED SPACE ACADEMY; ANNOUNCES PUBLICATION OF UPDATED INTERNAL SECURITY MANUAL

Friends, I would like to discuss with you briefly a matter which is of deepest concern to all of us, namely, the challenge of providing adequate security—internal and external—for our country.

Today, the major threat to our security—communism—is real and formidable. Overall, the Communist strategy encompasses military, political, economic, psychological, and nearly all other fields of human endeavor.

To combat this multipronged effort by the Communists to extend their influence and control, we need to be constantly on the alert, ready and willing to dedicate the necessary manpower and resources to thwart their aims of world conquest.

WILEY SAYS: "PRESENT DEFENSE IS STRONG DETERRENT"

Question. Senator WILEY, in reviewing our defense posture, let me ask you point blank: Do you feel that our defense program is presently adequate to meet the challenge of communism?

Answer. Yes. Fortunately, the testimony before the joint hearings of the Space and Preparedness Committee found our experts in almost unanimous agreement that we have an adequate defense for the present.

According to Secretary of Defense Thomas Gates, for example, we have nuclear weapons that exceed those of the U.S.S.R. by several times in destructive power; and long-range means of delivering that exceed theirs by several times in total carrying capacity.

In combination, these are considered by our experts able to bring destruction to anyone who would be so foolish as to attack us.

Question. Are there any other deterrents?

Answer. Very definitely.

First, the nations allied with us in efforts of freedom to combat communism—economically, militarily, and morally—represent a tremendous force.

Second, we must not forget the nearly 1 billion people behind the Iron and Bamboo Curtains. As human beings, a vast majority of them, I believe, would like—as much as we do—to have freedom and a voice in their government. Actually, only about 2 percent of the people in China, and 6 percent in the Soviet Union are hard-core members of the Communist Party.

Third, the so-called neutral or uncommitted nations in the world represent a tremendous economic, psychological and moral force that will eventually—I am confident—aline themselves, for the most part, on the side of freedom.

NEEDED: "ON GUARD" INTERNAL SECURITY PROGRAM

Question. Now, Senator WILEY, what about the home front?

Answer. While we need to carry on effective programs to combat communism abroad, we must not "go to sleep" at home.

Instead, we need to be constantly "on guard" to strengthen our internal security programs. As a matter of fact, I believe that we need to take a "new look" at our laws to see if these can be further strengthened to prevent subversion, and if discovered, punish perpetrators of anti-U.S. activities.

PRESENT ARSENAL OF DEFENSE

Question. Now, to get down to specifics, Senator WILEY, let's take a look at our military deterrent. Would you outline what you feel is the adequacy of our defense program?

Answer. Yes. First of all, I want to stress that our military strength lies in a widely diversified striking power—that is, we have not put all our "eggs in one basket."

Overall, our military strength includes: long-range striking forces, deployed land, sea, and air forces, air defense forces, and our capability to support and maintain these forces as well as to mobilize quickly additional military power.

It also includes our technological and industrial capacity; the strength and resolution of our Allies; and by no means least, our moral and psychological capacity to resist and defeat any would-be aggressor. All of these capabilities collectively—and perhaps most important of all the knowledge on the part of the leaders of the Communist bloc that they do exist—constitute our defense strength.

Question. What are the major weapons in our deterrent arsenal, Senator?

Answer. Our present strategic retaliatory capability encompasses the following:

(1) Approximately 2,000 long-range strategic bombers. This force is highly trained, completely equipped and ready and maintained in varying stages of alert, down to a 15-minute ground alert. From its various bases in the continental United States and oversea areas, it is capable of delivering nuclear strikes into any part of the Communist bloc. Our long-range strategic bombers greatly outnumber Soviet bloc aircraft of comparable capability. This force is complemented by the Bomber Command of the British Royal Air Force, which also has extensive nuclear strike capability.

(2) Fourteen attack aircraft carriers. This force of floating airbases is also highly trained, fully equipped, and ready. From seas around the Communist periphery, the planes from our carriers can deliver nuclear strikes into almost any area of the Communist bloc. The aircraft in these carriers alone outnumber the heavy bombers in the Soviet Union and their weapons are many times more powerful than the atomic bombs used in World War II.

(3) We also have an operational ICBM squadron equipped with Atlas missiles—a tested, effective, and accurate weapon. This force is trained, equipped, and in position ready to launch its missiles. It is capable of delivering, from bases in the continental United States, nuclear strikes on targets within all but a small area of the Communist bloc.

