FOOD FOR PEACE

I have long been an advocate and have worked hard for a food-for-peace program. Under this bill a provision is made not only to protect our present commitments abroad under Public Law 480 but also to clear the way for my proposed food-for-peace program to help feed some of the hungry people of the world. This provision aims at promoting the foreign policy of the United States by helping to build essential world conditions of peace by the more effective use of our abundant agriculture commodities for the relief of human hunger. Food can foster economic and social developments in less developed countries through the United Nations or its appropriate agencies. Mr. Speaker, I believe our agricultural surplus should be accepted as a blessing rather than a burden. America should feel proud that she is in a position to help feed the millions of undernourished people of the world. This is the only field in which America is a clear leader. Let us broaden the original food surplus dumping program under Public Law 480 in such a way as to include the proposed ideas in the Humphrey and Wolf food-for-peace bills for helping to feed the hungry people of the world.

It is humane to feed our hungry fellow human beings. But when we have such an abundance, we have a very great moral obligation. At the same time it is cheaper to send a bushel of wheat to a needy area than to keep it in bins over the long haul. A workable plan can be developed with wheat surplus countries like Australia, Canada, and so forth. This would avoid ill feelings between the "have" nations. These countries should also extend a helping hand in this humane venture. Agreed, it will be difficult, but this does not constitute an excuse. No great accomplishment in history was ever accomplished without hard work. This solution of our surplus problem is morally, politically, and financially worth a trial. Let us act sensibly and boldly to win friends through food. Let us act now to help our American farmers and our Nation out of the present dilemma.

# SENATE

## MONDAY, MARCH 28, 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 and Father of mankind, in the awareness of whose presence our hearts are gladdened and our strength restored: For all who turn to Thee with true purpose of heart, Thou art as the shadow of a great rock in a weary land.

We are grateful that in the silence of Thy presence the clamor of the world dies away. Give us quietness now, O God, even as there crowd in the duties of another week.

At the very center of our lives may the still waters of Thy grace be as a balm for our jaded spirits.

May we see the world as it is, with all its poignant need; and may we see ourselves as we are stripped of all self-delusion.

Above all, we ask that the prayers we offer with bowed heads may be translated into obedient action, as we turn to face the world with its waiting tasks so close at hand. Amen.

### THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 24, 1960, was dispensed with.

### REPORT OF COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of January 18, 1960,

Mr. HAYDEN, from the Committee on Appropriations, reported favorably, with amendments, on March 25, 1960, the bill (H.R. 10401) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, and for other purposes, and submitted a report (No. 1203) thereon.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

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 the President had approved and signed the following acts and joint resolution:

On March 25, 1960:

S. 1193. An act for the relief of Eleanor Constan;

S. 1703. An act for the relief of Raul Jorge Jose Hermitte; and

S. 2028. An act for the relief of Candace Elizabeth Lee Johnson (Kyung Hee Lee).

On March 28, 1960:

S. 1712. An act to extend the application of the Motorboat Act of 1940 to certain possessions of the United States; and

S.J. 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.

### 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—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 607) for the relief of the estate of Sinclair G. Stanley, and it was signed by the President pro tempore.

### ORDER FOR COMMITTEE ON FINANCE TO MEET DURING SENATE SESSION ON WEDNESDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Finance may be permitted to sit during the session of the Senate on Wednesday.

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

### 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.

### EXECUTIVE COMMUNICATIONS, ETC

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

REPORT ON RECONSTRUCTION FINANCE CORPORATION LIQUIDATION FUND

A letter from the Secretary of the Treasury transmitting, pursuant to law, a report on the Reconstruction Finance Corporation Liquidation Fund, for the quarterly period ended December 31, 1959 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON PROGRESS OF LIQUIDATION OF NATIONAL DEFENSE, WAR, AND RECONVERSION ACTIVITIES OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Administrator, General Services Administration, Washington, D.C., reporting, pursuant to law, on the progress of the liquidation of the national defense, war, and reconversion activities of the Reconstruction Finance Corporation, as of December 31, 1959; to the Committee on Banking and Currency.

AMENDMENT OF DISTRICT OF COLUMBIA TRAFFIC ACT, 1925, AS AMENDED

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON ACTIVITIES RELATING TO NEW DISTRICT OF COLUMBIA STADIUM

A letter from the Managing Director, District of Columbia Armory Board, Washington, D.C., transmitting, for the information

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

of the Senate, a résumé of the legislative history, financial data, and tentative time schedule of the operations and activities pertaining to the new District of Columbia Stadium (with an accompanying report); to the Committee on the District of Columbia.

AUDIT REPORT ON EXPORT-IMPORT BANK OF WASHINGTON

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Export-Import Bank of Washington, for the fiscal year 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of January 31, 1960 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

MAP ENTITLED "MAJOR NATURAL GAS PIPELINES, DECEMBER 31, 1959"

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, a copy of the recently issued map "Major Natural Gas Pipelines, December 31, 1959" (with an accompanying map); to the Committee on Interstate and Foreign Commerce.

INCLUSION OF CERTAIN OFFICERS AND EMPLOYEES OF DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE IN ACT RELATING TO ASSAULTS AND HOMICIDES

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to include certain officers and employees of that Department within the provisions of sections 111 and 1114 of title 18 of the United States Code relating to assaults and homicides (with an accompanying paper); to the Committee on the Judiciary.

AMENDMENT OF SECTION 5021, TITLE 18, UNITED STATES CODE

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 5021 of title 18, United States Code (with an accompanying paper); to the Committee on the Judiciary.

WITHDRAWAL FROM DISTRICT COURTS JURISDICTION OF CERTAIN SUITS

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting a draft of proposed legislation to withdraw from the district courts jurisdiction of suits brought by fiduciaries who have been appointed for the purpose of creating diversity of citizenship between the parties (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF DIVISION OF COAL MINE INSPECTION, BUREAU OF MINES

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report of the activities of the Division of Coal Mine Inspection, Bureau of Mines, for the calendar year January 1, 1959, through December 31, 1959 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT OF BOY SCOUTS OF AMERICA

A letter from the Chief Scout Executive, National Council, Boy Scouts of America, New Brunswick, N. J., transmitting, pursuant to law, a report of that organization, for the calendar year 1959 (with an accompanying report); to the Committee on Labor and Public Welfare.

## PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Arizona; to the Committee on Appropriations:

"HOUSE MEMORIAL 10

"MEMORIAL REQUESTING THE CONGRESS OF THE UNITED STATES TO APPROPRIATE SUFFICIENT FUNDS FOR PURPOSE OF MAINTAINING, TWENTY-FOUR HOURS A DAY, THE COMPOUND ON THE INTERNATIONAL BORDER AT LUKEVILLE, ARIZ.

"*To the Congress of the United States:*

"Your memorialist respectfully represents:

"The United States maintains a compound at the international border at Lukeville, Ariz., and this station is manned from 8 o'clock a.m. to midnight each day. There is considerable traffic through this border station due to the favorable fishing areas in Mexico for which access is gained through Lukeville, Ariz.

"Unfortunately the international border at Lukeville is not attended by U.S. personnel from midnight to 8 o'clock a.m., thereby causing considerable inconvenience to citizens of this country who are faced with emergencies. For example, it is frequently necessary, because of medical emergencies, to leave Mexico to reenter the United States for the purpose of obtaining proper medical attention. With the gates closed it is impossible to cross the border and therefore the medical condition may be seriously aggravated because of the delay.

"In many instances it is necessary for persons to return to the United States immediately because of emergencies. As a result of the gates being closed from midnight to 8 o'clock a.m., considerable inconvenience occurs to these U.S. citizens.

"Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

"That the Congress of the United States consider the importance of manning the compound at Lukeville, Ariz., for 24 hours each day for the purpose of expediting travel for our citizens between Mexico and the United States. Moreover, it is requested that sufficient funds be appropriated for this purpose."

A resolution adopted by the executive committee of the American Legion, Department of Connecticut, relating to the U.S. Coast Guard Academy; to the Committee on Interstate and Foreign Commerce.

A resolution adopted by the house of delegates of the American Bar Association, at Chicago, Ill., favoring the enactment of legislation embodying the recommendations of the Judicial Conference of the United States for the creation of additional judgeships in the U.S. courts of appeals and district courts; to the Committee on the Judiciary.

A letter in the nature of a petition from the American Automobile Association, Washington, D.C., signed by Russell E. Singer, executive vice president, transmitting a copy of a letter addressed to the Secretary of Commerce by him, relating to a report entitled "Federal Transportation Policy and Program," prepared by the Department of Commerce and transmitted to Congress by the President of the United States on March 14, 1960; to the Committee on Public Works.

## CONCURRENT RESOLUTIONS OF SOUTH CAROLINA GENERAL ASSEMBLY

Mr. THURMOND. Mr. President, on behalf of myself and my colleague the senior Senator from South Carolina [Mr. JOHNSTON], I insert, for appropriate reference, three concurrent resolutions of the General Assembly of South Carolina memorializing Congress, first, to enact suitable legislation to prohibit imported shrimp from competing with our shrimping industry and to favorably consider H.R. 8982; second, to take favorable action on H.R. 9336 which provides for pensions of veterans of World War I; and third, to cancel plans for construction of new dams on the Savannah River, to release certain reservoir lands and to place the control of water in the Clarks Hill Reservoir under local water authority. I ask that these resolutions be appropriately referred.

Mr. President, in connection with the last resolution opposing the construction of new dams on the Savannah River, I ask unanimous consent that there be printed in the RECORD an editorial on this subject published in the State, a newspaper published in Columbia, S.C., on March 11, 1960.

The PRESIDENT pro tempore. The concurrent resolutions will be received and appropriately referred and, under the rule, will be printed in the RECORD; and, without objection, the editorial will be printed in the RECORD.

The concurrent resolutions were received and referred as follows:

To the Committee on Finance:

"S. 554

"Concurrent resolution memoralizing Congress to enact suitable legislation to prohibit imported shrimp from competing with our shrimping industry and to favorably consider H.R. 8982

"Whereas, shrimping has become one of South Carolina's most important fishing industries and as a result many millions of dollars have been invested in this industry in this State; and

"Whereas in 1959 nearly 100 million pounds of shrimp were imported from Mexico, Panama, Equador, West Germany, India, Pakistan, and Japan, and placed on the competitive market with shrimp netted not only by South Carolina shrimpers but by shrimpers from all of the Coastal States; and

"Whereas the low price on imported shrimp is reported to be the result of low labor costs in these foreign countries and to some extent as a result of Government aid given these countries by the United States; and

"Whereas those persons in the shrimping industry in this country can no longer reduce their cost to compete with the shrimp being imported, and desire that the United States take some favorable action to control the shrimp being brought into this country that are competing with our own industry: Now, therefore, be it,

"*Resolved by the senate (the house of representatives concurring)*, That Congress be memoralized to enact without delay some suitable legislation to prohibit imported shrimp from being placed in competition with the shrimping industry of our own country and to particularly give favorable consideration to H.R. 8982 now pending before Congress; and be it further

"*Resolved*, That a copy of this resolution be forwarded to the President of the Senate, to the Speaker of the House of Representatives, to the chairman of the Ways and Means Committee of the House of Representatives and to each Member of Congress from this State."

"CONCURRENT RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO TAKE FAVORABLE ACTION ON H.R. 9336 WHICH PROVIDES FOR PENSIONS OF VETERANS OF WORLD WAR I

"Whereas, the General Assembly of South Carolina has been informed that various veterans' organizations have year after year taken the position that the aging group of World War I veterans should be given pension consideration in the form of a separate and liberalized pension program; and

"Whereas as recently as 1959 the Veterans of Foreign Wars national convention reiterated its position that these veterans should not be forgotten; and

"Whereas the provisions of H.R. 9336 which is now being considered by the Congress seeks to alleviate the condition in which the veterans of World War I find themselves by allowing for the payment of a pension of one hundred dollars per month for all of those of that group who meet the service requirements as provided for in the proposed bill: Now, therefore, be it

*"Resolved by the house of representatives (the senate concurring)*, That the General Assembly of South Carolina does hereby memorialize the Congress of the United States to take favorable action on H.R. 9336 which will grant to the veterans of World War I a pension of one hundred dollars per month, provided certain requirements of service are met; and be it further

*"Resolved*, That a copy of this resolution be forwarded to the Senate and to the House of Representatives of the Congress; to each U.S. Senator from South Carolina; and to each Member of the House of Representatives of the Congress from this State."

(The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the General Assembly of the State of South Carolina, identical with the foregoing, which was referred to the Committee on Finance.)

To the Committee on Public Works:

"S. 426

"Concurrent resolution memorializing the Congress of the United States to cancel plans for construction of new dams on the Savannah River, to release certain reservoir lands, and to place the control of water in the Clarks Hill Reservoir under Logan water authority

"Whereas the citizens of both South Carolina and the State of Georgia believed that when the Clarks Hill Reservoir was constructed that the citizens in the vicinity of the reservoir would be allowed a certain amount of water for industrial and municipal uses; and

"Whereas, now that the dam has been completed and the water raised, the people in the vicinity of the project of both States found that they are apparently prohibited from removing water from the reservoir without a special act of Congress; and

"Whereas the Corps of Engineers, after much recent protest, state now, under certain circumstances, reasonable amounts of water can be obtained; and

"Whereas such apparent policy changes are indicative of the need for a more sound and stable control of the reservoir water; and

"Whereas the general assembly believes that the people in the vicinity of the reservoir and the riparian owners on the river above are entitled to a reasonable use of the water and that deprivation of this constitutes a violation of their basic property rights; and

"Whereas it is believed that further construction of dams on the Savannah River should cease and that all reservoir lands above the 335th contour of the Clarks Hill Reservoir should be released and that the land so released should be first offered to the former owners; and

"Whereas the general assembly further believes that the local water authorities are best suited for the control of water of the Savannah River due to the understanding of local conditions and requirements and that the water control of Clarks Hill Reservoir should be taken away from the Corps of Engineers and placed in the hands of local authorities; and

"Whereas it is believed that the location of industry in the area of Clarks Hill Reservoir is essential to the continuation of prosperity in the neighborhood and that the presence of industry is dependent upon the availability of large quantities of water for use; and

"Whereas for the Clarks Hill project the U.S. Government condemned and acquired 44,027 acres of taxable land from which McCormick County receives no revenue except a percentage of rental release for recreational facilities amounting to only $1,083.68 in 1959; and

"Whereas the general assembly believes that the Congress of the United States should be made aware of this great loss in revenue to just one county of the State and reminded that this same type of loss will be suffered by other neighborhoods where large quantities of land are condemned and acquired by the Federal Government and thereby removed from the taxbooks of the county: Now, therefore, be it

*"Resolved by the senate (the house of representatives concurring)*, That the Congress of the United States is hereby memorialized to enact legislation canceling all plans for construction of new dams on the Savannah River and to enact legislation for the release of all reservoir lands above the 335th contour of the Clarks Hill Reservoir with the proviso that such land should be first offered to the former owners; and be it further

*"Resolved*, That suitable legislation also be enacted to provide that water projects on the Savannah River be removed from the Corps of Engineers and placed in the hands of a local water authority which would place the priority of the water storage in industrial use rather than the hydroelectric project; and be it further

*"Resolved*, That a copy of this resolution be forwarded to the President of the United States, to each United States Senator from the States of South Carolina and Georgia, and to each Congressman from both of these States in the Congress of the United States, and that a copy of this resolution also be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress."

The editorial presented by Mr. THURMOND is as follows:

NO MORE DAMS

Senator L. L. Hester, of McCormick, introduced a resolution in the senate urging a halt to the building of more dams on the Savannah River and release to the public of Clark Hill lands above the high mark.

The senate gave its approval and now the house has concurred.

We are glad to see the general assembly take this stand. The people of the affected area are justly aroused over the proposed plans for further dam construction on the Savannah above Augusta, and over what has happened already.

## CIVIL RIGHTS—LETTER

Mr. FREAR. Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed to me by J. S. Bellmeyer, president of Playtex Ltd., of Toronto, Canada, relating to civil rights.

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

PLAYTEX LTD.,
*Toronto, Canada, March 11, 1960.*

The Honorable J. ALLEN FREAR,
*U.S. Senator,*
*Senate Building,*
*Washington, D.C., U.S.A.*

DEAR ALLEN: It was a pleasure to visit your office on March 10 and be greeted so nicely by two friends, Miss Jackie Hackett and Miss Joanne Holt. I am sure you know that they made me feel quite at home and quite important. I am sorry that I missed seeing Mary Louise and yourself.

Jackie and Joanne both insisted that I go to the reception section and make myself known to you that I was in Washington but I decided the day was too important for you.

In passing, my thoughts as far as civil rights are concerned are that I believe we should work toward integration at some future time. I say this based upon a visit to Georgia which I made just before my visit to Washington and I know that the colored people are not yet ready for total integration with whites without having our school system suffer, yet I know we must obey the law of the land and in some way the two problems must be reconciled. In this respect, I do not envy you your job but I do believe you voted the way I would have in the Senate the other day.

I certainly was proud to be a citizen of Delaware when you, in each case, made your voice heard rather than just mumbling as unfortunately some of our Senators did.

Thanks again, ALLEN, for the fine way I was received by your office.

Sincerely,

J. S. BELLMEYER,
*President.*

## RESOLUTIONS OF ORGANIZATIONS OF THE STATE OF NEW YORK

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD resolutions adopted by organizations of the State of New York.