(4) An operational missile squadron is equipped with Snark long-range guided missiles. The Snark is an operational 5,500-mile, air missile with a very large payload capacity. It is capable of delivering from bases in the continental United States nuclear strikes against targets within all but a very small area of the Communist bloc.

(5) Hound Dog, air-to-surface missiles, also are capable of carrying nuclear warheads. These missiles greatly expand the flexibility and striking power of our long-range strategic bombers.

(6) Regulus I, surface-to-surface, ship-based missiles capable of carrying nuclear warheads, are operational. At the present time, two cruisers and five submarines are equipped with this mobile missile firepower.

(7) Four operational missile squadrons are equipped with a mix of Matador and Mace missiles. The Matador is a surface-to-surface missile capable of carrying nuclear warheads. The Mace is a similar type weapon with greatly improved capabilities in range, accuracy, and reliability. The Mace is being phased-in to replace the Matador.

(8) Three IRBM squadrons equipped with Thor missiles are in the hands of allied forces in the United Kingdom. These forces are fully trained, equipped, and ready to launch their missiles. The Thor is a tested and effective weapon. From bases in the United Kingdom, it is capable of delivering nuclear strikes on targets within the Communist bloc.

TIMETABLE OF DEFENSE PLANS FOR FUTURE

Question. Senator WILEY, this is a most impressive picture of our defense forces. Now, you recall that there have been differing views on our future needs for defense. For example, what is the timetable of defense plans for meeting the growing missile-nuclear power of the Communist bloc?

Answer. As you know, the military threat to the security of the United States posed by the Communist bloc extends across the entire spectrum of warfare—including general war, limited war, and the cold war. Our military power must be capable of dealing with all aspects of this threat. Thus, our defense plans and programs are designed to provide for continual across-the-board improvements.

Now, with specific regard to the missile-nuclear developments, our timetable of future defense plans encompasses the following:

Introduction of forces equipped with the B-58 supersonic bomber in 1960 with a progressive buildup to three wings in the succeeding years.

A progressive expansion of forces equipped with Atlas ICBM's to a total of 13 squadrons by 1963.

Introduction of forces equipped with the Titan ICBM in 1961, with a progressive build-up to 14 squadrons after 1963.

Introduction of forces equipped with the Minuteman ICBM in 1963 and a progressive expansion of this force on into the foreseeable future.

Four additional IRBM squadrons equipped with Jupiter and Thor in the hands of allied forces in the United Kingdom, Italy and Turkey in the near future. The Jupiter, like the Thor, is a tested, effective missile. From these advanced locations these missiles are capable of delivering nuclear strikes on targets within the Communist bloc.

In addition to these new weapons systems for which we have an actual operational target date and progressive expansion program, a wide range of other weapons systems which will greatly enhance our strategic retaliatory capability are under research and development.

SPACE ACADEMY NEEDED FOR FUTURE

Question. In this rapidly advancing, scientific, technological age, we realize, of course, that there will be new discoveries that will affect not only our defense, but also our peaceful progress.

This is particularly true in the exploration of space. As a new frontier, we can expect the coming years to unveil more and more of the "mysteries and unknowns" of outer space. How can we best prepare for advances in this field, Senator?

Answer. In the light of this new challenge, we will need an ever-increasing number of engineers, scientists, and other technologists to man and carry forward our programs.

In addition, the United States will, I believe, ultimately need a space academy—similar to our present Army, Navy, Air Force, Coast Guard, and Merchant Marine Academies. Presently, there is, of course, only need for a very limited number of astronauts. We recall that Donald Slayton, of Sparta, Wis., is one of the seven young men being trained for space flight.

However, the promise of a wide variety of space activities—including travel—in the future will require a program for training individuals to cope with the unique problems in this field. Consequently, we will need an effective program to provide the large number of astronauts needed for the future.

STRONGER INTERNAL SECURITY PROGRAM

Question. Senator Wiley, you mentioned earlier, the need for a stronger internal security program. Would you elaborate on this?

Answer. Yes. We recognize, of course, that internal—as well as external—security continues to be a major challenge.

The oft-quoted adage "the price of liberty is eternal vigilance" is as meaningful—if not more so—in 1960 as in any other time in our history.

On the domestic front, communism—the deadly enemy of freedom—attempts to carry on clandestine activities behind many masks, including seemingly harmless and sometimes meritorious organizations, drives, and other movements. Not exclusively a military effort of kill off freedom, the anti-freedom activities include such fields as industry, agriculture, atomic energy, educational and cultural activities, and other areas to undermine our progress, spread the cancerous Communist ideology, and generally weaken our free way of life.