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

RESOLUTION ON CIVIL RIGHTS

TO SENATOR LYNDON B. JOHNSON, MAJORITY LEADER; SENATOR EVERETT MCKINLEY DIRKSEN, MINORITY LEADER; REPRESENTATIVE SAM RAYBURN, SPEAKER OF THE HOUSE; REPRESENTATIVE JOHN W. MCCORMACK, MAJORITY LEADER; REPRESENTATIVE CHARLES A. HALLECK, MINORITY LEADER; SENATOR PAUL H. DOUGLAS; SENATOR HUBERT H. HUMPHREY; SENATOR JACOB K. JAVITS; SENATOR KENNETH B. KEATING; REPRESENTATIVE EMANUEL CELLER; REPRESENTATIVE WILLIAM M. MCCULLOCH:

The National Board of the Women's International League for Peace and Freedom, meeting in Philadelphia on February 26–28, 1960, wishes to commend the efforts that the congressional leadership and certain Members of Congress are making for the passage of meaningful civil rights legislation. The league has long felt that our Nation could not honorably tolerate continued violations of freedom and equality of any of its citizens.

Whatever civil rights legislation is enacted, the league believes, should include: (1) Title III (stricken from the 1957 civil rights bill)—the provision to permit Government civil suits in school desegregation and other cases; (2) an effective voting registrar referee measure to secure the right of every citizen to register, to vote, and to have his vote

counted; and (3) provision for technical and financial assistance to States and localities working to implement the Supreme Court decision on school desegregation.

RESOLUTION ON LAW ENFORCEMENT

Whereas due to the high taxes on alcoholic beverages, there has been an increasing amount of illicit distilling depriving the Federal Government of tax revenue; and

Whereas the Federal Government has acknowledged the fact that there is an insufficient appropriation of funds to maintain an adequate enforcement staff: Be it therefore

*Resolved*, That the National Women's Association of Allied Beverage Industries, Inc., in convention assembled June 17, 1959, in San Diego, Calif., urge the Congress of the United States to recommend to the Appropriations Committee to provide sufficient funds to increase the enforcement staff of the ATTD in order that this illicit distilling be stamped out, and thereby return to the Treasury of the United States tax money of which it is now being deprived.

MARCH 11, 1960.

Hon. JACOB K. JAVITS,
*Washington, D.C.*

MY DEAR SENATOR JAVITS: At meeting of February 15, 1960, the Holy Name Society of St. Martin of Tours R.C. Church, Brooklyn, N.Y., resolved as follows:

"Whereas as Americans we deplore the relinquishment of American sovereignty and heritage; and

"Whereas the repeal of the Connally amendment would be a grant of national rights and place us in a position of becoming subservient to a foreign court administered by nations of alien philosophies of government; and

"Whereas this action is diametrically opposed to the rising world tide of nationalist feeling; and

"Whereas to permit any world court, on which avowed enemies of this Nation would sit, to decide issues involving the United States of America, is the ultimate folly, and would act to our detriment, especially in this period of world unrest: Therefore be it

"*Resolved*, That this organization declares itself most strongly opposed to repeal of the Connally amendment."

Your kind consideration of the above resolution is requested.

Yours very truly,

F. SAUER, *President*.

## MEDICAL CARE FOR THE AGED—MEMORIALS

Mr. JAVITS. Mr. President, the Medical Society of the State of New York and the medical societies of Nassau County, Cortland County, Rensselaer County, Wyoming County, New York County, Nassau County, Ulster County, Montgomery County, and Monroe County, and also the women's auxiliaries of the medical societies of Nassau County, Monroe County, Albany County, Tompkins County, Schenectady County, and Herkimer County, all in the State of New York, memorialize the Congress regarding their opposition to the bill (H.R. 4700) to amend the Social Security Act and the Internal Revenue Code so as to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, and for other purposes. I ask unanimous consent that the memorials may be printed in the RECORD.

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

RESOLUTION ADOPTED BY THE COUNCIL, MEDICAL SOCIETY OF THE STATE OF NEW YORK

Whereas there is now before the Congress a bill known as H.R. 4700 (Forand bill), which would socialize certain medical care services for social security beneficiaries; and

Whereas the problems concerning the aging population are not limited to medical care alone, but involve housing, environment, and other socioeconomic factors; and

Whereas the Medical Society of the State of New York recognizes that such problems exist among senior citizens and already has taken, and will continue to take, steps to meet these problems, particularly concerning further expansion of the voluntary health insurance plans for the aging; and

Whereas the bill is another gigantic step toward the complete socialization of all medical care; and

Whereas the law would destroy the doctor-patient relationship, result in extensive compulsory taxation, and undermine voluntary health insurance plans and gradually replace them; and

Whereas, because of the outstanding work that has been done by voluntary organizations in New York State, there is no one in the State who has sought medical care who has not received it regardless of economic circumstances; and

Whereas it has been amply demonstrated in New York State that the problems concerning the aging can be met at the county, city, and State level without Federal Government interference and domination; and

Whereas the State medical society maintains that the evidence presented to date concerning the problems of the aging is neither complete nor conclusive and may contain misinterpretations and misrepresentations; and

Whereas Federal intervention without more accurate knowledge of the problem's gravity and dimension is logically untenable and socially dangerous: Now, therefore, be it hereby

*Resolved*, That the Medical Society of the State of New York reiterates its vigorous and unalterable opposition to H.R. 4700 expressed to the House Committee on Ways and Means in July 1959; and be it hereby further

*Resolved*, That the State medical society's adamant opposition to this bill, or any other bill of similar type, be once again brought to the attention of all New York State Congressmen and the two U.S. Senators, as well as the chairman of the House Ways and Means Committee.

RESOLUTION OF THE NASSAU COUNTY MEDICAL SOCIETY

Whereas there is now before the Congress a bill known as H.R. 4700 (Forand bill) which calls for the extension of the Social Security Act into the medical and hospital care field through the provision of Federal funds collected for social security to pay the cost of surgical, hospital and nursing home care for beneficiaries of social security; and

Whereas problems of the aged are not limited to medical care alone, but involve many other socioeconomic factors; and

Whereas the Nassau County Medical Society and many other county medical societies, together with the cooperation of the Medical Society of the State of New York and the American Medical Association, are making great strides in solving the problems of the aged, particularly with respect to expansion of the voluntary health insurance plans; and

Whereas it is a known fact that problems of the aged must be solved on a local or State level without Federal interference and domination; and

Whereas the enactment of legislation such as the Forand bill would cause a tremendous rise in social security taxes; which already have reached sizable proportions; and

Whereas the bill would set up a system whereby a Federal agency would establish arbitrary standards for medical care, and dictate fees and charges; and

Whereas the law would destroy the doctor-patient relationship: Now, therefore, be it hereby

*Resolved*, That the Nassau County Medical Society is vigorously and unalterably opposed to H.R. 4700; and be it hereby further

*Resolved*, That the Nassau County Medical Society's opposition to this bill, or any other bill of similar type, be brought to the attention of our New York State Congressmen, our two U.S. Senators, as well as the chairman of the House Ways and Means Committee.

RESOLUTION OF THE MEDICAL SOCIETY OF THE COUNTY OF CORTLAND, CORTLAND, N.Y.

Senator JACOB K. JAVITS,
*Senator Office Building,*
*Washington, D.C.*

DEAR MR. JAVITS: On the 7th of March 1960, the Cortland County Medical Society passed the following resolution:

"The Cortland County Medical Society is against the enactment of H.R. 4700 into law because we feel that (1) it would undermine voluntary health insurance and gradually replace it because few people would carry both Government and private plans; (2) today about 43 percent of citizens over 65 are covered by voluntary health insurance, showing there is no need for drastic Government intervention such as the Forand bill would provide; (3) by 1965 about 75 percent will be covered by voluntary health insurance; by 1970 about 90 percent; and (4) passage would greatly increase social security taxes which already are growing year by year resulting in smaller pay checks."

Very truly yours,

THEODORE I. JACOBUS, M.D.,
*Secretary, Cortland County Medical Society.*

RESOLUTION OF THE MEDICAL SOCIETY OF THE COUNTY OF RENSSELAER

The Honorable JACOB K. JAVITS,
*U.S. Senate,*
*Washington, D.C.*

SIR: The following resolution was passed at the meeting of the Medical Society of the County of Rensselaer on March 8, 1960:

"Whereas efforts to place the practice of medicine under governmental control are increasing each year; and

"Whereas, amendments to the social security law are the favorite instruments for those who favor governmental medicine; and

"Whereas the Forand bill (H.R. 4700) is the 1960 version of the continuing efforts of the proponents of governmental medicine; and

"Whereas the bill would set up a system whereby a Federal agency would set arbitrary standards for medical care and dictate fees and charges; and

"Whereas the doctor-patient relationship would be seriously impaired, if not destroyed; and

"Whereas it would put the Federal Government into an area of health care with which it is not equipped to cope; and

"Whereas it would be most difficult if not impossible to provide the best medical care under a government dominated program, which the passage of the Forand bill, or any bill of a similar type would bring about: Now, therefore, be it

"*Resolved*, That the members of the Rensselaer County Medical Society marshal all

their resources for the purpose of preventing the enactment of the Forand bill, or any bill of a similar type; and be it further

"*Resolved*, That a copy of this resolution be sent to Congressman DEAN TAYLOR, Congressman LEO O'BRIEN, Senator JACOB K. JAVITS, Senator KENNETH B. KEATING and Hon. WILBUR MILLS, chairman, Ways and Means Committee, House of Representatives."

Very truly yours,
DAVID R. TOMLINSON, M.D.,
*Secretary.*

---

RESOLUTION OF THE MEDICAL SOCIETY OF THE COUNTY OF WYOMING

Whereas H.R. 4700 (Forand bill) calls for the Federal purchase, through compulsory taxes, of surgical, hospital, and nursing home care for some 16 million social security beneficiaries; and

Whereas the bill would set up a system whereby a Federal agency would set arbitrary standards for medical care, and dictate fees and charges; and

Whereas the doctor-patient relationship would be seriously impaired, if not destroyed; and

Whereas authoritative estimates fix the cost at about $2 billion for the first and second years; and

Whereas no adequate proof has been forthcoming showing that a drastic solution, such as the Forand bill, is necessary to meet the needs of the aging: Now, therefore, be it hereby

*Resolved*, That H.R. 4700, or any similar bill, is vigorously opposed by the Medical Society of the County of Wyoming; and be it hereby further

*Resolved*, That this opposition of the organization be made known to Congressman HAROLD OSTERTAG; U.S. Senator JACOB K. JAVITS, and U.S. Senator KENNETH B. KEATING, and also, the Honorable WILBUR MILLS, chairman, House Ways and Means Committee, House Office Building, Washington, D.C.

---

RESOLUTION OF THE MEDICAL SOCIETY OF THE COUNTY OF NEW YORK

Senator JACOB K. JAVITS,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR JAVITS: The following resolution opposing the Forand bill, H.R. 4700, was approved at a meeting of the executive committee of the Medical Society of the County of New York on March 14, 1960. We earnestly request your consideration and sympathetic understanding for these reasons against the passage of this bill:

"Whereas there are increasing efforts to place the practice of medicine under Government control, and amendments to the social security law are the favorite instruments for those who favor governmental medicine; and

"Whereas the Forand bill (H.R. 4700) is the 1960 version of the continuing efforts of the proponents of governmental medicine; and

"Whereas the Forand bill would create a Federal agency to set arbitrary standards for medical care and dictate fees and charges and seriously impair the doctor-patient relationship; and

"Whereas it would be virtually impossible to provide the best medical care under a Government-dominated program, which the passage of the Forand bill would bring about; and

"Whereas very swift enrollment in health insurance of individuals over 65 years of age is already occurring on a voluntary basis; and

"Whereas a White House conference has already been called for January 1961 to ascertain the facts for the need for proposed aid to the aged in the field of medical and hospital care: Now, therefore, be it

"*Resolved*, That the Medical Society of the County of New York representing 7,000 physicians in Manhattan, disapprove the Forand bill, or any bill of similar type, and work actively to oppose its passage; and be it further

"*Resolved*, That a copy of this resolution be sent to all Congressmen representing the County of New York, to the Senators of the State of New York, and to the Honorable WILBUR D. MILLS, chairman of the Ways and Means Committee, House of Representatives, Washington, D.C."

Sincerely yours,
SAMUEL FRANT, M.D.,
*President.*

---

RESOLUTION OF THE NASSAU NEUROPSYCHIATRIC SOCIETY

The Honorable JACOB K. JAVITS,
*U.S. Senate,*
*Senate Office Building,*
*Washington, D.C.*

DEAR SIR: The Nassau Neuropsychiatric Society, an organization of over 100 psychiatrists practicing in Nassau County, New York State, has studied the provisions of the Forand bill, H.R. 4700, and has voted to support the resolution of the Medical Society of the State of New York dated January 28, 1960, viz:

"*Resolved*, That the Medical Society of the State of New York reiterates its vigorous and unalterable opposition to H.R. 4700 expressed to the House Committee on Ways and Means in July 1959; and be it hereby further

"*Resolved*, That the State medical society's adamant opposition to this bill or any other bill of similar type, be once again brought to the attention of all New York State Congressmen and the two U.S. Senators as well as the chairman of the House Ways and Means Committee."

Yours very truly,
IRVING L. BAUER, M.D.,
*Secretary.*

---

RESOLUTION OF THE MEDICAL SOCIETY OF THE COUNTY OF ULSTER

Hon. JACOB K. JAVITS,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR JAVITS: The Medical Society of the County of Ulster, a component of the Medical Society of the State of New York, at its meeting on March 1, 1960, unanimously adopted the following resolution:

"Whereas efforts to place the practice of medicine under governmental control are increasing each year; and

"Whereas amendments to the social security law are the favorite instruments for those who favor governmental medicine; and

"Whereas the Forand bill (H.R. 4700) is the 1960 version of the continuing efforts of the proponents of governmental medicine; and

"Whereas the bill would set up a system whereby a Federal agency would set arbitrary standards for medical care and dictate fees and charges; and

"Whereas the doctor-patient relationship would be seriously impaired, if not destroyed; and

"Whereas it would put the Federal Government into an area of health care with which it is not equipped to cope; and

"Whereas it would be most difficult if not impossible to provide the best medical care under a Government-dominated program, which the passage of the Forand bill, or any bill of similar type would bring about: Now, therefore, be it hereby

"*Resolved*, That the members of the Ulster County Medical Society marshal all their resources for the purpose of preventing the enactment of the Forand bill, or any bill of a similar type; and be it further

"*Resolved*, That a copy of this resolution be sent to Congressman J. ERNEST WHARTON, Senator JACOB K. JAVITS, Senator KENNETH B. KEATING, and Hon. WILBUR MILLS, chairman, Ways and Means Committee, House of Representatives."

Very truly yours,
F. W. HOLCOMB, Jr., M.D.,
*Secretary.*

---

RESOLUTION OF THE MEDICAL SOCIETY OF THE COUNTY OF MONTGOMERY

Whereas efforts to place the practice of medicine under governmental control are increasing each year; and

Whereas amendments to the social security law are the favorite instruments for those who favor governmental medicine; and

Whereas the Forand bill (H.R. 4700) is the 1960 version of the continuing efforts of the proponents of governmental medicine; and

Whereas the bill would set up a system whereby a Federal agency would set arbitrary standards for medical care and dictate fees and charges; and

Whereas the doctor-patient relationship would be seriously impaired, if not destroyed; and

Whereas it would put the Federal Government into an area of health care with which it is not equipped to cope; and

Whereas it would be most difficult, if not impossible, to provide the best medical care under a Government-dominated program, which the passage of the Forand bill, or any bill of a similar type, would bring about: Now, therefore, be it hereby

*Resolved*, That the members of the Montgomery County Medical Society marshal all their resources for the purpose of preventing the enactment of the Forand bill or any bill of a similar type; and be it further

*Resolved*, That a copy of this resolution be sent to Congressman SAMUEL S. STRATTON, Senator JACOB K. JAVITS, Senator KENNETH B. KEATING, and Hon. WILBUR MILLS, chairman, Ways and Means Committee, House of Representatives.

---

RESOLUTION OF THE MEDICAL SOCIETY OF THE COUNTY OF MONROE

Whereas there is now before Congress a bill known as H.R. 4700 (Forand bill), which would socialize certain limited medical care services for social security beneficiaries; and

Whereas the problems of the aged are not limited to medical care alone, but involve housing, environment, and other socio-economic factors; and

Whereas the bill would destroy the patient-doctor relationship, result in increased taxation, and undermine voluntary health insurance plans and voluntary community agencies; and

Whereas because of efficient local voluntary organizations necessary medical care is available to everyone regardless of economic circumstances; and

Whereas evidence presented to date concerning the problems of the aging is neither complete nor conclusive; and

Whereas Federal intervention without more accurate knowledge of the problem's gravity and dimensions is logically untenable and socially dangerous; and

Whereas the bill would not provide assistance to the small group (the indigent) who in some communities might need help; and

Whereas the bill is a direct step toward socialization of all medical care: Now, therefore, be it hereby

*Resolved*, That the members of the Medical Society of the County of Monroe, N.Y., register their opposition to the Forand bill or any bill of similar type; and be it further

*Resolved*, That a copy of this resolution be sent to all New York State Congressmen and to Senators KENNETH B. KEATING and JACOB K. JAVITS and to the Honorable WILBUR MILLS, chairman, Ways and Means Committee, House of Representatives.

DEAR SIR: Here's why the Forand bill should not pass:

Social security was set up to provide retirement income so people would not become public charges. It was not intended to pay medical bills of persons able to pay their own way. The indigent already are being cared for under other welfare programs.

If the Government takes over responsibility for paying medical bills of millions of Americans, the United States will have taken a giant step toward socialized medicine. That's all socialized medicine is: Government providing medical care instead of leaving it to the medical professional and the individual under the free enterprise system.

Why commit billions to pay medical bills through the social security system when most of the people who need such welfare help are not covered by social security?

Our hospitals are sure to be swamped by patients lured by this something-for-nothing program. Doctors and administrators would have the added burden of screening this caseload of people in order to weed out the ones who do not actually need medical care.

There is no way to figure how many billions of dollars the Forand bill would cost. No two patients are alike. Predicting the cost of an illness is impossible. In England, socialized medicine costs turned out to be five times greater than the maximum estimates. Under the Forand bill, this guesswork involves billions to be paid through still higher social security taxes.

Social security already is in the red. Receipts last year were $8,100 million. Disbursements were $9,400 million. A giant medical care program on top of social security would send taxes soaring and make the program still more unsound economically.

The Forand bill would inject the Federal Government in the physician-patient-hospital relationship and its enactment would be followed by control of the health care of the aged by the Social Security Administration.

The Forand bill would use compulsory taxation to undermine voluntary health insurance plans.

Problems concerning the aging are not limited to medical care alone but involve housing, environment, and other socioeconomic factors.

"These are indeed chronic problems of aging and the aged but above all else, they are individual problems of individual human beings. Moreover, if governments will refrain from engaging in activities sure to destroy the purchasing power of people's accumulated dollars, the problem, at most, is temporary. Instituting a permanent program and a new bureaucracy to provide Government health care for the aged, regardless of need, supplies a cure that may be worse than the disease in its ultimate effects on individual freedom and a free society."—American Medical Association, Department of Economic Research, October 31, 1959.

The Forand bill is a major deviation from the original cash-benefit concept of social security and would put the Federal Government in the business of buying a service rather than giving cash benefits to be used as the individual chooses.

The aged would be restricted in choice of a physician or hospital under a Forand program because only physicians, hospitals, and nursing homes entering into agreements with the Federal Government would participate. This would concentrate power in the hands of Federal officials for setting standards for medical care, something the Federal Government is not qualified to do.

If the Federal Government begins paying medical bills for one group, the aged, other groups will demand the same and the resulting financial burden could be ruinous.

The Forand bill would destroy new home care programs, day hospital service, homemaker services, progressive patient care, and new concepts for treatment through outpatient departments and doctors' offices. It also would destroy the incentive for communities to experiment with new techniques in care for the aged at the local level where the problems are known best.

Support for the Forand bill is support for Federal compulsory health care, or, described in another way, support for socialized medicine.

There are neither complete nor conclusive statistics on health problems for the aged. Any attempt to meet the challenge of a health program for the aged without a more accurate knowledge of the problem's dimensions is akin to prescribing for the patient without first making a diagnosis.

The Forand bill is a political approach to a medical problem.

The expense of this social security medical program could jeopardize the retirement security of millions who depend on social security for their basic retirement needs and it could destroy the retirement program of millions now looking forward to the security of a regular income in their old age.

---

In the voluntary hospitals 90–98 percent, an average of 95 percent, of those over 65 paid their bills through insurance or by themselves. In the municipal hospital, 16 percent paid their way so that of those admitted to the municipal supported institution 84 percent were actually indigent. Only 31 percent of those admitted to the municipal had social security coverage. If the Forand bill had been in force, two-thirds of those patients would have had no help.

This would indicate that legislation, such as proposed by Representative FORAND to make hospital care a general social security benefit, will not fill the need in our community. Most indigent cases receive care through subsidy of the Monroe County Welfare Department. Whenever the Federal Government assumes control of another facet of our life, individual and community enterprise decline.

Studies on a national level indicate that 70 percent of our older population will be protected by voluntary hospital insurance coverage by the end of 1960. It is predicted that 90 percent will be covered by 1970. Industry and labor are working toward this free-enterprise achievement. The recently proposed home care program is another step to reduce medical care costs in our commmunity. It is far better to solve these social problems on a community basis and stimulate local endeavor than expect the Federal Government to provide from "cradle to grave." Any unnecessary additions to our social security structure is not warranted in this inflationary period. The heritage of our children and grandchildren must be considered.

*Rochester Regional Hospital Council, data concerning patients over age 65* [1]

| | Hospitals | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | Total |
| 1. Total patients admitted [2] | 958 | 978 | 192 | [3] | 1,073 | 402 | [3] | 1,134 | 4,737 |
| 2. Number of patients over age 65 admitted | 153 | 131 | 28 | [3] | 109 | 102 | [3] | 158 | [4] 681 |
| 3. Number of patients over age 65 with insurance [5] | 104 | 85 | 17 | [3] | 83 | 8 | [3] | [6] 109 | 406 |
| 3.1 Number of patients over age 65 who were self-pay [7] | 42 | 35 | 10 | [3] | 24 | 8 | [3] | 40 | 159 |
| 3.2 Number of patients over age 65 who were indigent [8] | 7 | 11 | 1 | [3] | 2 | 70 | [3] | 12 | 103 |
| 3.3 Number of patients over age 65 referred to administrators [9] | 0 | 0 | [10] | [3] | 9 | 16 | [3] | [10] | 25 |
| 3.4 Number of patients over age 65 with social security | [3] | [3] | [3] | [3] | [11] 67 | [11] 32 | [3] | [3] | 99 |

[1] All data compiled for January 1960.
[2] Newborn excluded.
[3] Not available.
[4] 14 percent.
[5] Any type of insurance.
[6] Blue Cross only.
[7] With no insurance.
[8] Includes welfare cases and those not on welfare who were able to pay none or part of hospital bill.
[9] As hardship cases.
[10] Unknown.
[11] Estimated.

RESOLUTION OF THE ALBANY MEDICAL CENTER

Senator JACOB K. JAVITS,
*Washington, D.C.*

DEAR SIR:

"Whereas the Forand bill (H.R. 4700) is an effort to place the practice of medicine under governmental control; and

"Whereas it would, therefore, deter young people from entering the practice of medicine under governmental control; and

"Whereas the doctor-patient relationship would be interfered with by a third party—the Federal Government; and

"Whereas the right of the patient to choose his own physician, hospital, or nursing home is decisively limited; and

"Whereas the bill requires that so-called free hospitalization could create a dangerous overcrowding of space available to the seriously ill; and

"Whereas it would undermine the American tradition of free enterprise, interfering with voluntary health insurance programs, now covering 43 percent of citizens over 65 years of age, and expected to cover 75 percent by 1965, and 90 percent by 1970; and

"Whereas the best medical care could not be obtained under governmental control: Therefore it is hereby

*"Resolved,* That the Albany Medical College chapter of the Woman's Auxiliary to the Student American Medical Association marshal all their resources for the purpose of preventing the enactment of the Forand bill, or any bill of a similar type."

Sincerely yours,

CATHERINE KLAMAR,
*Secretary-elect.*

---

RESOLUTION OF THE WOMAN'S AUXILIARY TO THE NASSAU COUNTY MEDICAL SOCIETY

Whereas efforts to place the practice of medicine under governmental control are increasing each year; and

Whereas amendments to the social security law are the favorite instruments for those who favor governmental medicine; and

Whereas the Forand bill (H.R. 4700) is the 1960 version of the continuing efforts of the proponents of governmental medicine; and

Whereas the bill would set up a system whereby a Federal agency would set arbitrary standards for medical care and dictate fees and charges; and

Whereas the doctor-patient relationship would be seriously impaired, if not destroyed; and

Whereas it would put the Federal Government into an area of health care with which it is not equipped to cope; and

Whereas it would be most difficult if not impossible to provide the best medical care under a Government dominated program, which the passage of the Forand bill, or any bill of a similar type would bring about: Now, therefore, be it hereby

*Resolved*, That the members of the Woman's Auxiliary to the Nassau County Medical Society marshal all their resources for the purpose of preventing the enactment of the Forand bill, or any bill of a similar type; and be it further

*Resolved*, That a copy of this resolution be sent to Congressmen STUYVESANT WAINWRIGHT, STEVEN B. DEROUNIAN, and FRANK J. BECKER; Senator JACOB K. JAVITS; Senator KENNETH B. KEATING; and the Honorable WILBUR D. MILLS, chairman, Ways and Means Committee, House of Representatives.

---

RESOLUTION OF THE WOMAN'S AUXILIARY TO THE MEDICAL SOCIETY OF THE COUNTY OF MONROE

Whereas there is and will be legislation, before Congress, providing for the socialization of certain medical services for social security beneficiaries; and

Whereas this legislation is an incomplete and partial solution to a complex problem, which includes not just medical care, but also housing, environmental, social, and economic factors; and

Whereas this law destroys the normal doctor-patient relationship, necessitates unpredictable and staggering tax increases, and strikes at the foundation of voluntary health insurance plans; and

Whereas the problem of medical care for the aged is and has been recognized in New York State and giant steps have been taken toward resolving this problem without compulsory Federal aid; and

Whereas this type of legislation is an opening wedge which would eventually lead to the socialization of all medical care, therefore being socially dangerous: Now, therefore, be it hereby

*Resolved*, That the Women's Auxiliary to the Medical Society of the County of Monroe expresses its vigorous and firm opposition to the passage of any law socializing medical services to the beneficiaries of social security; be it hereby further

*Resolved*, That this opposition to this type of legislation be brought to the attention of the Congressmen and Senators representing Monroe County in the U.S. Congress.

---

RESOLUTION OF THE WOMEN'S AUXILIARY TO THE MEDICAL SOCIETY OF THE COUNTY OF ALBANY

Whereas there is now before Congress a bill known as H.R. 4700 (Forand bill) to put the Federal Government into the business of controlling and dominating medical care for the senior population of this country; and

Whereas the enactment of the Forand bill, or any other similar bill, would mean a tremendous increase in the social security taxes already a sizable proportion; and

Whereas it has not been fully proved that the voluntary health insurance plans have not and cannot meet the needs of the aging population; and

Whereas Federal intervention without more accurate knowledge of the problems' gravity and dimension is untenable and socially dangerous, particularly as these problems are not limited solely to medical care but involve many other segments of our economic and social life: Now, therefore, be it

*Resolved*, That the Women's Auxiliary to the Albany County Medical Society (representing between 200 and 300 members in this community) calls the attention of Congressman LEO W. O'BRIEN, and Senators JACOB K. JAVITS and KENNETH B. KEATING, as well as Hon. WILBUR D. MILLS, chairman, Ways and Means Committee, that this organization is vigorously opposed to the Forand bill or any other proposed law of the Forand type; and be it further

*Resolved*, That copies of this resolution be forwarded to these legislators with the urgent request that they take action against the Forand bill or any other similar legislation.

---

RESOLUTION OF THE WOMAN'S AUXILIARY TO THE TOMPKINS COUNTY MEDICAL SOCIETY

Whereas the Forand bill (H.R. 4700) now before Congress is a proposal to amend the Social Security Act to provide for the Federal purchase of certain health care services (hospital, surgical, and nursing home treatment) for social security beneficiaries under a Government-operated program; and

Whereas such a bill is viewed as another big step toward complete socialization of all medical care while at the same time it limits itself to one aspect of the problems of the aging population—the medical—ignoring housing, environment, and other socio-economic factors; and

Whereas the law would tend to destroy the doctor-patient relationship, result in extensive compulsory taxation, and undermine voluntary health insurance plans (and gradually replace them); and

Whereas it can be shown that the problems concerning the aging can be well met at the county, city, and State level (or by voluntary organizations at any level) without Federal Government direction: Now, therefore, be it hereby

*Resolved*, That the Woman's Auxiliary to the Tompkins County Medical Society sets forth its opposition to H.R. 4700, and be it further

*Resolved*, That the Woman's Auxiliary's opposition to this bill, or any other bill of similar type, be brought to the attention of Hon. JOHN TABER, Senator JACOB K. JAVITS, Senator KENNETH B. KEATING, and Hon. WILBUR MILLS, chairman, Ways and Means Committee, House of Representatives.

---

RESOLUTION OF THE WOMAN'S AUXILIARY TO THE MEDICAL SOCIETY OF THE COUNTY OF SCHENECTADY

Whereas legislation has been proposed that would amend the Social Security Act to provide for the Federal purchase of certain health care services for social security beneficiaries; and

Whereas such legislation would further increase social security taxes which are already scheduled to reach 9 percent of the payroll—up to $4,800 income; and

Whereas care for the older citizen calls for a flexibility of medical approach and technique—not the rigidity inherent in Government-controlled programs; and

Whereas the proposed legislation is a political approach to a health problem; and

Whereas a nationalized program of this sort would weaken the patient-physician relationship; and

Whereas a bureaucratic system for solving individual health problems of the aged would result in political abuses and administrative waste: Now, therefore, be it

*Resolved*, That the Woman's Auxiliary to the Medical Society of the County of Schenectady does hereby go on record against the adoption of H.R. 4700 introduced in the 86th Congress by Representative A. J. FORAND, of Rhode Island.

---

RESOLUTION OF THE WOMAN'S AUXILIARY TO THE MEDICAL SOCIETY OF HERKIMER COUNTY

Whereas efforts to place the practice of medicine under governmental control are increasing each year; and

Whereas amendments to the social security law are the favorite instruments for those who favor governmental medicine; and

Whereas the Forand bill (H.R. 4700) is the 1960 version of the continuing efforts of the proponents of governmental medicine; and

Whereas the bill would set up a system whereby a Federal agency would set arbitrary standards for medical care and dictate fees and charges; and

Whereas the doctor-patient relationship would be seriously impaired, if not destroyed; and

Whereas it would put the Federal Government into an area of health care with which it is not equipped to cope; and

Whereas it would be most difficult if not impossible to provide the best medical care under a Government-dominated program, which the passage of the Forand bill, or any bill of a similar type, would bring about: Now, therefore, be it hereby

*Resolved*, That the members of the Woman's Auxiliary to the Herkimer County Medical Society marshal all their resources for the purpose of preventing the enactment of the Forand bill, or any bill of similar type; and be it further

*Resolved*, That a copy of this resolution be sent to Congressman ALEXANDER PIRNIE, Senator JACOB K. JAVITS, Senator KENNETH B. KEATING, and Hon. WILBUR MILLS, chairman, Ways and Means Committee, House of Representatives.

---

## FINAL REPORT OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD—SEPARATE VIEWS—(PT. 3 OF S. REPT. 1139)

Mr. McCLELLAN. Mr. President, as chairman of the Senate Select Committee on Improper Activities in the Labor or Management Field, pursuant to Senate resolutions 44 and 249, 86th Congress, I submit part III of the final report of this committee containing the summaries of the testimony and the findings on:

First. The Criminal Syndicate case;

Second. The Joseph Glimco and Taxicab Local 777 of Chicago cases; and

Third. James R. Hoffa and the International Brotherhood of Teamsters.

All of the above findings were unanimously approved by the members of the committee.

Senators MUNDT, GOLDWATER, CURTIS, and CAPEHART, although approving the findings in the criminal syndicate, set forth separate views of their own relating to the establishment of a National Crime Commission. Likewise, on this same matter, separate views were expressed by Senator KENNEDY and by myself. Senators ERVIN and CHURCH joined in the separate views of both Senator KENNEDY and my own views.

I ask that the report be printed, with separate views.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, two press releases which I am making available to the press at this time, in connection with the report. The first press release was prepared in the expectation that this part of the report would be filed on March 23. For reasons which appeared sufficient, the filing of the report has been deferred until today. Since that time, I thought it advisable to add further comments in

connection with the report, at least for the press, and I ask unanimous consent that both press releases be printed in the RECORD at this point as a part of my remarks.

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

FOR RELEASE OF MARCH 28, 1960, ON FILING OF PART III OF THE FINAL REPORT

Senator JOHN L. MCCLELLAN, Democrat, of Arkansas, chairman of the Senate Select Committee on Improper Activities in the Labor or Management Field, today filed part III of the final report of his committee. Senator MCCLELLAN stated that this third report covers the final hearings on James R. Hoffa, president of the International Brotherhood of Teamsters, as well as the hearings on Joseph Glimco, president of the Taxicab Local 777 of Chicago, Ill. Included also in this report are the findings and conclusions pertaining to the criminal syndicate hearings.

HOFFA

In its third and final report on James R. Hoffa and the International Brotherhood of Teamsters, the committee found that the 1959 hearings served to highlight and underscore previous conclusions reached by the committee that—

1. Hoffa has repeatedly betrayed the members of his own union by entering into business relationships with employers with whom his union negotiated.

2. That Hoffa has misused union funds for his own benefit and that of his friends.

3. That Hoffa has consistently supported the interest of racketeer and criminal friends over those of his own members.

4. That Hoffa and his chief aides have consistently repressed democratic rights within the union.

5. Finally, that the committee remains convinced that if Hoffa continues unchecked, he will successfully destroy the decent labor movement in the United States.

The committee was particularly critical of Hoffa for the betrayal of his membership with respect to the contract negotiations. It pointed out that Hoffa sought to minimize the committee's exposure of shocking conditions within the Teamsters Union by pursuing the theme that corruption is unimportant when measured against the success of Hoffa in negotiating high contracts greatly benefiting the general membership.

The committee report exploded this fallacy and in detail spelled out the numerous occasions in which it found "Hoffa to be faithless to the members of his own union."

1. The committee found in the 1959 testimony instance after instance of unquestionable betrayal of his own union members.

2. Hoffa extended special deals and side arrangements to employers with whom he had special business or social ties.

3. He entered into collusive arrangements by which contract terms were arbitrarily abrogated or watered down to the degree that left them virtually meaningless, without ratification by the membership directly affected, and never reduced to writing.

4. That Hoffa made substantially lower contract offers to employer representatives for the obvious purpose of promoting personal power and undermining the strength of other Teamster Union officials who were opposed to him and his methods.

The committee in its findings listed over nine pages of specific instances where it found that Hoffa was derelict in his duties or had committed improper acts under his trust as president of the Teamsters International.

Included in these findings were severely criticized deals between Benjamin Dranow and the Teamsters Union by which Dranow was able to realize large profits on strange transactions involving Teamster jackets, land deals, department store loans, etc.

One of the criticized transactions involved the ill-fated Florida Sun Valley Teamster project, which victimized hundreds of Teamster members who had invested in this project with the view of having a retirement home.

Hoffa admitted he had an option, which he produced long after the hearings, to purchase a large block of the Sun Valley stock which he could have exercised with great profit had the project been successful. Testimony showed that Hoffa's crony, Dranow, was deeply enmeshed in the financial transactions of the Sun Valley project. It also showed that there was a grave question of the propriety of the use of $500,000 in Teamster money tied up in a Florida bank because of the Sun Valley financial shenanigans.