By designing a system of laws, regulations, and Federal orders, the United States attempted to prevent such actions, and, if discovered, punish the culprits.

You may recall that, in 1953, I sponsored the publication of an Internal Security Manual—an extremely valuable compendium of Federal statutes, executive orders, and congressional resolutions relating to the Internal Security of the United States. Over the years, it has been utilized by Government agencies, business firms, attorneys, teachers, writers, and many others concerned with the challenge of internal security.

Recognizing the need for an up-to-date book on laws and regulations of internal security, I requested the American Law Division of the Library of Congress to revise this handy, useful manual. The revision is now complete. Consequently, I plan to introduce a resolution in Congress authorizing the publication of 5,000 copies of the revised edition.

The availability of up-to-date manuals—for which there is a constant demand, even though the previous printings have long been exhausted—will, I believe, serve the overall public interest.

In conclusion, friends, I want to express my apreciation to you folks for the opportunity to discuss these internal and external security problems with you.

Thank you for listening.

Fiscal Planning Committee

EXTENSION OF REMARKS

OF

HON. JOSEPH W. BARR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. BARR. Mr. Speaker, today I introduced into the House a resolution establishing a Committee for Fiscal Planning. This committee would be made up of the ranking Democratic and Republican members of the Appropriations and Ways and Means Committees, plus one Member of Congress to be appointed by the Speaker.

This five-man committee would be directed to start a continuing study of the finances of the U.S. Government in order to coordinate our revenues and our expenses and to plan for the orderly reduction of the national debt. This committee is directed to report its recommendations regularly to the Congress and to the taxpayers.

Mr. Speaker, I cannot claim that this is a completely original idea. Frankly, it is a variation of an idea introduced by my predecessor, the Honorable Louis Ludlow, in 1940 and again in 1943. Mr. Ludlow served for many years as a distinguished member of the Appropriations Committee and was unquestionably an outstanding authority on the financial problems of the United States.

This is the second of a series of resolutions which I intend to introduce this year on Government finances. The first resolution which I introduced on February 25 asked simply for a rollcall vote on every appropriation bill. That resolution was designed to let the taxpayers know how each Member votes on every money bill.

This current resolution is intended to establish a formal cooperation between the congressional committee that spends our money and the committee that raises the money. As Mr. Ludlow put it, "It is an attempt to make the tongue and buckle meet."

At current levels the United States will spend $1 trillion in the next 10 to 12 years. During the administration of Franklin Roosevelt this Government spent $374 billion in 12 years; under Harry Truman we spent $395 billion in 8 years; and during the administration of President Eisenhower we spent $490 billion in 7 years. This 27-year span marked a certain loss of control by the Congress over spending. But the responsibility for providing this money rests squarely on the House of Representatives. The Constitution clearly imposes this responsibility on the House and reflects the determination of Madison, Hamilton, Washington, Franklin, and their colleagues in the Constitutional Convention to keep the power to spend and the power to tax close to the people. This was their reason for limiting the term of Representatives to 2 years. If we get reckless with the people's money, they could throw us out at the end of 2 years.

I came to the Congress with a background in finance. I have been deeply impressed with the debate on defense problems, on foreign affairs and civil rights. In all these instances the debate for and against the issue involved has been presented forcefully and intelligently. The opportunity to listen to the learned gentlemen, who have debated these issues, has been the equivalent of a great education.

I have not been impressed with the financial debates. When we get around to talking about money, the air seems to be filled with advertising slogans rather than hard common sense. "Unfeeling reactionary," "back door spending," "budget busting," "unsympathetic penny pinching," are wonderful expressions to use in a political campaign, but they are certainly not going to solve the financial problems of this Nation.

It seems to me that a basic reason for a lot of the confusion is the lack of coordination between the spending and taxing committees. When an appropriations bill is debated, I am interested in knowing not just "do we need it," but "how does this bill fit into our total financial picture?" If I vote for this bill because I think it is important, do I have to cut back on another bill?

When we debate a tax law, I want to know not only if it is just and reasonable, but I also want to know what effect the bill will have on our revenues. If I vote for a tax cut, will I have to cut an appropriation?

Is our tax structure adequate to cover our expenses and provide for an orderly reduction of our debt? Why does not some one of the financial committees come forward with a plan for debt reduction? All these are questions that bother me every time we have a money bill on the floor, and I never hear these questions debated with what I could call hard common sense.