A bizarre episode disclosed in the hearings was a plot participated in between Dranow and Babe Triscaro, of the Teamsters Union, to use surplus U.S. planes to smuggle arms in the Caribbean area. Apparently $300,000 in Teamster money was earmarked for this strange project, until the committee displayed a keen interest in the transaction.

According to the committee, the record clearly established Hoffa's contempt for duly constituted authority. He made public pronouncements of his intentions to use every device he can to rid himself of the court-appointed monitors and has done exactly that.

One of the more serious charges against Hoffa concerned overt attempts to gain control of the court-appointed monitors with the aid of Harry Bridges and Louis Goldblatt, president and secretary-treasurer, respectively, of the International Longshoremen's Union. The ILA had been ousted from the CIO on the ground that it was Communist-dominated. This and similar instances have been referred to the Department of Justice for their attention.

The committee pointed out that, although Hoffa has promised in the past to rid his union of racketeers, the committee members are convinced that Hoffa does not have, nor did he ever have, any intention of removing any of the racketeers from office, although he and his attorney both admitted that Hoffa had the constitutional power to: "Proceed to revoke or order the revocation of any member who was convicted or pleads guilty to a crime, thus bringing the union into disrepute."

GLIMCO

In its report regarding Joseph Glimco, president of Taxicab Drivers Local Union No. 777, International Brotherhood of Teamsters, the committee described Glimco as one who "possessed none of the qualifications for a bona fide labor leader, and has no interest whatever in the welfare of the 5,000 taxicab drivers, inside workers, and maintenance personnel who comprise the membership of Teamsters Local 777."

The report described Glimco as long prominent in the underworld who at the same time maintained his close connections with Chicago major gangsters and hoodlums while acting as president of the 5,000-member Taxicab Drivers Union in Chicago. The committee in its findings stated that Glimco was shown to be a common thug and criminal who gained control of his union by violence and strong-arm methods which are the stock-in-trade of the Chicago racketeer. He ransacked the union treasury and denied the membership their lawful benefits under the health and welfare plan.

Glimco was found to be involved in the labor-extortion racket in the Fulton Street Poultry Market, where he shook down operators of scavenger trucks in sums ranging from $50 to $125 weekly, in addition to other lump sums.

In his operation of Taxicab Local 777, Glimco operated a "typical gangster-type shakedown in which he forced the officers of the local to pay him as tribute a percentage of their salaries and expense money. His income from this shakedown was approximately $3,000 per month."

The committee found that Glimco had diverted $124,321.45 from the funds of the taxicab local to pay legal fees to defend himself against Federal charges of labor extortion unrelated to the taxicab local. This included moneys paid to a private detective agency to investigate Chicago policemen who helped gather evidence against Glimco. Misappropriation of union funds included payments for membership in the Tam-O'Shanter Country Club of George Marcie, secretary-treasurer of the local, as well as the payment of all expenses for tours of the Caribbean Islands by Marcie and Oscar Kofkin, vice president of the local.

The testimony before the committee showed that Glimco had a record of 36 arrests, including charges of murder, assault with a deadly weapon, and extortion. Glimco was found to be a close associate of hoodlums and public enemies such as Tony Accardo, Paul "The Waiter" Ricca, "Little New York" Campagna, "Tough Tony" Capezio, and Murray "The Camel" Humphreys.

In addition, it was brought out that Glimco as a union leader was a close associate and one of the chief lieutenants of James R. Hoffa. No information was secured from Glimco himself, since he consistently invoked the fifth amendment on all pertinent questions.

CRIMINAL SYNDICATE

The committee, in reporting on criminal syndicates, described the meeting at Apalachin, N.Y., as significant of the growing power of the underworld. As might be expected, most of the hoodlum witnesses invoked the fifth amendment to all pertinent questions. The hearings convinced the members of the committee that underworld infiltration of business and labor is a grave national problem and that the grip of hoodlums and racketeers on the American economy continues to grow.

Separate views were expressed by the members of the committee as to the necessity and requirement of the establishment of a National Crime Commission to deal with the underworld problem on a Federal level. Senators MUNDT, GOLDWATER, CURTIS, and CAPEHART joined in a separate statement in which they stated that they agreed with the position of the Department of Justice that the creation of such a commission would be undesirable and there was no need for creation of any new organization or any substructure on the Federal level to impose itself on already existing and well-functioning organizations.

Senator KENNEDY and Senator MCCLELLAN, in separate views which were concurred in by Senators ERVIN and CHURCH, recommended that either a separate Federal agency be established or an appropriate existing agency be expanded or modified to act as an intelligence gathering agency on organized crime activities.

---

PRESS RELEASE OF MARCH 28, 1960

In the past 3 years the Senate Select Committee on Improper Activities in the Labor or Management Field has dug deep into the roots of corruption in labor unions. Nowhere did we find corruption more pronounced than in the International Teamsters Union and in the activities of its provisional president, James R. Hoffa.

In this phase of our investigation we were treated to a sad spectacle of a man of undoubted ability using his talents as a force for evil, corruption, and despoilment of a tremendous labor union which had become his captive.

Hoffa has at his command over $39 million in the international treasury and over $100 million in pension funds, which he cunningly utilizes to maintain himself in power. He has over a hundred able lawyers at his beck and call, and commands a powerful lobby in Washington, D.C., which usually operates unseen but quite effectively.

Not so long ago, Hoffa's cohorts issued a purge list of those Members of the Congress, that he was going to use all of the power, union funds, and union propaganda machinery at his command to defeat in the coming election.

Many of those on his purge list welcomed his opposition. They are more than willing to give the voters a choice between themselves and the Hoffa type of dishonest labor leadership opposition. They have faith in the integrity and wholesome judgment of their constituents.

Hoffa is a bold man, and is ruthless and wanton in his operations.

Nowhere is his contempt for law better illustrated than his efforts to undermine the monitorship imposed by the courts. It will be recalled that there was testimony before the committee by Mr. Bartley Crum that Harry Bridges and Louis Goldblatt, of the I.L.W.U., West Coast Longshoremen's Association (ousted by the CIO because of Communist domination) sought to sabotage the monitors on Hoffa's behalf by setting up Crum as a replacement for Mr. Godfrey Schmidt, the then rank-and-file member of the monitors, in the belief that Mr. Crum would be Hoffa's stooge. Crum, however, kept Godfrey Schmidt informed, and the courts and the FBI were likewise informed of these maneuvers. But Mr. Hoffa does not give up easily. The former assistant to the chairman of the monitors—Florian Bartosic—was hired by the International Brotherhood of Teamsters at an increase of salary of $4,000 a year after he left the board of monitors. John Cunningham, a former leader of the plaintiffs in the action which resulted in the appointment of the monitors, switched over to Hoffa's side, and we found that the Teamsters were paying Cunningham's living expenses. Currently, Cunningham, I am advised, is residing in the same hotel as Hoffa—the Woodner Hotel, here in Washington—where he has an unpaid hotel bill of approximately $10,000.

Hoffa's concept is that every man has his price—it's only a question of how much—whether it be money or fear of retaliation or promise of future consideration.

There is still another aspect of the monitorship which bears mention. Since the inception of the monitorship, there appears to have been a desperate and constant harassment of the monitors by a multitude of lawsuits, proceedings, appeals, etc., to keep them, and particularly by Mr. Martin O'Donoghue, the court appointed monitor, from pressing the corruption charges against the Teamsters Union. He now seeks to have one William E. Bufalino appointed a monitor to fill the vacancy created by the resignation of Mr. Daniel Maher.

All this points up the need for constant vigilance and scrutiny to serve and protect the public interest.

William E. Bufalino is a lawyer, I believe admitted to practice law in Pennsylvania. He was three times refused admittance to the bar in the State of Michigan, the State in which he lives and operates.

William Bufalino became the business associate and front for his racketeer uncle-in-law, Angelo Meli, in the Bilvin Distributors, a jukebox distributor and operator, in 1945.

There was $141,000 invested in this distributorship: $46,000 by Angelo Meli; $20,000 by "Poppa John" Priziola; $25,000 by Sam Tocco; and $20,000 by William Bufalino. Fifteen thousand dollars more was borrowed from Carlo DiLiberto and $15,000 was borrowed from Nick Ditta. Angelo Meli is a notorious hoodlum with a long arrest record and was once designated as Detroit public enemy No. 1 by the Detroit Police Department. As for Priziola, he was identified by the Narcotics Bureau in our committee hearings as one of the most important of Detroit's traffickers in heroin. Priziola has a record of 20 arrests and 3 convictions, dating back to 1917. Both Ditta and DiLiberto had achieved long criminal records prior to their affiliation with Bufalino in the jukebox business.

Hoffa set up local 985 as a jukebox local and put Jimmy James (notorious for having stolen almost a million dollars from the Laundry Workers Union) in charge and loaned James $2,000 to start the local. In turn, James put Hoffa's wife and Bert Brennan's wife on the jukebox local's payroll and paid them $6,000. It was admitted that they performed no functions or duties.

James testified in earlier hearings that Bufalino forced his way into the union and he made Bufalino his lieutenant. When James left the local in 1949, James, although residing in Florida, remained on the payroll until 1951. So we had the strange situation of the boss of the jukebox operations becoming the boss of the jukebox union in Detroit.

Bufalino's relatives, the Melis, continued to run their jukebox operations while Bufalino was kingpin of the jukebox union on the other side of the fence, a very handy arrangement.

We have heard testimony of how Bufalino exploited labor in the carwash cases and I would like to repeat my statements made at the close of the hearings of the committee on Bufalino's activities, and I quote (pt. 48, p. 17678):

"The operations of Local 985 of the Teamsters Union, headed by Mr. Hoffa's associate, William E. Bufalino, represents a most disgraceful type of unionism. As it now operates it is a leech preying upon working men and women to provide personal aggrandizement for Mr. Bufalino and his friends. This is true in both the coin-operated machine and the autowash sections of this local, for nowhere in this hearing is there to be found one scintilla of evidence that local 985 has done anything to help the wages and working conditions of its members in these industries. To the contrary, we have had testimony that members of Mr. Bufalino's local had their wages drastically reduced after they became union members and their employers signed contracts with local 985.

"In both the coin-operated machine and the autowash sections of local 985, the operations of local 985 amount to nothing less than a shakedown and extortion of businessmen. It is hoped that the evidence this committee has heard will suggest to law-enforcement officials in Michigan the advisability of taking such appropriate action as may be authorized under State laws to deal with Mr. Bufalino and other officials of local 985.

"I may say I think they perpetrate a dastardly fraud upon human beings the way this union operates. I don't want any misunderstanding about the Chair's conclusion with respect to this character of an operation.

"In the evidence it is also clearly shown that Bufalino got his start in the jukebox business in 1946 in partnership with, and with the backing of, certain key figures of the Detroit underworld. It is also clear that some jukebox companies operating with underworld backing have also had the assistance of Mr. Bufalino.

"Thus, we find a union in alliance with racketeers, and which fails to, in any way, exercise the proper obligations of labor unionism toward its members and toward the community."

One man in particular stands in Hoffa's way—Mr. Martin O'Donoghue, the court-appointed monitor who has stanchly stood his ground despite every legal trick, maneuver, and wearing-down tactic practiced by Hoffa and his lawyers. The public owes a great debt of gratitude to Mr. O'Donoghue.

Bufalino's selection as a monitor becomes of special interest in view of the fact that one of the principal charges against Hoffa is a misuse of union money in the so-called Sun Valley project, a project touted by Hoffa as a retirement haven for Teamster members in sunny Florida. The sum of $500,000 in Teamster money was used by Hoffa as an inducement to obtain financing for this project for his friend, Henry Lower. (Hoffa had taken the precaution of obtaining the option from Lower to purchase a large block of stock from him, which could be exercised if the project was successful.) But Hoffa's crony Lower diverted the money paid by the Teamster members for their lots in Sun Valley and the project became a miserable failure. The appointment of Bufalino becomes singularly conspicuous because, ostensibly, Bufalino would be charged with the obligation and duty of helping to press charges of misuse of Teamster money in the Sun Valley project against Hoffa.

It should be noted Bufalino himself was involved in this shady mess. Bufalino's local 985 obtained a $10,000 loan from Hoffa's local and the same day local 985 loaned the $10,000 to Lower.

Mr. McCLELLAN. Mr. President, I might make these further observations: The select committee is scheduled to expire on the 31st of this month, unless action is taken by the Senate to extend the life of the committee.

A situation has developed which clearly indicates—and I have been of this impression all along—that the powers of this committee should not be permitted to expire. It was my thought originally that the authority and powers of this select committee and all of its records and files should be transferred to the Committee on Government Operations, in order that those records might be kept available, and that there might be supervision and control over them pending a period of time while court actions are in progress growing out of evidence developed by the select committee. Court actions which are in the nature of criminal proceedings are in progress. Persons are being indicted and prosecuted for crimes which have been exposed by the committee. The records of the committee, in many instances, will be required by the law enforcement officers and by the Department of Justice to carry to full benefit the labors of the select committee in this field of activity.

Some opposition has developed to the proposal that the functions of this committee be temporarily transferred to the Committee on Government Operations. When that opposition appeared to be developing, I submitted a resolution, which is now pending before the Committee on Rules and Administration, simply asking for an extension of the select committee for another year.

We are not asking for the extension and continuation of the select committee with the idea or thought of having a continuous investigation or a crusade of investigations, but are asking it primarily for the purpose of holding these records intact and also to have the standby authority to conduct some investigations which may become neces-

sary, as developments which I have referred to in press releases in connection with these reports indicate are necessary or desirable, so that the full benefit of the select committee's labors may be brought to fruition and that maximum results may be achieved.

I therefore shall urge the Senate to continue the select committee for another year.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. LONG of Hawaii:

S. 3283. 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.

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

By Mr. MORSE:

S. 3284. A bill for the relief of Lee Soon Him; to the Committee on the Judiciary.

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

S.J. Res. 176. Joint resolution authorizing the preparation and printing of a Supplement to the Constitution of the United States of America, Annotated, as published in 1953 as Senate Document No. 170, 82d Congress; to the Committee on Rules and Administration.

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

By Mr. PROXMIRE:

S.J. Res. 177. Joint resolution proposing an amendment to the Constitution of the United States providing for the nomination of candidates for President; to the Committee on the Judiciary.

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

## CONCURRENT RESOLUTIONS

### ADDITIONAL COPIES OF JOINT COMMITTEE PRINT ENTITLED "SUMMARY-ANALYSIS OF HEARINGS, JUNE 22–26, 1959, ON BIOLOGICAL AND ENVIRONMENTAL EFFECTS OF NUCLEAR WAR"

Mr. ANDERSON submitted the following concurrent resolution (S. Con. Res. 97), which was referred to the Committee on Rules and Administration:

*Resolved by the Senate (The House of Representatives concurring)*, That there be reprinted for the use of the Joint Committee on Atomic Energy six thousand additional copies of the Joint Committee print entitled "Summary-Analysis of Hearings, June 22–26, 1959, on Biological and Environmental Effects of Nuclear War" printed for the use of the Joint Committee on Atomic Energy during the 86th Congress, 1st session.

### OPPOSITION TO TRANSFER OF NUCLEAR WEAPONS OR NUCLEAR SECRETS TO OTHER NATIONS

Mr. PROXMIRE submitted a concurrent resolution (S. Con. Res. 98), opposing the transfer of nuclear weapons or nuclear weapons secrets to other nations, which was referred to the Joint Committee on Atomic Energy.

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

### TERRITORIAL DEPUTIES FOR GUAM AND THE VIRGIN ISLANDS

Mr. LONG of Hawaii. Mr. President, I introduce, for appropriate reference, a bill which would allow the unincorporated territories of Guam and the Virgin Islands to be represented in Congress. Each of the two areas would elect a territorial deputy who would have the right of debate, but no vote, in the House of Representatives.

Guam is the westernmost territory of the United States, excluding the trust territory, which we hold by mandate, and Okinawa, which we hold under the peace treaty with Japan. The Virgin Islands constitute the easternmost of our territories.

Both of these unincorporated territories have gained experience in self-government under their organic acts. Now the time has come to receive their counsel in the National Congress. From firsthand experience, I know that the people of Guam, through an elected representative, could make valuable contributions to the Congress in connection with the consideration of proposed legislation affecting the Pacific. I am sure the Congress would also benefit from the counsel offered by a representative of the Virgin Islands. The enactment of this bill will, then, mutually benefit the two unincorporated territories and the rest of the United States.

The PRESIDING OFFICER (Mr. CANNON in the chair). The bill will be received and appropriately referred.

The bill (S. 3283) 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, introduced by Mr. LONG of Hawaii, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. GRUENING. Mr. President, I desire to associate myself with the remarks of my distinguished colleague from Hawaii. I believe the legislation he has in mind is highly desirable and is in line with the purpose of giving to all outlying areas the maximum of self-government, according to the basic principles of government by the consent of the governed.

### SUPPLEMENT TO THE STUDY ENTITLED "THE CONSTITUTION OF THE UNITED STATES OF AMERICA, ANALYSIS AND INTERPRETATION"

Mr. STENNIS. Mr. President, one of the most useful and authoritative reference sources in matters pertaining to the Constitution is a book prepared by the Legislative Reference Service of the Library of Congress. It is entitled "The Constitution of the United States of America, Analysis and Interpretation." The book was published as Senate Document No. 170 in the 2d session of the 82d Congress.

I think it is an invaluable, and the best one-volume reference on the subject of constitutional law, and that the work done by the staff of the Legislative Reference Service, under the leadership of Edward S. Corwin, who served as editor for this project, should be retained intact.

Since 1952, however, subsequent Supreme Court decisions have greatly affected many areas of constitutional law, and I feel that it is time for the Library to renew their study of this subject and, in a supplemental volume, bring the original text up to date. For this purpose my colleague, the senior Senator from Mississippi [Mr. EASTLAND] and I are introducing a joint resolution authorizing the Librarian of Congress to undertake this worthwhile project.

The amount of money authorized in the original resolution for the preparation of the basic volume was $35,000, exclusive of printing. The cost of printing and binding the 4,385 copies for which funds were appropriated was an additional $32,355.95.

Since this added volume would cover only 8 years, the cost of a supplement would be much less. I think that the money would be well spent in making available a current knowledge of the development of constitutional law made available by a supplemental volume to the original text.

I am sure that the Librarian will again choose as an editor for this project an outstanding lawyer of the stature of Mr. Corwin, and that the work will be accomplished with the impartiality, professional competence, and clarity which characterized the text material of the present volume.

I think that this basic text as supplemented would be an invaluable addition to every Member's office, as well as an aid to students and law libraries and interested persons throughout the country. Certainly such a worthwhile project would more than justify its cost.

To my mind, this work is the best possible source for constitutional study that a busy Senator has. It is convenient and thorough—treating constitutional law in its various legal aspects. We must return to the attitude that our Constitution be seriously studied and applied in our legislative deliberations.

So I introduce for appropriate reference, and ask to have printed at this point in the RECORD, a joint resolution which I introduce for myself and my colleague, the senior Senator from Mississippi [Mr. EASTLAND].

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

The joint resolution (S.J. Res. 176) authorizing the preparation and printing of a Supplement to the Constitution of the United States of America, Annotated, as published in 1953 as Senate Document 170, 82d Congress, introduced by Mr. STENNIS (for himself and Mr. EASTLAND), was received, read twice by its title, referred to the Committee on Rules and

Administration, and ordered to be printed in the RECORD, as follows:

Whereas the Constitution of the United States of America, Annotated, published in 1953 as Senate Document 170, 82d Congress, serves a very useful purpose by supplying essential information;

Whereas such document contains annotations of cases decided by the Supreme Court of the United States to June 30, 1952; and

Whereas many cases bearing upon the analysis and interpretation of the Constitution have been decided by the Supreme Court since June 30, 1952: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Librarian of Congress is authorized and directed to have prepared a Supplement to the Constitution of the United States of America, Annotated, published as Senate Document 170, 82d Congress, which shall contain annotations of decisions of the Supreme Court of the United States after June 30, 1952, construing the several provisions of the Constitution. Such supplement shall be printed as a Senate Document in the same style and format as Senate Document, No. 170, 82d Congress. Three thousand copies shall be printed, of which 2,200 copies shall be for the use of the House of Representatives and 800 copies shall be for the use of the Senate.

SEC. 2. There are authorized to be appropriated such sums, to remain available until expended, as may be necessary to carry out the provisions of this joint resolution.

---

## AMENDMENT OF INTERNAL REVENUE CODE, RELATING TO UNLIMITED DEDUCTION FOR CHARITABLE DEDUCTIONS FOR CERTAIN INDIVIDUALS—AMENDMENTS

Mr. CASE of South Dakota. Mr. President, I submit an amendment, intended to be proposed by me, to the bill (H.R. 6779) to amend section 170 of the Internal Revenue Code of 1954 (relating to the unlimited deduction for charitable contributions for certain individuals). This amendment is intended to provide encouragement to students who desire to attend college and at the same time to contribute toward providing the college-trained youth which our country needs at a minimum of expense to the taxpayers.

This amendment would make money spent for tuition, matriculation, and laboratory fees deductible from income in computing net income for tax purposes.

It is recognized that the higher tuition and laboratory fees are generally found in the scientific fields where we need an increasingly large number of graduates. It is also recognized that the colleges which could accommodate a few more students without requiring appropriated funds are often the so-called independent schools. Many of them operate close to the break-even line, even though their tuition fees are sometimes higher than the State-supported schools.

To the extent, then, that reducing income tax liability would encourage students to take the scientific courses with their higher fees or to fill up schools where additional building appropriations are not required, the proposed legislation would offer a double public benefit.

I urge its study and consideration by the members of the Senate Committee on Finance. In the end, they will find, I believe, that the Nation itself would be the great beneficiary from young men and women better trained to meet the tasks of their day, and possessing, in turn, greater income-earning and tax-paying ability as well.

I also submit an amendment to the title of the bill.

I ask unanimous consent that the amendments may be printed and appropriately referred.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table.

---

## ENFORCEMENT OF CONSTITUTIONAL RIGHTS—AMENDMENTS

Mr. JOHNSTON of South Carolina. Mr. President, I submit six amendments, intended to be proposed by me, to the bill (H.R. 8601) to enforce constitutional rights, and for other purposes, now pending before the Committee on the Judiciary.

Mr. President, the amendments are short, and are accompanied by brief statements. I ask unanimous consent that these amendments, together with my explanatory statements, be printed in the RECORD, and ordered to lie on the table.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table; and, without objection, the amendments and explanatory statements will be printed in the RECORD.

The amendments and explanatory statements are as follows:

On page 2, beginning with line 1, strike out all through line 25 and in lieu thereof insert the following:

"§ 1509. Obstruction of court orders

"Whoever, by threats or force willfully prevents, obstructs, impedes, or interferes with, or willfully attempts to prevent, obstruct, impede, or interfere with, the due exercise of rights or the performance of duties under any order, judgment, or decree of a court of the United States, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"No injunctive or other civil relief against the conduct made criminal by this section shall be denied on the ground that such conduct is a crime."

On page 3, in the matter following line 2, strike out "certain".

---

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

Title I of H.R. 8601 is an unfair and prejudicial provision. This section of the bill, in essence, declares that one type of court order holds a position of priority in our judicial system. It places violations of court orders enforcing integration in schools in a special category with special criminal provisions which are not applicable to any other type of court order.

Advocates of so-called civil rights legislation, and in particular this bill, say the purpose of this legislation is to eliminate prejudice and discrimination. It is highly undemocratic and contrary to the alleged objectives of this bill, as well as being contrary to constitutional principles, to enact legislation of such a prejudicial and unfair nature. If the Congress is going to insist on making the obstruction of court orders by threats or otherwise a criminal offense, then we must see to it that the law applies to all court orders. We should make it a criminal offense to impede, prevent and so forth all Federal court orders.

It is not uncommon knowledge that title I of this bill was initially drafted by the Justice Department and presented to the House of Representatives by emissaries of the administration. While we all have respect for the men of law, I cannot help but say the Justice Department has an outstanding failing and that is the inability to draw up clear and concise legislation. For example, in the bill on page 2, line 2, the language read: "Whoever corruptly, or by threats or force, etc."

I wonder if anyone in the Justice Department could define what "corruptly" means in this legal sense? In my opinion the very insertion of the word "corruptly" in the language of the bill clouds the intent of the legislation. It would be necessary to prove corruption prior to the bringing of charges against anyone for obstructing a court order. In other words, one could, in the absence of corruption, obstruct court orders and be within the law.

I offer an amendment to the bill which strikes out all language beginning on page 2, line 1, through line 25 of the same page, and inserts in lieu thereof the following language:

"Whoever, by threats or force willfully prevents, obstructs, impedes, or interferes with, or willfully attempts to prevent, obstruct, impede, or interfere with, the due exercise of rights or the performance of duties under any order, judgment, or decree of a court of the United States, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

"No injunctive or other civil relief against the conduct made criminal by this section shall be denied on the ground that such conduct is a crime."

In addition, this amendment extracts the word "certain" from the heading of the section in line 1 on page 2, and does the same in the language of the bill from page 3 between lines 2 and 3.

In fairness to all citizens of our country, in the interest of clear, simple legal terms for sure justice, and in the interest of maintaining the reputation of the Senate and of this committee, I urge the members of the committee to join in adopting this amendment which I offer. I think the good faith of the Members of the Senate should demand this clarification, this simplification and this legalization of title I of this bill.

In addition, let us not forget that just 2 weeks ago the Senate, by a vote of 65 to 19 adopted this very same amendment which I offer now as it was offered by Senator Lausche as an amendment to the Dirksen substitute to the Fort Crowder school bill.

---

On page 3, line 22, strike out "dwelling house, synagogue, church, religious center, or educational institution, public or private," and in lieu thereof insert "or any other property, public or private, personal or real," and on page 4, line 15, strike out "dwelling house, synagogue, church, religious center or educational institution, public or private," and in lieu thereof insert "or any other property, public or private, personal or real."

---

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

Nothing is more reprehensible to any man than the hate-bombing and arson which some parts of our country have been experiencing. I want it clearly understood that I am completely opposed to this section of the bill because I do not believe it is necessary. The addition of this provision on our statute books will only cloud the issue because we already have statutes governing a situation against which this legislation is

aimed. However, if the Senate insists on passing this legislation, it is my belief that any law seeking to prohibit such action should be all-inclusive; therefore, I offer this amendment which reads as follows:

"On page 3, line 22, strike out "dwelling house, synagogue, church, religious center or educational institution, public or private," and in lieu thereof insert "or any other property, public or private, personal or real," and on page 4, line 15, strike out "dwelling house, synagogue, church, religious center or educational institution, public or private," and in lieu thereof insert "or any other property, public or private, personal or real."

In some cases specific language is needed in legislation but in this case specific language lessens the coverage of this title. If we are going to include synagogues, churches, religious centers, and educational institutions, why shouldn't we go on and include temples, cathedrals, skyscrapers or any other such buildings. If we have to outline each and every building or vehicle which is to be covered, then there will be some omissions and we will have pages on top of pages of buildings which will have to be included. It is my belief that if such legislation is necessary at all it should necessarily be all-inclusive.

I hope the Members of the Senate will join me in support of this amendment.

---

On page 5, line 10, strike out all on line 10 through line 5 on page 6 and in lieu thereof insert "general or special 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 relating to any application, registration, payment of poll tax, or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that, if a State or the Commonwealth of Puerto Rico designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than $1,000 or imprisoned not more than one year, or both."

On page 7, beginning on line 13, strike out line 13 and through line 24 of page 7 and in lieu thereof insert "SEC. 307. As used in this title, the term 'Officer of election' means any person who, under color of any Federal, State, Commonwealth, or local law, statute, ordinance, regulation, authority, custom, or usage performs or is authorized to perform any function, duty, or task in connection with any application, registration, payment of poll tax, or other act requisite to voting in any general or special election at which votes are cast for 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."

---

On page 7, after line 24, there are hereby inserted two new sections as follows:

"SEC. 308. As used in this title, the term 'primary election' shall include any convention by any political party at 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 selected.

"SEC. 309. For purposes of this title, the language 'all records and papers' shall include, in addition to the intent of this title, all records of credentials of those persons attending the convention and records indicating the manner in which delegates to the convention were selected."

---

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

In many parts of the Nation various political parties hold no primary elections. They nominate their candidates for various offices covered under title III of this bill by convention; in fact, our national parties nominate our candidates in this manner. In many areas of the Nation the major parties, as well as splinter parties and minor parties, nominate candidates for office by convention method and never even know what a primary election is.

Primary elections are voluntary elections, paid for by the members of the parties holding the primary elections, and are not mandatory to my knowledge in any State. Primary elections are elections allowed by State laws to be held if the parties concerned desire to hold these elections. There is no reason in the world for the Federal Government to have anything to do with these primary elections.

For this reason I have before the Senate an amendment which would remove primary elections from coverage by title III of this bill. But if the majority of the Senate insist upon having Federal controls over primary elections I also have pending before the committee an amendment which would enlarge the meaning of the language of this pending legislation to include conventions.

It is only fair that if we are going to require political parties that give to the people the right to vote and select their nominees, then we should also require this bill to cover the nomination of candidates by the closed-shop or convention method.

In my way of thinking it is much more important to preserve the records of how people are selected to attend conventions and how they select nominees at conventions, than it is to maintain records over primary elections. As I said before, conventions sometimes are in the nature of a closed-shop deal, whereas primary elections are open to the scrutiny of the public eye and the press. There is more chance for skullduggery in a convention than in a primary election. Therefore, if we are going to insist on Federal controls over the ways in which parties select their nominees in primaries, then we certainly should not exclude conventions.

I hope the Senate will adopt my first amendment to this title of the bill which will eliminate primary elections from this section. I ask that a vote be taken on this amendment first. If this amendment carries, then I shall withdraw my second amendment asking that conventions be included under the coverage of the bill.

---

On page 7, after line 24, insert a new section as follows:

"SEC. 308. The provisions of title III shall not apply to primary elections in any State until such time as all States and the Commonwealth of Puerto Rico shall require primary elections in all parties."

---

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The reasoning behind this amendment is similar in many ways to the reasoning that has been given for elimination of primaries and/or the inclusion of conventions in my other amendment to section III.

The very nature of section III as it applies to primary elections is discriminatory and will do a great injustice to the democratic processes.

The various parties in the various States which do hold primaries for the benefit of allowing their people to give free expression toward the selection of candidates set up these primaries at great expense and great trouble. Thousands of people volunteer their services and contribute their dollars to pay for these primaries.

If the Senate insists upon title III and the inclusion of primaries and the exclusion of conventions, then, we will, in effect, write a law which will abolish State primaries. No political party with common sense would continue to hold primary elections at great financial expense caused by title III of this bill, if it can accomplish the nomination of its candidates by convention method at little or no expense.

For example, the South Carolina Democratic Party which hold primaries, would be covered by this bill, but if after passage of this bill, the South Carolina Democratic Party decided to no longer hold primaries it would not be covered by this bill. So in effect, this legislation will take away from the people the right to nominate candidates in primary elections. It will destroy primary elections. People who believe in primaries will be penalized by this bill.

I feel that what is good for the goose is good for the gander, and so I offer my amendment which simply provides that no primary election shall be covered by this bill until such time as all States and the Commonwealth of Puerto Rico require the holding of primary elections. This is simply logical justice to all concerned.

---

On page 7, after line 7, insert the following:

"Whoever shall wrongfully disclose any record or paper produced pursuant to this title shall be fined $1,000 or imprisoned for not more than one year, or both. Wrongful disclosure shall mean any disclosure not provided for in this section."

---

STATEMENT OF SENATOR JOHNSTON OF SOUTH CAROLINA

If the Senate is going to insist that it is necessary for the Attorney General of the United States to have access to State voting papers and records, then it is also necessary that these voting papers and records should be kept in strictest confidence. Section 305 provides when and where the Attorney General and others may use these papers, but there is no penalty set out for wrongful use or disclosure of any of the information in these papers and records.

Therefore, I offer this amendment which I think is necessary as a deterrent to wrongful and fraudulent use of any of the secret information contained in any of the voting records. My amendment reads as follows:

"Whoever shall wrongfully disclose any record or paper produced pursuant to this title shall be fined $1,000 or imprisoned for not more than one year, or both. Wrongful disclosure shall mean any disclosure not provided for in this section."

I hope the Members of the Senate will join me in support of this amendment.

---

## OFFICE OF INTERNATIONAL TRAVEL AND TOURISM AND TRAVEL ADVISORY BOARD—ADDITIONAL COSPONSOR OF BILL

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the present distinguished occupant of the chair, the Senator from Nevada [Mr. CANNON], be added as an additional cosponsor of the bill (S. 3102) to strengthen the domestic and foreign commerce of the United States by providing for the establishment of an Office of International Travel and Tourism

and a Travel Advisory Board, introduced by me on February 25, 1960.

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

## AMENDMENT OF TARIFF ACT OF 1930, RELATING TO QUOTAS FOR, AND IMPOSITION OF DUTY ON IMPORTATION OF SHRIMP—ADDITIONAL COSPONSORS OF BILL

Mr. ELLENDER. Mr. President, I ask unanimous consent that the names of Senators JOHNSTON of South Carolina, THURMOND, and SPARKMAN may be added as additional cosponsors of the bill (S. 3204) to amend the Tariff Act of 1930 to provide for the establishment of country-by-country quotas for the importation of shrimps and shrimp products, to impose a duty on all unprocessed shrimp imported in excess of the applicable quota, and to impose a duty on processed shrimp and prohibit its importation in excess of the applicable quota, introduced by me, for myself and other Senators, on March 15, 1960.

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

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that my name be added as a cosponsor of Senate bill 3204, the shrimp bill, introduced by the Senator from Louisiana (Mr. ELLENDER) on March 15, 1960.

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

## IMPROVEMENT OF MASS TRANSPORTATION SERVICE IN METROPOLITAN AREAS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 24, 1960, the names of Senators CLARK, ENGLE, HUMPHREY, SYMINGTON, HARTKE, KEATING, JAVITS, HENNINGS, BRIDGES, and YOUNG of Ohio, were added as additional cosponsors of the bill (S. 3278) to amend section 701 of the Housing Act of 1954 (relating to urban planning grants), and title II of the Housing Amendments of 1955 (relating to public facility loans), to assist State and local governments and their public instrumentalities in improving mass transportation services in metropolitan areas, introduced by Mr. WILLIAMS of New Jersey (for himself and Mr. MORSE) on March 24, 1960.

## AMENDMENT OF PUBLIC BUILDINGS ACT OF 1959, RELATING TO LOCATION FOR NEW U.S. COURT OF CLAIMS BUILDING—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 24, 1960, the names of Senators HENNINGS, HUMPHREY, and GRUENING were added as additional cosponsors of the bill (S. 3279) to amend the Public Buildings Act of 1959 to provide a study by the National Capital Planning Commission, the General Services Administration, and the Commission of Fine Arts as to the best location for a new U.S. Court of Claims Building, and for other purposes, introduced by Mr. MORSE on March 24, 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. GRUENING:

Address entitled "Where Do We Stand?" delivered by Senator FULBRIGHT at the annual dinner of the Harvard Club of Washington, D.C., on March 22, 1960.

By Mr. KEATING:

Statement prepared by him on the subject of a photographic exhibition held in connection with the White House Conference on Children and Youth.

By Mr. CLARK:

Article entitled "Appeal for the Vanishing Primary," written by Senator WILLIAM PROXMIRE and published in the New York Times magazine of March 27, 1960.

By Mr. STENNIS:

Text of television interview on "Meet the Press," with Senator HERMAN E. TALMADGE.