Sometimes I feel that we are acting like a family where the wife spends what she likes without bothering to find out how much money her husband is making.

I know that we can turn to the Bureau of the Budget and to the Secretary of the Treasury for answers to the questions

I outlined. But to go back to my family story, that is like the wife asking her next door neighbor for spending advice. The place for the wife to turn is to her husband. The place for us to ask questions is from a committee of the Congress. The Constitution gives the President the right to tell the Congress what he would like to have. The Budget Bureau and the Secretary of the Treasury help him prepare a financial plan called the budget. This is fine, but there is nothing sacred about the President's budget. That is just his idea on the subject. We cannot duck the absolute responsibility the Constitution lays on the House of Representatives to make the final spending and taxing decisions.

I believe that a Committee on Fiscal Planning would enable us to meet this clear-cut responsibility. I believe that it would establish a close cooperation between our spending and taxing committees. I believe it would give a Member of Congress a place to go for intelligent advice about the effect of every spending or taxing vote. I believe that it would give us a chance to take back from the President the control over spending which this body has practically surrendered.

The Legislative Reorganization Act of 1946 authorized the Appropriations and Ways and Means Committees of the House, and the Committee on Finance and the Committee on Appropriations of the Senate, to meet jointly at the beginning of every session to study and report on the President's budget. This part of the law has been a failure and has been abandoned. I earnestly suggest that a new try be made on the lines I have suggested.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. ALGER. Mr. Speaker, I include the following newsletter of March 19, 1960:

WASHINGTON REPORT—MARCH 19, 1960

(By Congressman BRUCE ALGER)

The civil rights debate struggles on with progress not readily recognizable (see newsletters March 5 and 12). Contrary to expectation, debate time has not been curtailed. Patience and tolerance also exceed expectation. Since only the House bill (compared to the Senate's) went through normal committee hearings and deliberation, the House action becomes even more important in determining the final bill. Yet, even in the House, much of the legislation is being written and rewritten by floor amendment and debate, rather than acceptance of the committee's bills and amendments. While full membership participation is democratic, many Members suspect that such hasty drafting and offering of amendments may result in poor legislation.

House action included: (1) Two amendments were ruled out of order. (a) Federal aid for desegregation of schools, and (b) the creation of a Commission on Equal Job Opportunity; (2) furor over the "conclusive presumption of the denial of voting rights" when an area is ruled by Federal court as having such a pattern or practice; (3) conflict over Presidential appointed Federal enrolling officers (to police local elections) versus Federal court appointed referees to assure everyone a vote regardless of race or color—the referee plan won out; (4) Acceptance of amendment to permit the issuance of court provisional voting order if qualified applicant has filed a complaint 20 days prior to election; (5) a southern Member, spokesman for others, threatened to bolt party leadership and the Speaker when the House is organized in the next Congress. This brings up the question, is there a basic Democrat clash? While party differences are most evident in civil rights, southerners are not nearly so dedicated to States rights and conservatism in other legislation. Southerners, at Congress' outset are responsible for selection of their liberal leaders, whom they now battle and criticize.

For my part, I am most aware that the civil rights controversy is a political exercise for both parties. So much is this evident and true that I cannot share the viewpoint of many in either political party. This is a sectional dispute. The grave issues of constitutional freedoms will not be solved, only endangered or transgressed. True, we are safe to the extent that bad law may not take effect because it lacks popular acceptance (the prohibition law, another example). My earlier questions asked in debate remain unanswered. Not explained is why another law is needed now—allegedly to protect voting rights. The 15th constitutional amendment, the act of 1870, and the 1957 act provide protection. Why in 2 years has the tough 1957 act, protecting voting rights, been invoked only four times?

On the Senate side, noteworthy is the Goldwater list of the 800 separate acts of labor violence in the Kohler strike and the extension (for the first time) of bans on bombing and violence to include labor-motivated trouble. Another blessing as one Member saw it was that lengthy civil rights debate prevented other unnecessary liberal legislation from being considered. Still overlooked are these factors: (1) Discrimination according to many is greater in the North; (2) the crime rate and illegitimate birth rate in integrated areas are soaring.

The civil rights bill—whatever it may be by that time—should pass next week. Other controversial problems confronting us, awaiting attention, include: (1) Political postponement of interest rate ceiling removal; (2) socialized medicine; (3) Federal aid to education; (4) increased immigration quotas; (5) increased Federal aid to promote growth of export trade.