## THE 326TH ANNIVERSARY OF THE FOUNDING OF MARYLAND

Mr. BUTLER. Mr. President, last Friday, March 25, was the 326th anniversary of the founding of the Free State of Maryland, a State which has had the honor and the fortune to be blessed with many gallant and dedicated citizens, but none more patriotic and more American than the late Herbert R. O'Conor, our former Governor and Senator. Senator O'Conor knew and understood the principles upon which Maryland was founded, and reflected the qualities which have kept Maryland in the front ranks of this great country.

On March 24, 1939, Senator O'Conor, then Governor, addressed a gathering at the University of Maryland, in College Park, at another Maryland Day celebration. His words on that occasion, so short a time before this country was plunged into the terrible conflict of the Second World War, contain wisdom and counsel for us today—confronted, as we are, by the protracted challenge of communism.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the statement by the late Herbert R. O'Conor, former U.S. Senator and Governor of Maryland, a great Marylander and a great American.

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

MARYLAND DAY CELEBRATION, UNIVERSITY OF MARYLAND, MARCH 24, 1939, COLLEGE PARK

Three hundred and five years ago tomorrow the shores of what is now St. Mary's County were the scene of a historic event—the landing of the English colonists who were to open up in this, our sovereign State of Maryland, a new vista of freedom and toleration to the oppressed of all lands. We can conjecture with what joy—yet with trepidation—they came ashore from their tiny ocean craft rejoicing to be once again on dry land after their 4 months of confined, anxious existence on the wintry seas. Yet they doubtless were fearful of the welcome that awaited them from the Indian residents of that vicinity—fearful, too, of the uncertainties that faced them on all sides in that land of primitive forests.

Surely they must have felt themselves sorely beset by dangers, as they fell down on their knees to give thanks to the Divine Power that had brought them safely through their hazardous journey. And torn with anxiety they had a right to be. Could they have looked ahead, to the years of strife with unfriendly Indians and with the even more obdurate hostile settlers of their neighboring colonies; could they have foreseen the heartbreaking struggle against the elements, and the soil, against the internal dissensions that were to rack their little settlement within a comparatively few years, they would have been disheartened. Few there would be to blame them if they had changed their minds, gathered their few belongings and betaken themselves again to the *Ark* and the *Dove* to sail back to a life with which they were acquainted, rather than stay on and fight unendingly against the combined forces of nature and hostile Indians.

Deep seated within their hearts and minds, however, was a determination to endure any sacrifices, to brave any dangers, that they might set up in this new land a principle of government that would be different from that of any on the face of the globe. This was to be a principle of government that would wipe out at one cleansing stroke all the disabilities under which oppressed minorities had been struggling for centuries in the countries of the Old World, and establish a new system under which the people themselves were to be the final arbiter and ruler of their destinies. This was to be a system under which ancient prejudices against class and other distinctions were to be relegated to the limbo of forgotten things. For this had they braved the dangers of the unchartered ocean, for this had they willingly left behind them all that life held near and dear. To them, compared to the galling subjection of mind and of spirit under which they had chafed in the land they had left, the uncertainties and travails of this new land were but fleeting obstacles to be met and overcome with the spirit of the crusaders of old.

As we stand here today, proud of the heritage they have left us, gladly paying our mead of homage to their memory, what have the 3 centuries brought to us to justify the sacrifices and years of toil and privation of these first residents of our great State? Are we, after these more than 300 years of progress in the arts of living and of government, at last free from the prohibitions and the threats that drove them from their established homes to this untried, unknown land?

We have but to look across the sea to the Old World from which these colonists fled, we have but to read the bold headlines that are emblazoned across the pages of every newspaper in the land, to realize that, while many things have changed for the better, while the physical dangers and uncertainties of those early days have given way to more settled conditions, the really important considerations of life are little different today than they were 300 years ago. We are forced to the conclusion that to people of spirit, to those who love liberty and abhor its opposites, to those who subscribe to the God-given principles of freedom of thought and of action—there is rampant in the world today the very same hostility to individual security and to personal rights that drove these free colonists of early Maryland to flee their native land. If there is one worthwhile thought that may well be taken to heart today from a consideration of the achievements of these colonists of early Maryland, and more particularly from a study of the motives that impelled them, it is the fundamental principle outlined so clearly in the Constitution of these United States—namely, that government is made for man and not man for government—that the only justifiable reason for the existence of government is to put into effect the reasoned wishes of the governed. We of America,

among all the peoples of the world—and especially we of Maryland, among all the people of America—must treasure these principles of democratic government, must be willing to sacrifice all rather than yield one iota of them. For it was here in America, and more particularly, here in our own beloved State of Maryland, that these glorious principles first were given to all the world, for all peoples and all classes and all consciences.

Certainly no one would argue that theirs was an easy lot, as they stood that day on the shores of the Potomac, but the dangers that faced them were literally as nothing compared to the greater, more insidious, dangers that today threaten the very fabric of the government toward the creation of which they labored so unceasingly. Theirs were dangers that could be readily seen, and measured, and overcome by honest men working together for the common good. The dangers that lurk all about us today are greater because they cannot readily be detected. So cunning are their proponents, so cleverly do they disguise the subversive purposes toward which they are working, that they are able to deceive even the most well-intentioned at times; they can, and they have, under the guise of patriotism and the common good, been able to win over to their unworthy ends not only unthinking individuals, but even whole organizations, under the perverted plea that they are all working for the common good.

When strong nations can ruthlessly seize weaker nations, and deny even the fundamental civic rights to minorities within their borders—when the rights of whole peoples can be destroyed overnight with impunity—when on all sides the totalitarian doctrine that "Might is Right" begins to be the sole guiding principle, then, indeed, it is time for us in this land of free institutions to be on the alert to preserve and safeguard our hard-won privileges. Further we should lend our moral assistance in any and every direction where it may serve to help stem the ever-rising tide of antagonism to all those things that we as Americans, and as rightful descendants of those hardy Maryland pioneers, rightfully hold sacred.

It afforded me the greatest pleasure to initiate the proposal, which was adopted by the general assembly a few days ago, combining the centenary of the birth of James Ryder Randall with this year's celebration of Maryland Day. This loyal son of our State, who was born just 100 years ago, aptly describes the ideals and principles which characterize Maryland. His lines "For life and death, for woe and weal, thy peerless chivalry reveal, thou wilt not cower in the dust, thy beaming sword shall never rust," depict the spirit, the sentiment and the steadfast aims that are Maryland.

On this 305th anniversary of the founding of our State, we must see to it that the spirit of early Maryland is preserved, now and while there is a single one of us to insure it, for an America, groveling beneath the totalitarian principle of "Everyone and everything for the state" is not to be thought of, much less endured.

Mr. BEALL. Mr. President, last Friday, March 25, a day the Senate was not in session, was the 326th birthday of Maryland. It was 326 years ago last Friday that colonists landed at a Potomac island just off where St. Marys City now stands. Here was founded what subsequently became the State of Maryland, called the Free State.

This designation, the Free State, has significance. One of Lord Calvert's first edicts was that every person had the right to worship according to the dictates of his own conscience, and this became a basic principle of our people. The Maryland Act of Toleration of 1649 was the first such document to espouse the idea of freedom of religion, and was the forerunner of the theme of freedom in the American Constitution. Maryland Day is an important occasion to all freedom loving people everywhere.

Maryland has had a most interesting history. I would like to have printed in the RECORD at this point, as part of these remarks, a list of some of the highlights of Maryland's history.

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

Capt. John Smith explores coast of Maryland, June 1608.

Charter of Maryland granted to Second Lord Baltimore, June 20, 1632.

The *Ark* and the *Dove* sail for "The Capes of the Chesapeake Bay," November 22, 1633.

The *Ark* and the *Dove* arrive at St. Clements (Blakistone) Island, March 25, 1634.

World's first law of religious freedom passed, 1649.

Seat of government removed from St. Mary's to Annapolis, 1694.

King William's School founded at Annapolis, 1696.

Baltimore-Town erected, July 30, 1729.

Mason and Dixon begin survey of Maryland boundary, 1763.

*Peggy Stewart*, laden with 2,000 pounds of taxable tea, burned, October 19, 1774.

Formation of Association of Freemen, July 26, 1775.

Maryland declares her independence, July 3, 1776.

First State constitution adopted, November 1776.

Washington College, Chestertown, chartered, 1782.

Annapolis becomes temporary National Capital, November 26, 1783.

Washington resigns commission in Old Senate Chamber, Annapolis, December 23, 1783.

St. John's College, Annapolis, chartered, 1784.

State convention at Annapolis ratifies Constitution of the United States, April 28, 1788.

Maryland cedes District of Columbia to the United States, March 30, 1791.

British repulsed at the Battle of North Point, September 12, 1814.

Bombardment of Fort McHenry; Francis Scott Key writes "The Star Spangled Banner," September 12, 1814.

Beginning of work on first railroad in American (the Baltimore & Ohio), July 4, 1828.

Chesapeake & Delaware Canal opened, October 17, 1829.

First telegraph line in the world built between Baltimore and Washington, 1844.

U.S. Naval Academy opened at Annapolis, October 10, 1845.

"Maryland, My Maryland," written by James Ryder Randal, April 23, 1861.

Battle of Antietam (Sharpsburg), September 17, 1862.

Battle of Monocacy, July 9, 1864.

Chesapeake Bay Bridge dedicated, July 30, 1952.

Baltimore Harbor Tunnel opened to traffic, November 30, 1957.

By direction of the President of the United States, Fort McHenry is site of the first official raising of the 49-star flag, July 4, 1959.

## THE 139TH ANNIVERSARY OF GREEK INDEPENDENCE

Mr. BRIDGES. Mr. President, Friday, March 25, 1960, marked the 139th anniversary of the Greek war of independence, and this is my message of greeting to the Greek-American people of the United States on this happy occasion.

On this the 139th anniversary of the Greek war of independence, I send greetings to the people of Greece, the cradle of Western civilization.

Friends of Greece everywhere are happy to know that the country is on the move upward from the dark days of World War II and the harsh and trying times of the attempted Communist takeover by force during the immediate postwar years. It is gratifying to know that the Greek people have achieved financial stability and improved their standard of living.

Through the years the Greeks, true to their traditions of 3,000 years, have always defended the cause of freedom. Today, again, as members of NATO, the Greeks are making a vital contribution to world peace and freedom.

Therefore, on this auspicious anniversary we salute the gallant people of Hellas, the land which gave to the world the three inestimable gifts: Beauty, wisdom, and liberty.

Mr. PROXMIRE. Mr. President, last Friday was the national independence day anniversary of Greece, one of our country's closest and firmest allies in the free world.

Americans have long admired the courage and libertarian tradition of the Greek people. We have admired and supported their strong and fearless resistance against the pressures of Communist imperialism which threaten their independence both from forces outside their borders, and from a tightly disciplined and well-supported subversive movement within their country. Likewise, we all appreciate the important contributions that Americans of Greek descent have made to our own Nation's economic and political growth. It is especially fitting, therefore, that the U.S. Senate recognize this important anniversary of Greek independence and salute the valiant people of Greece and our country's loyal Greek-Americans.

In the State of Wisconsin our several thousand citizens of Greek descent have contributed to our State's proud liberal, political, social, and business traditions in far greater proportion than their numbers would suggest. The first Member of Congress of Greek origin was Lucas Miltiades Miller, a Democrat from Wisconsin, who served from 1892 to 1893. Mr. Miller, was orphaned in the Greek war for independence and adopted by an American colonel who fought in that war as a volunteer.

Mr. President, it is our honor and pleasure today to extend the greetings and good will of our Nation and of the U.S. Senate to our friends and allies in Greece.

Mr. BEALL. Mr. President, March 25 was Greek independence day. The Senate was not in session on that day. I wanted to make some remarks in observance of the success of the Greek struggle for independence from the Ottoman Empire. I ask unanimous consent to have printed in the RECORD a brief statement which I prepared on this subject for the attention of this body.

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

STATEMENT BY SENATOR BEALL, OF MARYLAND, ON OBSERVANCE OF GREEK INDEPENDENCE DAY

March 25 marks the day on which American-Greek organizations throughout the country commemorate the success of the Greek struggle for independence from the Ottoman Empire.

Ancient Greece was the cradle of liberty. It was there that the Western concept of representative government was originated, and it was there that political theories antagonistic to tyranny first were born.

In modern times, the struggle on the part of the Greek people to end suppression by the Ottoman Empire inspired freedom-loving people throughout the world. The world has looked to Greece for that spark of freedom which has remained in the hearts and minds of the Greek people throughout all eras of history.

With the aid of the United States, after World War II, the war-torn economy of Greece was reconstructed. The continuing freedom and security of Greece is of great importance to the free world.

Greece is firmly associated with the North Atlantic Treaty Organization and is one of our true and effective allies.

Americans owe much to the Greeks. In various fields the Greek influence has been felt: architecture, communication, industry, and so on.

In connection with the observance of Greek independence day, I want to pay respect to the people of Greece and to the many great Americans of Greek ancestry.

GREECE, A BULWARK OF FREEDOM

Mr. SCOTT. Mr. President, 139 years ago last Friday, Archbishop Germanos, of Patras, raised the flag of freedom over the monastery of Kalavrita and began the inspiring history of modern Greece.

The Greek war of independence against the Ottoman Empire lasted for 6 bitter years, during which time President Monroe and Daniel Webster in the United States spoke out for the independence of the Greek people. American sympathy for the Greek cause was more than that of one free people in support of another people fighting for its freedom.

Many of the fundamentals of the American system of government derived from principles enunciated centuries earlier by the great Greek philosophers and statesmen. The ideals of freedom, liberty, and national independence, stated with unmatched eloquence by the leaders of ancient Greece, are known to have had a direct influence on the thinking of our own statesmen like Washington and Hamilton.

From 1827, when free Greece elected Demetrios Capodistrias as President, the nation has built slowly but surely against the heavy odds of poverty and wars.

All people have benefited from modern Greece's contributions to science, archeology, history, and law. Intellectual life has been enriched by their poets and men of letters.

To the United States, that nation has contributed more than 1½ million Americans of Hellenic background who have distinguished themselves in a wide variety of fields of endeavor.

As a nation, Greece has strengthened the Western alliance far out of proportion to its size and its 8 million population.

Greece has fought communism longer than has any other nation of the North Atlantic Treaty Organization.

When invading Germans were forced out during World War II, the Communists began moving in. British forces joined with Greek patriots in fighting to hold Athens against Red attack. After the war, U.S. foreign aid helped turn the tide against the Communists.

Our Nation is proud of its partnership with the Greek Nation in the difficult and continuing fight to keep freedom alive. We might very well borrow an ancient Greek phrase which is still commonly used in Greece: "Happiness demands freedom, and freedom demands courage."

## CONSTRUCTIVE ADVERTISING BY NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

Mr. AIKEN. Mr. President, for many years, we have been subjected, in our national magazines, to full-page advertising directed at discrediting the rural electrification cooperatives.

This advertising has been destructive in its purpose. It has purported to show that the rural electric cooperatives have unfair advantages over the corporate utilities, thereby making it difficult for the corporations to meet their obligations and pay dividends to their stockholders. The fact that in 1959 the corporate-utility interests increased their net incomes 9 percent over those of the previous year has not lessened their effort to show that the rural cooperatives are harmful to the industry as a whole.

In recent weeks, there have appeared in Life magazine two full-page advertisements sponsored by the National Rural Electric Cooperative Association. What a contrast there has been in the type of advertising.

The REA advertising attempts to build up, not tear down. It expresses pride in our country and faith in the future. It makes no attack upon those who would destroy the cooperatives. It declares, in effect, that it is not necessary to destroy some other business in order to build up your own, because America is great enough to provide expansion for all.

At this time, I wish to compliment the rural electric systems of America for their vision, their fortitude, and their faith in the future of our country.

## LOW CRIME RATES OF LITTLE ROCK, ARK.

Mr. FULBRIGHT. Mr. President, during the last 2 or 3 years, Little Rock, the capital of my State, has been much in the news. That publicity was caused by official and individual actions which in many cases were beyond the power of the people of Little Rock to control, and by people who are not representative of that community.

In fact, Little Rock is a beautiful city on the banks of the Arkansas River, and is composed of progressive and law-abiding citizens. In many community enterprises it has shown imagination and leadership. Its housing and urban-development programs have been outstanding—so outstanding, indeed, that Washington, D.C., has enticed the director of Little Rock's program, Mr. Knox Bonner, to come to Washington, to help the Nation's Capital solve its problems in this field.

It gives me genuine pleasure to report also that Little Rock has an unusually fine record in the control of crime.

I ask unanimous consent to have printed in the RECORD at this point in my remarks an editorial from the Arkansas Gazette commenting upon the situation in Little Rock.

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

OUR LOWER CRIME RATE

A Federal Bureau of Investigation report of last fall indicating that 1959 would see a sharp drop in the crime rate at Little Rock has been confirmed by an impressive yearend report.

With the exception of homicides, which increased from eight to nine, major crimes were reduced markedly at Little Rock during the past year. This is noteworthy for two reasons. One is that in 1958 the city's crime rate was up 30 percent over the previous year and was well above the national rate. The other is that Little Rock's improvement in 1959 came in a year which saw crime continue generally upward nationally.

FBI figures show that forcible rape increased by 4 percent nationally last year but decreased by 15 percent at Little Rock. Aggravated assault was up 7 percent nationally but down 56 percent at Little Rock. Robbery decreased 4 percent nationally, but 35 percent at Little Rock. Auto theft increased 5 percent nationally but decreased by 30 percent at Little Rock. Burglary, which was unchanged nationally, was reduced by 27 percent at Little Rock.

We may fairly conclude that the work of the Little Rock Police Department is becoming increasingly efficient. To continue our invaluable gains, we should strive to bring the force up to recommended numerical strength. A city that offers lessening comfort to the criminal element is proportionately that much more desirable for the law abiding.

## EXAMINATION OF U.S. FOREIGN POLICY BY COMMITTEE ON FOREIGN RELATIONS—CORRESPONDENCE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD 12 letters I have received from persons commenting on the studies prepared at the request of the Committee on Foreign Relations in connection with its examination of U.S. foreign policy. I would be less than candid if I said that all of the mail which the committee has received is favorable. On the whole, however, the general reaction has been good, and I think the letters I am now presenting for publication indicate that the studies issued by the committee have stimulated a great deal of public interest in the field of foreign relations.

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., January 28, 1960.*

The Honorable J. WILLIAM FULBRIGHT,
*Senate Office Building.*

MY DEAR SENATOR: I am tremendously heartened to have cross my desk the series of studies which have been prepared at the request of your committee. It is like a breath of fresh air to see a sober, conscientious, competent review both of the present condition of our country and the challenges and opportunities which face it in the future. I hope that these documents will be more than committee prints so that they may secure the wide distribution they do in fact deserve.

This letter is especially prompted by the report "Basic Aims of U.S. Foreign Policy," a committee print dated November 25, 1959. At only one point do I find difficulty with the analysis, and it is a point that is a very thorny one for all Americans and both political parties. It is evident at pages 14–17 of the report.

We frankly recognize that "military measures will not provide security, nor will they guarantee victory in the cold war." We recognize that "undue emphasis on military aspects can be an obstacle to cooperation with other nations." We recognize "there are really no sound alternatives to negotiation," and that the Soviet proposals for complete disarmament have to be taken seriously and fully explored. We recognize that "nuclear warfare has made the arms race, with its dangers of total catastrophe, a matter of commanding concern to the man in the street as to the expert and the statesman." We recognize the need for settlement or attenuation of conflicts to help "reduce the dangers and burdens of the arms race."

And yet at the same time we say "we have serious doubts" whether the military requirements of the United States are being met. This suggests that the United States is not doing enough in its military effort and in its military technology. It seems to me that the dollar emphasis of our budget and the intellectual attention of our minds is far more quickly and effectively mobilized on the last point than on the other points. As a result the reminder that we "should proceed simultaneously on both fronts" has tended to be a somewhat empty phrase because we in fact proceed more vigorously on the military front.

We can put $45 billion on that side and wonder whether we have done enough, but when we put a few hundred million dollars into true economic assistance (other than defense support) we wonder whether we can afford to do more. In face of the generosity toward our military posture and the timidity of our support for multinational long-term assistance in economic development, it seems to me other nations must be confused. Our deeds speak so much more loudly than our words that they might well conclude that where our money is, there perhaps our heart is also.

Any change in the policy we have been following in the past must be an act of reason, and a demonstration of our hopes for achieving a more peaceful world. Creative good will actively and faithfully expressed will bear more acceptable fruit than acts of fear and hatred can ever bear. Each of us in our personal life knows in fact that his exercise of creative good will, once undertaken, bears magnificent fruit. How can we then refuse to recognize that the same principle applies to our common behavior as representatives of national governments? Moreover, we must recognize that we are prevented from pursuing the creative program wholeheartedly because of our fears, which make us place so heavy a part of our budget into military programs.

At the root of this conflict in national purposes is a basic difference in fundamental premises. Nations historically are tempted to prepare to refight the last war. In the last war we faced Fascist aggression, and much of our present mentality seems to be heavily conditioned by that experience. If we really believe that our adversary may be planning further military aggression against ourselves or our allies, then our heavy outlays for military measures are understandable. But suppose we take as a first premise that communism will continue to use revolutionary opportunities to convert or subvert additional portions of the world toward communism, rather than act like a Fascist aggressor. This reading of world history recognizes the immediate importance of taking steps to reduce the likelihood that additional nations will turn in desperation to communism as the answer to their yearning to eat quickly of the fruits of the industrial revolution.

Our very richness is an ever-present demonstration of the blessings of modern technology. However, our timidity in sharing the technical skill and making the heavy basic investments which would enable other nations to find their own way to prosperity helps to keep those blessings well beyond the reach of half the world. Our heavy spending on military programs under these circumstances becomes not a tool to success in our policy, but a major handicap in achieving the very aims we seek to serve. It is a handicap against securing more constructive use of our own national resources. The military emphasis also handicaps our aid program because of our confused purposes, for recipient nations are given the feeling that our nonmilitary aid is dependent on the recipient nation's acceptance of our military posture.

Nineteen hundred and sixty ought to be a year in which Americans undertake the great debate and reexamination of both our national purposes and of our methods for achieving these purposes. I feel your committee could make an even greater contribution to this debate, if it could sharpen the issue so that we might choose wisely, knowing fully the dimensions of our problems.

In closing, I only want to say again how much I appreciate the remarkable contribution these documents are. I wouldn't want my remarks to take anything away from my sincere appreciation of the many significant contributions that this and the other documents make to better public understanding of the demands upon us in the years ahead.

Sincerely yours,

BYRON L. JOHNSON,
*Member of Congress.*

---

CHILD & WATERS, INC.,
*New York, N.Y., December 30, 1959.*

SENATOR J. W. FULBRIGHT,
*Chairman, Committee on Foreign Relations,*
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR FULBRIGHT: We recently received a study prepared at the request of the Senate Committee on Foreign Relations entitled, "The Operational Aspect of U.S. Foreign Policy." This was developed at the Maxwell Graduate School at the Syracuse University.

This fascinating document contains one of the most interesting and penetrating collection of comments on our foreign relations policy that has come to my attention in a number of years. It is hoped that this will be given wide publicity and, if possible, I would like to obtain six additional copies.

May I extend my thanks and appreciation to your committee for making this important work possible.

Sincerely,

SOMERSET R. WATERS.

---

CHICAGO, ILL., *January 19, 1960.*

Hon. J. W. FULBRIGHT,
*Chairman, Committee on Foreign Relations,*
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR FULBRIGHT: From time to time, I receive the various studies that the Committee on Foreign Relations has recently sponsored. I must say, parenthetically, that these studies are excellent and the committee is to be congratulated on these long overdue evaluations of American foreign policy aims and objectives. As a citizen, a businessman, as chairman of the international affairs commission of the American veterans' committee and as a member of the American section of the World Veterans Federation who is deeply involved in policy orientation, I am impressed with your vigorous chairmanship of the committee and the good work that it is doing.

Sincerely yours,

BERNARD J. COGAN.

---

UNIVERSITY OF ILLINOIS,
COLLEGE OF LAW,
*Urbana, Ill., January 12, 1960.*

The Honorable SENATOR J. W. FULBRIGHT,
*Chairman, Committee on Foreign Relations,*
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR FULBRIGHT: The current publication program of studies on U.S. foreign policy is producing some highly informative and provocative material. I have received all of the studies to date and have read them with great interest.

Of particular importance to me currently is the study prepared by CEIR on "Worldwide and Domestic Economic Problems and Their Impact on the Foreign Policy of the United States." I would very much like to put a copy of this study in the hands of each of my students in my seminar in international transactions. Can you spare eight copies for this purpose?

It was a great pleasure to hear you speak when you appeared recently on our campus, and to meet you afterward.

Yours sincerely,

PAUL O. PROEHL.

---

EXETER PAPER CO., INC.,
*Chicago, Ill., January 5, 1960.*

Hon. J. W. FULBRIGHT,
*Committee on Foreign Relations,*
*U.S. Senate, Washington, D.C.*

DEAR SENATOR FULBRIGHT: I can't tell you how much I appreciated your thoughtfulness in sending me the additional studies developed by your committee. While I haven't completed the entire series yet, those which I have read so far are extremely enlightening and instructive.

A study of this sort certainly has been vitally necessary. Any reasonably serious student of international relations in general and our own foreign policy in particular, must be appalled by the ignorance and misconceptions prevailing in the country—regrettably even in certain parts of the Government.

I wish that some way could be found to apprise the general public a little more of existing problems—to make them understand the interrelation of the various phases of our relationship with other countries—to help them to understand that political or economic systems ideally suited for the United States may not at all be suitable for a country which is just at the threshold of its development.

The study based on comments by retired Foreign Service officers particularly, gives a great deal of food for thought.

Your committee certainly deserves much credit for instituting this study.

Sincerely,

HEINZ H. LOEFFLER,
*President.*

NEW YORK CITY, *January 6, 1959.*
Hon. J. W. FULBRIGHT,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.*

DEAR SENATOR FULBRIGHT: Thank you very much indeed for the full set of foreign policy studies made by your committee which you so kindly sent me at my request. I had already read most carefully the study on Africa which had come earlier and I shall now read these with equal attention and interest. Thank you, too, for having arranged for me to be on the list to automatically receive copies of future and further studies.

May I congratulate you for initiating and sponsoring such valuable materials for a more thorough and better understanding of the problems in the areas that may affect us in our national life in its broadest aspects—the world as a whole.

Sincerely,

MRS. REBECCA REYHER.

---

MITAKA-SHI, TOKYO,
*November 23, 1959.*
Senator J. WILLIAM FULBRIGHT,
*Chairman, Committee on Foreign Relations, Senate Office Building, Washington, D.C.*

DEAR SENATOR FULBRIGHT: The so-called Conlon report prepared for your committee has aroused considerable favorable comment here in Toyko, especially in academic circles. Both in talking to my professional colleagues and for classroom purposes, I feel in great need of having a copy of the report. My teaching includes subjects involving U.S. foreign policy. If it would be possible to send three copies of the Conlon report, I would very much appreciate it.

I am also very much interested in the recommendations made in the study by the Maxwell School at Syracuse. If it is available, I would also very much like to have a copy of that report.

You are to be congratulated for having taken the initiative in calling for studies of these basic questions at such a crucial period in the development of our foreign policy. I am personally in agreement with the general trend of the recommendations which have resulted.

Many thanks.

Sincerely,

DAVID WURFEL.

---

MANHATTAN BEACH, CALIF.,
*January 11, 1959.*
Senator J. W. FULBRIGHT,
*Senate Office Building, Washington, D.C.*

HONORABLE SIR: I wish to thank you for sending me your studies of foreign policy. I had requested, "Summary of Views of Retired Foreign Service Officers," but your office proceeded to send me eight studies more and I wanted you to know I appreciated them very much. So often, I do not realize certain publications are available to me. Usually anything I receive is not read by me alone. My husband and I participate in discussion groups and various activities to which these publications are a great help.

It is so easy to be critical without information. These pamphlets are very informative and helping to educate us especially in those areas where we are very very ignorant.

Thank you and your committee very much.

Yours very truly,

JOY ANN GAULT.

P.S.—I have been an admirer of yours for many years. My only regret is that I have never been able to vote for you.

---

NAVAL WAR COLLEGE,
*Newport, R.I., December 16, 1959.*
COMMITTEE ON FOREIGN RELATIONS,
*U.S. Senate, Washington, D.C.*

GENTLEMEN: I have been following with much interest the release of studies being prepared by various agencies for the committee to supply background for a comprehensive review of U.S. foreign policy.

I should appreciate very much having copies of the reports so far published, and then being supplied by a copy of each additional report as it is published. Is this possible?

I am persuaded that this kind of comprehensive survey cannot fail to serve the national interest.

Thank you for your cooperation.

Sincerely yours,

JAMES A. HUSTON.

---

INDIANA UNIVERSITY,
*Bloomington, Ind., December 9, 1959.*
Senator J. WILLIAM FULBRIGHT,
*Senate Office Building, Washington, D.C.*

DEAR SENATOR FULBRIGHT: I am much impressed with the potential value of the series of studies on U.S. foreign policy which the Committee on Foreign Relations is sponsoring.

I should be grateful if you would kindly send me a copy of the study possible nonmilitary scientific developments and their potential impact on foreign policy problems of the United States, by the Stanford Research Institute.

Sincerely yours,

CHARLES A. THOMSON.

---

COLUMBIA UNIVERSITY,
*New York, N.Y., February 25, 1960.*
CHAIRMAN, FOREIGN RELATIONS COMMITTEE,
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Today I received, as a result of my own request, the third part of the Latin-American Study and the study entitled, "U.S.S.R. and Eastern Europe." Earlier I had received other area and special subject studies.

When I received your first shipment I took them to the Law School where I had occasion to show them to certain professors. They asked me to loan them the study covering the area of their interest, and I was glad to do this. Getting them back from the professors now seems to be out of the question, they consider the study they "borrowed" from me to be their property. Well, the quality of the studies is such that I can't blame them for not wanting to give them up. Then, too, the International Law Library has been plaguing me to loan them my set, which, as I've explained, is incomplete.

So, I am asking you, Mr. Chairman, if you can spare one set of the studies issued to date to please send it. We can definitely use a second set, in the International Law Library, where students and researchers have been asking for the studies. From the first set I will take the studies to complete a reference library set and send the leftover studies to professors interested in the specific area or subject covered in the study. The second set, if you can send it, will be given to the International Law Library. It would be ideal if you could make a third set available. It would also go to the International Law Library where demand from students and researchers will be greatest as soon as any one or few of the studies is available there for use. As soon as I complete reading one of the studies you sent on my personal request I make it available to the Law School Library, and this set is incomplete because of the studies I have loaned to professors.

Your help in making any number of sets available will certainly be appreciated. Please be assured that the studies have a definite use and value to students and researchers, and to professors, too.

With best wishes for the continuing success of your important committee and with thanks for making a set available to me, personally,

Very sincerely yours,

JIMMY SCHEAR.

---

STATE UNIVERSITY TEACHERS COLLEGE,
*Oneonta, N.Y., February 24, 1960.*
The Honorable J. W. FULBRIGHT,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.*

DEAR SENATOR FULBRIGHT: Late last year, upon my request you were kind enough to send me a copy of the Draper report and a copy of "Possible Nonmilitary Scientific Developments and Their Potential Impact on Foreign Policy Problems of the United States," 1 of 14 studies prepared for your committee.

After reading the foregoing report by the Stanford Research Institute I am most anxious to see some of the other studies prepared for the committee. I would very much appreciate receiving copies of the following studies: I–B; II; III; IV; XII; XIII; and XIV.

May I take this occasion to commend you for exerting leadership in having such studies made in order to furnish guidelines to your committee.

None, I am sure, would say that the social sciences have all the answers regarding the problems of international relations, but like in so many other areas of human behavior I believe we have not made use of the knowledge we do have. Your committee has certainly established an important benchmark in congressional recognition of the potential contribution of the social sciences.

I trust that since you have pioneered in this respect that you and your fellow committee members will also take the lead in seeking to give the social sciences a more important place within the National Science Foundation. The chart on page 14 of the Stanford report is a tragic commentary on our times.

Please be kind enough to pass along my comments to the other members of the committee.

Thank you again for responding to my previous request.

Yours sincerely,

ROBERT H. BOHLKE.

---

## THE PRESIDENT

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point in my remarks an article entitled "The President," written by Dean Rusk.

Mr. Rusk, as many of us know, or should know, is the distinguished president of the Rockefeller Foundation. He was formerly Deputy Under Secretary of State and Assistant Secretary of State for Far Eastern Affairs. I think he is certainly one of the best qualified men in this country to comment on this problem. I commend the article to the attention of the Senate.

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

[From Foreign Affairs, April 1960]

THE PRESIDENT

(By Dean Rusk)

(EDITOR'S NOTE.—This article is based on one of the Elihu Root lectures delivered re-

cently at the Council on Foreign Relations, New York.)

The United States, in this second half of the 20th century, is not a raft tossed by the winds and waves of historical forces over which it has little control. Its dynamic power, physical and ideological, generates historical forces; what it does or does not do makes a great deal of difference to the history of man in this epoch. If realism requires us to avoid illusions of omnipotence, it is just as important that we not underestimate the opportunity and the responsibility which flow from our capacity to act and to influence and shape the course of events. Involved is not merely a benign concern for the well-being of others but the shape of the world in which we ourselves must live. The range within which the Nation can make deliberate choices is wide; if we do not make them deliberately, we shall make them by negligence or yield the decisions to others, who will not be mindful of our interests. When the emphasis of discussion falls too heavily for my taste upon the limitations on policy, I recall from early childhood the admonition of the circuit preacher: "Pray as if it were up to God; work as if it were up to you."

The foreign policy of the United States since World War II, seen in broad historical terms, has been responsible and constructive. Surely we can say, quietly among ourselves, that it is a matter of no small moment that a nation with so much power has used it with restraint and toward the purposes which dominate this great democracy. If there are occasional suspicions abroad about our motives, they arise in part from the difficulty of comprehending so strange a phenomenon. On the other hand, a very high standard of policy and conduct is imposed upon us by our power and hopes, by the expectations of others, and by the necessities of our situation. But we are not likely to achieve significant improvement in the conduct of our foreign relations simply by thinking up new ideas but rather by serious attention to the manner in which we make policy and translate it into action. Men of long experience in both the executive and legislative branches of Government have serious doubt about whether our present procedures are adequate to the conduct of the public business in our foreign relations over the next quarter century. It is my own view that there is much which can be done within existing constitutional arrangements and that our first task is to exhaust these possibilities before diverting our energies into deeply divisive debates about constitutional change.

The foregoing remarks take on added significance because we are already in a period of more rapid and fundamental change than we have yet experienced as an American Nation. A sense of crisis is a recurrent phenomenon in human affairs but at least two factors suggest that our own period may lay special claim to breathlessness. The one is the rate of change in science and technology. The other is the emergence of scores of independent nations not yet firmly set upon their course and the multiplication of those who must be taken into account in our thinking.

These three premises compel a fourth, namely, that our tasks, our unique constitutional arrangements and the external environment place a special premium upon leadership. I have more confidence than some commentators do in the wisdom of our people and their capacity for understanding the essentials of policy. But public opinion can neither devise policy nor carry it out. It cannot debate it effectively unless the issues are framed and presented for discussion, accompanied by the factual background. It cannot even follow and support, in our kind of society, unless it knows where we are trying to go. The President, with the aid of his Secretary of State and the support of the Congress, supplies the leadership in our foreign relations. Criticisms, direct or implied, are inevitable in discussing this matter, but the problems are bipartisan. Not presumptuously, I hope, but as a restraint upon partisanship, I try to think of these comments as being addressed to the next administration, whatever its political complexion.