Some interesting defense capability figures came to my attention the other day. Before anyone takes to the hills, stampeded by an election year's military scare talk, he might ponder this for a moment: What if we could swap positions with the Russians? If you could trade places, and problems, with them tomorrow, both nations would still have operational missiles with lethal destructive capability, but you would also face a nuclear bomber force at least four times the size of yours, poised at innumerable nearby bases in every direction from you, and against which you have virtually no proven defenses. There would be aircraft carriers and strong naval forces cruising 100 miles off your coast, capable of launching nuclear bombers and missiles. Nuclear submarines would lie undetected within missile range of every one of your major cities. And there you would sit, with no comparable weaponry.

If we traded places with Russia we'd find ourselves producing only two-fifths as much steel, one-third the hydroelectric power, one-third as much oil, and one-half as much aluminum, 10 percent as much natural gas, one-third as much copper, and only 5 percent as many electric motors. To get in Russia's shape, we would have to abandon 14 out of every 15 miles of highway, destroy 19 out of every 20 autos and trucks, scrap 2 out of every 3 miles of railroad track and 60 percent of our freight cars, and sink 8 out of every 9 merchant ships. And we think we've got problems. If we traded places with Russia, our only gain would be a rocket on the moon. Oh, yes, it was free enterprise and individual freedom that produced our present armed might, and the economic strength to support it.

Progress in Space Promotes Peace and Economic Growth

EXTENSION OF REMARKS

OF

HON. DAVID S. KING

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, March 21, 1960

Mr. KING of Utah. Mr. Speaker, it was my privilege last Thursday night to attend the reception and banquet given by the Baltimore Association of Commerce commemorating the second anniversary of the Vanguard I earth satellite, and to hear my distinguished colleague on the House Committee on Science and Astronautics, the Honorable EMILIO Q. DADDARIO. As the principal speaker on this historic occasion, Mr. DADDARIO made an excellent anlysis of the great challenge and the equally great opportunity which lie before us in space. He clearly pointed out why this Nation must recapture the leadership in space technology to maintain the security of the free world. I urge my colleagues to give careful study to his speech which follows:

TEXT OF REMARKS BY CONGRESSMAN EMILIO Q. DADDARIO DELIVERED AT SECOND ANNIVERSARY CELEBRATION OF VANGUARD I, AT BALTIMORE, MD., MARCH 17, 1960

From Portland, Maine, to Norfolk, Va., crowding against the eastern Atlantic seaboard, live approximately 40 million Americans. This is the greatest concentration of population in the United States. Within this area is a great amount of our national talent and ability.

This one gigantic community is alert to the future, and it has shown its awareness by meeting the problems of growth that have confronted the Nation. A tremendous road network, interwoven with bridges and tunnels, binds it together. Schools by the thousands, from the lowest to the highest levels of education, have been provided. In our midst are located some of the outstanding intellectual communities of the world.

I live and work in this community as many of you do, and know the great concern that exists about the state of our national effort in space. Our people respect achievement. They were proud when Vanguard I was fired into orbit 2 years ago today. They were proud of the technical accomplishments, in which the Martin Co. played such a large part. They had a natural expectation that the United States would be first in space. They saw the Vanguard accomplishment as a great step forward in the reestablishment of our world position. They expect that more will be done and demand that it shall.

Within the week, we have seen a 94.8-pound sphere hurled millions of miles into space. Pioneer V is on its way to a 527-million-mile trip around the sun. It carries five principal scientific experiments to teach us more about the universe. This, too, is a heartening accomplishment and deserves to be applauded.

To some, the exploration and uses of space are an illusion. It is not unusual to hit pockets of doubt in the course of our progress. You hear expressions of scorn about visionaries, and severe concern about the pocketbook. I am reminded of the words Columbus wrote in a letter after his first voyage:

"For although men have talked or written of these lands, all was conjecture without getting a look at it, but amounted only to this, that those who heard, for the most part listened and judged it more a fable than that there was anything in it, however small."

Consider that Columbus was beset by some of the same difficulties that our scientists and engineers face today. He was required to submit his proposal to the so-called Talavera commission of learned men for review and to justify his requirements. They held hearings in the year 1486, and issued their report in the year 1490, 4½ years later. They judged that the promises of Columbus "were impossible and vain and worthy of rejection." They reported to their royal majesties that it was "not a proper object for their royal authority to favor an affair that rests on such weak foundations and which appeared uncertain and impossible to any educated person, however little learning he might have."

Yet, curiously enough, it was the educated, then as now, who knew how well the foundations had been laid for such a trip. For centuries, men had been making discoveries that pieced together the maps from which Columbus's great design sprang.

The Renaissance was a great age of exploration, not unlike today. We have broken the bounds of many scientific fields, and we have discovered others that our scientists long to invade. Historians think that the welfare of a country and its will to explore may be closely related. The energy, the inquiring mind, the courage for endurance that find expression in exploration may well turn out in themselves to be the most important measures of a country's greatness. I hope the zeal and courage that have brought us in this half century to the top of Everest, to the North and South Poles, to the greatest depths of the oceans, and even into the heart of the atom, will not lessen.

Why do men seek these things? It is sometimes difficult to explain why it was necessary to get to Timbuktu or Lhasa, or even Everest or the Matterhorn. The common motives for exploration are given as conquest, military advantage, plunder or trade advantage, commercial gain or scientific advantage. Yet, I rather like a somewhat more irreverent analysis by the sage of Baltimore, the late H. L. Mencken. He said:

"The value the world sets upon motives is often unjust and inaccurate. Consider, for example, two of them: mere insatiable curiosity and the desire to do good. The latter is put high above the former, and yet it is the former that moves one of the most useful men the human race has yet produced—the scientific investigator. What actually urges him on is not some brummagem idea of service, but a boundless, almost pathological thirst to penetrate the unknown, to uncover the secret, to find out what has not been found out before. His prototype is not the liberator releasing slaves, the good Samaritan lifting up the fallen, but a dog sniffing tremulously at an infinite series of ratholes."

And today, of course, on the heels of the scientific investigator comes the congressional investigator.

Why should Congress, or the Government, display so much interest in scientific advance, the quest for knowledge? Why should men of industry or the university, or the laboratory spend so much time coming to tell of their plans to people on Capitol Hill?

I am privileged to be a Member of the House of Representatives, assigned to the Committee on Science and Astronautics, chaired by the Honorable OVERTON BROOKS, of Louisiana. A parallel space committee exists in the Senate. When these committees were established at the beginning of this 86th Congress, they were the first new parallel standing committees created in half a century.

These committees were created because Washington has recognized that science and innovation is the greatest single factor affecting our future economic growth and national security. Radical technological change has forced repeated attempts to adjust our policymaking processes so we can best use, or come to grips with, the challenge of research and development. An analysis of the 1961 budget shows that some $8,391 million is identified as Federal support of research and development. How we spend that money is very important to the American taxpayer. In a sense, we are diverting money from his pocket to what we believe is necessary for the common good and the national security. He expects that this money will not be spent lightly, and he is entitled to a close review of these efforts.

While we are reviewing these programs, it is also the responsibility of Congress to establish governmental policies in science and astronautics. We are confronted with issues of a highly technical nature in an era of exploding technology. The world is in the grip of a scientific revolution, which offers both promise and danger. It is of vital importance that we, the lawmakers, make every effort to understand the implications of the language the scientists speak, so that we may incorporate this knowledge into planning for national security and industrial well-being.

We must make every effort to know what is happening in scientific areas. We must analyze these issues and the needs they pose. We must bring together men from government and industry—in short—the best brains we can summon to our assistance in this task, listen to proposals for solution, investigate conditions, seek to choose wisely among courses of action set before us and act to propose laws that can help secure a more orderly progress.

Congress has set the policy that U.S. activities in outer space should be devoted to peaceful purposes for the benefit of all mankind. Project Vanguard satellites were launched on such peaceful missions, to gather data for analysis by scientists throughout the world. One small package of instruments in Vanguard I has provided a tremendous amount of information.

Since that launching, there have been a number of others, up to and including the successful Pioneer V. There have been other attempts which have failed. There have been efforts canceled because no back-ups were available, the funds not having been provided. And criticisms have continued of low priorities, piecemeal funding, and too many administrative channels—faults which plagued the first Vanguard, as well as its successors.

These continued criticisms caused disquiet across the country last fall and led to many reappraisals. When Congress reconvened in January, our committee undertook a broad look at the posture of our space effort, the nature of the so-called space gap, and the details of the criticisms.

We have heard considerable testimony from many witnesses—diplomats, defense experts, space experts, scientists, administrators, and businessmen. Some disputed others. Many acknowledged past errors in the space program. Others tied our space effort to national policy and the defense of the Nation, while still others cried out that defense has no part to play in space.

From these posture hearings, still to be concluded, I have personally drawn some tentative conclusions:

First, space exploration is one of the major keys to our survival. This has far-reaching significance in the cold war today and the possibility of global conflict in the future. Rightly or wrongly, world opinion has associated Russian achievement in space with general Communist technological superiority. This fact was substantiated by Under Secretary of State Livingston Merchant, when he acknowledged that the spectacular nature of the space effort in Russia has made the job of the State Department a tougher one. The following day, the Director of the U.S. Information Agency, George V. Allen, said bluntly that space achievements go far beyond their intrinsic importance when they are examined by the peoples of other countries.

The second conclusion I have drawn is that space holds advantages for both civilian and military users, and it can be dangerously unrealistic to hold to artificial compartments for civil and military research.

Going back to the posture hearings again, the committee has heard testimony from numerous civilian and military leaders in the Department of Defense. Each recognized the need for the military in the space race; some stated the case more strongly than others. General Trudeau, Admiral Hayward, and General Schriever did an excellent job of enlightening the public to the potential threat from space. The committee also heard the NASA 10-year program, calling for ever-increasing performance in space throughout the next decade.

My third conclusion is that there is a critical urgency associated with the space program. For years, members of the Department of Defense—then the only organization with a capability for space flight—could not even refer to satellites or space exploration. Our attitudes changed when the first sputnik temporarily shattered our national smugness and complacency. That Russian vehicle and subsequent Russian space accomplishments gave us the shot in the arm to press forward in search of a way for survival in the space age. As a result, we expanded our missile and space base. The foremost space question before the public today is: When will we catch up with the U.S.S.R.?

Our Nation has excelled over all other nations in this industrial age because we have been able, through our vast industrial energies and resources, to produce results faster and better than any other people. And I propose to you that the concentrated, vigorous application of our national talents and abilities cannot only overcome the Russian space lead, but can also surpass it. The full utilization of our resources would leave no doubt in the mind of the world regarding the effectiveness of the democratic system to meet any challenge and overcome any obstacle.

There are several other conclusions that I have reached during these past 2 months of hearings. But I believe the three just mentioned are the most important. To recapitulate: (1) Space exploration is one of the keys to survival. (2) There is a need for both the military and civilian approach to space. (3) There is urgency associated with the program.

Let us again refer to the NASA's 10-year program for space. To many, the program is realistic and acceptable. To me, the program lacks foresight and urgency. I would

take exception to the timing of many projects, but will limit my remarks to only three major areas: The F-1 engine; Project Rover, the nuclear-powered rocket; and NASA's lack of a plan for manned lunar landing during this 10-year period.

The F-1 engine, being developed by North American's Rocketdyne Division for NASA, will produce 1½ million pounds of thrust. Four of these engines will be clustered to make the Nova launch vehicle of 6 million pounds of thrust, enough thrust to launch a manned interplanetary mission.

The NASA claims that this engine has been delayed 12 to 18 months, due to lack of funds in the 1960 budget. As a result, the first flight test is not scheduled until 1968, and no date has been set for the completion of the Nova space vehicle. It will be 8 years before we are ready to flight-test this vehicle. Is that urgency? Is it typical of the urgency associated with the space program? I assure you that I am vitally concerned, and I suspect you are, too.

When the Atomic Energy Commission witnesses appeared to discuss the nuclear propulsion powerplant, their testimony conflicted, in my opinion, with that of the NASA witnesses. Project Rover, the nuclear-powered rocket, is being developed jointly by AEC and NASA. The AEC is responsible for designing and operating an engine. NASA takes it from there, assembles it, flies it and fits it into the space program. The AEC witnesses stated that they can develop the Rover device and demonstrate its actual use, probably in a shorter time than set forth in the requirement.

The NASA witnesses, however, were much more conservative. They assured the committee that the program is being expedited to the fullest extent. So the debate is on—it will continue for years to come. How will it be resolved? Hopefully, there is a sense of urgency in the AEC, as indicated by the fact that on March 8, the AEC itself transferred funds within its budget to add $11 million to the Project Rover experiments. I see no comparable sense of urgency in the NASA program. And yet, knowing the importance of this project, I long to sympathize with the AEC witness who commented: "I would like to see this one have the stars and stripes on it, for a change."

The last point I wish to make regards NASA's lack of a plan for a manned lunar landing during the next 10 years. There are rumors already flying that the U.S.S.R. will celebrate the 50th anniversary of the Bolshevik revolution on the moon. Will we be there to greet them? Or is that the day we shall promise to accelerate our program for a manned lunar landing?

Mr. Khrushchev has already boasted that the mark of the Soviet Union has been stamped on the moon. It is well within the technical and industrial capacity of the Russians to land a man on the moon one day in the near future.

The future of the free world may well depend on whether or not a U.S. mission is already on the moon when that event occurs.

Consider the possibility of a Russian lunar base and the threat that could literally be hung over the heads of the free world. Gen. Homer Boushey, of the USAF, was the first to speak out in favor of a lunar base, its capabilities and potential. His remarks were scoffed at in some circles. I, for one, fear the results of being second on the moon. A manned lunar landing and return, in the 1970's, as NASA outlines its schedule, is much to late.

The first need, then, is the recognition that we must be first. I believe that we cannot fail, if we resolutely determine that we will not. Once that is accepted, some other lines of approach fall into place.

We must, for instance, make better use of the resources of industry and management available to us in this country. We know that the full scale of the skills and talents here have scarcely been tapped. Even in production, we are not making the defense effort today in terms of proportion of gross national product that we were in 1953—and we are making only one-fifth the effort we made in World War II, when we knew it had to be done.

We must do everything we can to streamline, and to make more effective the organization and management of our national programs. Few believe that we are squeezing every last ounce of effort out of our Defense Establishment. I can tell you candidly that I do not think we have enlisted all our managerial talent in this space field. We certainly do not see the single-mindedness of a Manhattan district in this space effort.

Even in such a field as communication of information regarding the state of the art, more must be done. Researchers are complaining about the proliferation of scientific papers and meetings. Industry is said to be committing some $21 million a year to these exchanges, which consume 258,000 man-days of technical time, and it has been difficult to weed out overlapping and duplication.

Is the way we disseminate technical information good enough to meet the challenge of modern technology? A recent Guggenheim Foundation study urged we go beyond our traditional ways to seek better methods that could produce important results.

We have made real gains in awakening to scientific research and findings elsewhere in the world. Government has intensified the translation of scientific documents. We are translating more papers on scientific work than ever before. The material is made available to industry through the Office of Technical Services of the Department of Commerce, and there has been a growing interest. I am told that OTS is selling more monographs every month, and that more libraries, industrial and public, have started following the material. The twice-monthly publication, Technical Translations, which started a year ago with 150 to 175 listings of new translations, now lists about 600 an issue. Government is thus pointing out some 12,000 to 13,000 translations a year which may be of use. Industry is also showing interest in a projected publication that would digest news releases and articles in Russian journals, so that a quicker break is possible in learning what the Russians are doing.

Today, the problems of space research, development, exploration and exploitation are still in their infancy. Vanguard I was a stepping-stone to a great future. What is still needed is a firm and clear decision by the United States and the free world to press ahead. The Communists are making capital of space exploration and the propaganda that goes with it. They found in their space achievements a chance to prove to themselves and to the world what they could do in a highly advanced technology. The United States must counter this propaganda by unleashing its technological know-how and industrial power to regain world leadership in the space race. Then our deeds will speak for themselves.

SENATE

TUESDAY, MARCH 22, 1960

(Legislative day of Monday, March 21, 1960)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

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

Our Father, God, we come confessing that the world is so much with us that too often the far look hides the nearest mercies. With our minds so intent upon questions that affect the planet which is our home, help us not to lose the shining values of the common, yet precious, things we are tempted to take for granted.

Make us thankful that our friends are patient with us, and take time to understand us, and that there are those who love us and believe in us, when we give them so little in return.

Help us to see how much has come to us, and still comes with each new day, that we have done nothing to deserve; for what have we that we have not received?

Forbid that our pessimism and gloom should but add to the hopelessness that is in the world. Defying all the pressures of evil, may we be strengthened with might, and in the faith that we can be a part of Thy truth that is marching on, pushing back evil, and establishing the good.

As spokesmen for the Nation whose ideals are as a rainbow arching the world's dark sky, make Thy servants here in the ministry of public affairs sufficient for the tasks destiny is calling upon them to undertake.

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, March 21, 1960, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 2482) to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 3313. An act to amend section 200 of the Soldiers and Sailors Civil Relief Act of 1940 to permit the establishment of certain facts by a declaration under penalty of perjury in lieu of an affidavit;

H.R. 5055. An act to change a certain restriction on the use of certain real property heretofore conveyed to the city of St. Augustine, Fla., by the United States;

H.R. 7966. An act to amend section 601 of title 38, United States Code, to provide for the furnishing of needed services of optometrists to veterans having service-connected eye conditions;