II

While Mr. Truman's remark, "The President makes foreign policy," is not the whole story, it serves very well if one wishes to deal with the matter in five words. Most of us have long understood that the powers and responsibilities of the Presidency have grown significantly since 1789 by constitutional interpretation, statute, custom, and changing circumstance. What many of us have not fully recognized is the extent to which the office has been transformed during the past three decades under the impact of two historical changes. The one is the massive involvement of the Federal Government in the economic and social life of the Nation, an involvement to which both political parties are committed. The other is the revolutionary change in the world about us and in our own place in it. Although men like Jackson, Lincoln, Theodore Roosevelt, and Wilson helped to reduce the shock of the change when it came, the modern Presidency under Franklin Roosevelt, Truman, and Eisenhower has become an office of almost unbearable responsibility.

Since even the old and familiar words carry so much new meaning, it might be revealing to recall briefly the burdens undertaken when a man swears that he "will faithfully execute the office of President of the United States." To save time and to look at the full sweep of the office all at once, let us paint with a light and fast-moving brush, taking for granted much of the detail which is or ought to be the common possession of an educated citizenry.

The President is our Chief of State, the formal and symbolic head of the American Nation. To the rest of the world he embodies the dignity and sovereignty of the Federal Union and has much to do with the image of America projected beyond our borders. He leads our solemn observances and sets the tone of our national life. Whether we move with zest and confidence in our public and private affairs or plod along in apathy or bewilderment turns in large part upon the morale which flows from the White House. The deference instinctively paid to the office and to the man who holds it is itself a source of power and influence and enhances his ability to act, to persuade and to mediate.

The President is the Chief Executive of the Government of the United States, the administrative head of its 10 departments and dozens of independent agencies, staffed by almost two and a quarter million civil servants. Charged by the Constitution to "take care that the laws be faithfully executed," he must recruit competent leadership for the vast machinery of Government and, through evidences of his own interest and concern, inspire the Federal service with devotion, pride and a passion for good performance. Since the chain of administrative command cannot, for both good and bad reasons, keep him fully informed about how things are going, he must take advantage of other lines of communication as well—his personal staff, the flow of mail to the White House, the press, observations of Members of Congress and of his party colleagues. To counteract the inertia of large organization, he keeps it alive and alert by pertinent questions to Cabinet colleagues, by the unexpected phone call, the scribbled note of commendation or criticism, a comment at a press conference.

He soon finds that making policy is not the end of his task, that policy can be negated by what Elihu Root gently called unwilling subordinates. He will discover attitudes and practices in the bureaucracy which become unconfessed laws of public administration. One, for example, is that where an exaggerated emphasis is placed upon delegation, responsibility, like sediment, sinks to the bottom. Now that Professor Parkinson is in this country, he might accept as his own the law that in any large organization the proportion of time spent upon central tasks varies inversely with elevation in the bureaucracy. Another is the law, which has semirespectable roots, that no department or agency can be coordinated by a parallel department or agency; it is infra dig to defer horizontally rather than vertically. Still another is the law that everyone affected by a decision must participate in making it.

The departments and agencies of Government are each concerned about a part of the whole. The President, assisted by his White House staff and the Executive Office, must weld the parts into an effective national effort. He cannot hope to achieve nice consistency in leading a vigorous and diverse people concerned with conflicting interests and aspirations, but he can try to achieve a broad political consistency in the main directions of movement and to limit the waste and frustration which occur when one hand tears down what the other is laboriously trying to build.

The Constitution provides that "The President shall be Commander in Chief of the Army and Navy of the United States."

Borrowed from the powers of colonial governors and probably influenced by the prospect that George Washington would be the first President, the provision is an independent source of constitutional authority and places the President in direct personal command of the Armed Forces. Although Woodrow Wilson did not, Lincoln, Franklin D. Roosevelt and Truman assumed person personal charge of what has come to be called the higher direction of war. The Nation looks to the President to play the primary role in deciding the types and scale of military power it needs to defend itself and to support its policy. He cannot escape the crucial task of weighing risks and burdens, of finding the elusive and hazardous line between too little and too much. He must look to the morale of our fighting men, assure them of the Nation's appreciation and support, and build their pride in their exacting service. On the other hand, he must firmly assert the principle that the first mission of a man in uniform is to do what he is told to do, regardless of the number of stars on his shoulder, and that the military establishment is an instrument, not the master, of policy. Only the President can resolve interservice rivalries and disputes about their respective roles and he, working with the Congress, must seek to restrain the growth of independent political constituencies in support of particular services as deeply repugnant to our constitutional system. As Commander in Chief the President can deploy the Armed Forces and order them into active operations. In an age of missiles and hydrogen warheads, his powers are as large as the situation requires and the contingencies perhaps the most awful with which he has to live. In a period when men are groping toward the control of armaments and the nature of war has changed beyond recognition, the role of the President as Commander in Chief has entered a new phase.

The President is the head of his political party. Indeed, his election is its principal raison d'être as a national party, and has been since the time of Jefferson. Our Federal structure and our constitutionally prescribed terms of office deprive party leadership of some of the instruments of party discipline known to parliamentary systems. Once the moment of quadrennial unity has passed, our parties tend toward aimlessness and factions arise out of regional or special interests and the accidents of personal ambition. But the party to which the President belongs can expect a measure of leadership. His party is drawn together by a common interest in the public response to his performance and a common aversion to the thought that the rascals across the aisle might name his successor. The President can persuade and cajole, threaten and scold, and offer occasional morsels of political advantage. But the vigor of his partisanship is often restrained by his need to cross the aisle and seek support for his policies from among the opposition, especially when the latter controls one or both Houses of Congress.

The President is our chief legislator. His proposals make up the central agenda of Congress. Important bills are drafted by or in close consultation with the executive departments and the Bureau of the Budget. The box scores on must legislation which appear toward the end of a congressional session are used to judge the Congress as well as the President. His veto power, his party leadership and his ability to mobilize public support for his point of view make him a formidable partner in the legislative process.

The President is our chief budget officer. Congress acts upon the budget he proposes and, when all the hubbub is over, passes it with changes of a few percentage points. The Federal budget, about a fifth of the national income, and the fiscal and monetary policies of the Government deeply affect the economic and social life of the country—its incentives, its priorities, its directions of growth and of public and private investment, even the nature and extent of its voluntary effort.

The Founding Fathers saw clearly that the health and stability of our political arrangements would turn upon the President's role as the protector of the Constitution. They singled him out for a prescribed oath that he will to the best of his ability "preserve, protect, and defend the Constitution of the United States." He controls the raw power of the state—the Armed Forces, the FBI, the CIA, the Secret Service, the U.S. marshals. Congress may pass laws, even over the President's veto, but the President must look to their prudent and impartial application. The Supreme Court may sustain the Constitution in deciding between the adversaries before it, but the President must conform the conduct of government to the Court's interpretation of the basic law. A national respect for constitutional process is the glue which holds us together and is properly the brooding concern of the man who holds our highest office. In a constitutional system which cannot possibly work unless those who exercise its powers are determined to make it work, the President must anticipate constitutional crises and bring all the resources of his office to the prevention of situations for which there can be no tolerable answer. President Franklin D. Roosevelt was effectively rebuked by the Nation for resorting to a ward heeler's device to settle his difficulties with the Supreme Court; President Eisenhower failed to use the possibilities of his office to forestall the necessity for bayonets in Little Rock.

In a unique sense the President is the custodian of the national interest. Elected by a national constituency, he speaks to Congress and to the people on the needs of the Nation seen as a whole. His audience is understandably more intimately concerned with personal, local or regional affairs and needs his help to understand what is required of citizens of the United States.

But the modern Presidency cannot limit itself to a national interest narrowly defined. Recorded in solemn treaties and rooted in common interest and circumstance, we are a partner in great coalitions which now include more than 40 nations. Our power has reduced our sovereignty and our decisions must take into account the needs and hopes of those whose fates are linked with ours. If the President fails to meet the demands of leadership of a nation-in-coalition, a reluctant or resistant United States cannot be dragged along by others and coalitions as now constituted would rapidly disintegrate.

I have been describing the powers and responsibilities of the highest office in a nation which acts and moves by consent. In only a limited sense is the President in a position to command; it is the essence of our system that the Constitution confers upon him a license to lead. If we are inclined to think of the President as an executive who sits at his desk and strikes off great decisions, we must balance it by the picture of the President as our chief servant who, somewhat as a sheep dog, must round up a free people and persuade them to move in a given direction for a sufficiently long period to make it possible to act upon a policy. This does not mean that he is limited by public opinion as he finds it, or fears it to be. The people who elect him are capable of understanding and concern and are likely to be responsive to his lead. If the issues are critical and there are marginal doubts, many are resolved when the President goes to the country and asks for its support. When we assess the possibilities of action in terms of public opinion it is crucial to understand the difference between desultory impressions and responses to vigorous leadership.

The powers and responsibilities we have been discussing are those which engage the thought, time and energy of the President himself. By statute and executive order provision can be made for large delegations of function, but ultimate responsibility comes back to the office which has led some to call ours a presidential system of government. He is indispensable, even if he is not irreplaceable.

III

Against this background of what we have called unbearable responsibility, the question arises as to whether the President of the United States can wisely undertake the burdens and hazards of personal diplomacy at the summit. This is not a moment when it is easy to discuss the problem with detachment. But it needs discussion. Earlier American skepticism and reluctance about summit diplomacy have apparently been brushed aside with the warm approval of public opinion here and abroad. The prospect is for a series of summit meetings during 1960 and beyond. The next President of the United States may find himself limited in his freedom to determine how he is to discharge his awesome duties by commitments made by his predecessor in the closing phase of an 8-year administration. If the President of the United States is to assume an active role in negotiations, this will have a serious bearing upon proposals for the reorganization of the higher echelons of the executive branch of the Government. Indeed, it may affect the definition of the circumstances under which the inability of the President should open the way for the Vice President to discharge the duties of the office. Meanwhile, public opinion is moved by desperate hope and the fascinations of the spectacular, and we shall face the problems of distinguishing form from substance and of avoiding the slippery slope of relaxed effort which can lead to disillusionment and critical danger.

To put my readers on an equal footing with me immediately, let me anticipate my conclusion. The President, as Chief of State of the United States, can and ought to undertake a limited and carefully planned program of state visits, short in duration and aimed at the exchange of courtesy and respect as a tangible expression of the good will of the American people. But negotiation at the chief-of-government level is quite another matter. It is not easily accommodated among the peculiarities of our constitutional system; it diverts time and energy from exactly the point at which we can spare it least; it does not give us effective negotiation; such experience as we have had with summit diplomacy does not encourage the view that it contributes to the advancement of American interests. For reasons to which we shall now turn briefly, I conclude that summit diplomacy is to be approached with the wariness with which a prudent physician prescribes a habit-forming drug—a technique to be employed rarely and under the most exceptional circumstances, with rigorous safeguards against its becoming a debilitating or dangerous habit.

It is not surprising that the reasons for American reluctance to go to the summit have not been fully explained, either to our own people or to our friends or enemies abroad. Some we could not expect a President to confess; others would appear tactless to our friends; still others would concede certain tactical advantages to our adversaries. In any event, understanding would be difficult for those who have only the most casual or inaccurate knowledge of our political system, which includes almost everyone beyond our borders. The result is that we are under periodic pressure to appear at the summit ("Isn't negotiation a good thing?") and our oversimplified defense ("We must have prior proof that a meeting would be worth while") appears a bit lame. Perhaps an irresponsible private citizen may risk offense by observations which are denied to responsible statesmen.

Why the reluctance? It rests upon an interlacing of political and constitutional factors with notions about effective diplomacy. The first difficulty is that the President of the United States can take the time to prepare himself as a negotiator on serious subjects only by deferring or neglecting some of his central constitutional and political responsibilities.

The principal negotiator must be much more than a mouthpiece for the sheets of paper put in front of him by a staff, however competent the latter might be. Questions worth discussing at the summit are presumably important questions; if so, they require the full involvement of the negotiator before he reaches the table. He must understand the full scope of the issues, and their innermost detail. He must gnaw at his own position and become familiar with its strengths and weaknesses. If he is to use obscure words, he must understand why he does so and in which directions he can afford to clarify. He must know intimately the positions of others who are to be present, especially where a common front among allies is a major objective of policy. He must be aware of the impact of the issues upon nations not present at the table and upon American interests in all parts of the world. Prudence requires that he anticipate as best he can the most probable attitude of his principal adversary and the range of alternatives with which his opponent might

confront him. He must think carefully about his conduct away from the table itself—the social arrangements, his informal conversations, and, very important, his relations with the press and public opinion. Staff can render invaluable assistance, particularly if by staff we mean the Secretary of State and three or four Assistant Secretaries; but the principal negotiator is in the position of a task force commander who cannot be well served unless he himself fully grasps the situation and knows where he wants to come out. The type of commitment which is required for important high-level negotiation is illustrated by the handling of the first Berlin blockade by Ambassador Philip C. Jessup, the negotiation of the Japanese Peace Treaty by then Ambassador John Foster Dulles, and the development of the Austrian settlement by Ambassador Llewellyn E. Thompson.

But, it will be replied, this is surely not the type of negotiation which occurs at the summit. Exactly. Let us concede in passing that the summit may have other uses, such as to celebrate or confirm agreement already reached through other channels, or as an arena to contest for propaganda advantage, or to "keep talking" to postpone the precipitation of a dangerous issue. If one would add that the summit is conducive to agreement in principle, it might be well to ponder the remark of Secretary George Marshall to a colleague, "Don't ask me to agree in principle; that just means that we haven't agreed yet."

The physical absence of the President from his post in Washington is of enough consequence to be placed upon the scale. The President is as mobile as a jet aircraft, but it is not clear that the Presidency is equally so. One can accept the pleasant and necessary fiction that the White House is wherever the President happens to be and still recognize that prolonged absences from Washington impair the effective performance of the Office. Unless the President is accessible, decisions on important matters are postponed by sympathetic subordinates or settled at the level of the common denominator among the departments and agencies concerned. On his own side, the President will be partially cut off from his Cabinet officers, his personal staff, his usual flow of information, the leaders of Congress and of his own party. In addition, he cannot act with regard to many of the formal and informal aspects of his Office which we have earlier discussed. A President must be free to leave Washington, on business or on vacation, but the effect of his absence is greater than his personal staff would have him believe. The Presidency is not quite the same in Warm Springs or Cairo, Key West, or Potsdam, Augusta, Moscow, Kabul or Santiago, as it is in Washington, D.C.

We are not concerned here about purely technical problems. In the autumn of 1943, Roosevelt, Churchill, and Stalin had an extended exchange about the site of a Big Three meeting. Mr. Stalin preferred Iran and cited his duties in the conduct of the war on the eastern front. Mr. Roosevelt preferred north Africa and repeatedly insisted that he must be sufficiently close to Washington to be able to deal with legislation sent to him by Congress within the 10 days prescribed by the Constitution. His objection to Teheran was that uncertain flying conditions at that season might seriously interfere with this constitutional duty. Stalin refused to budge, even as far as Basra, and the meeting was held in Teheran. In finally yielding, Mr. Roosevelt told Stalin, "You will be glad to know that I have worked out a method whereby, if I receive word that there has been passed by the Congress and forwarded to me a bill requiring my veto, I will fly to Tunis to meet it and then return to the Conference." The charming solution must have confirmed to Stalin that the point had not been serious. It should not be difficult to arrange with congressional leaders, as a matter of constitutional comity, that bills not be forwarded to the President when he is out of the country or, failing that, to insist that the 10-day meter does not begin to run until the bill reaches the President, wherever he might be. Such problems will not bear the freight which Mr. Roosevelt attempted to load upon them; the real issues are more substantial.

Some of us recall that time was of the essence in the decision to interpose American forces against aggression in Korea. Had the series of decisions been postponed on a scale of, say, 24 hours, we should have faced a wholly different situation on the Korean peninsula. President Truman, in Missouri when the first report of the attack reached Washington, could nevertheless authorize immediate reference of the matter to the Security Council and arrive in Washington on the following afternoon to assume full charge of the situation. Jet transport has reduced the difference between Missouri and, say, Western Europe, but guided missiles and alert bombers have almost obliterated the other side of the time equation. Since constitutional arrangements are designed to cover many contingencies which happily never arise, it is not necessarily a sign of panic to suggest that the present strategic situation places a considerable premium upon the immediate availability of the President and Commander in Chief. His absence from the United States, in a personal situation which he himself cannot surely control, suggests a contingent "inability to discharge the powers and duties" of his office and revives under new circumstances the discussion of the same point which arose at the time of Wilson's visit to Europe. It is not unreasonable to consider, if eventually to reject, the possibility of providing by statute that the Vice President shall serve as Acting President during the absence of the President from the United States, leaving it to the two of them to determine which matters, short of great emergency, would be forwarded to the President for an indication of his wishes or held for his return.

The great departments of Government make provision for acting responsibility during the absence of department heads, and the practice is common with private corporations and institutions. However remote one hopes the contingency might be, it is difficult to shake off an underlying uneasiness that one of the most critical duties of the President might be suspended by his inaccessibility, frustrated by the failure of his chief subordinates to agree to act in unison, or usurped by a politically irresponsible general. A provision that the Vice President serve as Acting President during the absences of the President abroad would, of course, mean that Presidents would go abroad only on the rarest occasions—to me one of its most appealing features.

Returning to summit meetings and their capacity to yield constructive agreements, there are lessons from the rich lore of diplomatic experience which are neither controlling nor negligible. The parties can be expected to come to the table in the hope of obtaining an agreement, each on its own terms. The crucial question is whether these terms fit or can be made to fit each other, opening up the possibility of an agreement which each might find advantageous or at least more tolerable than the status quo. To explore this question is the chief purpose of negotiation; if it be known in advance that there is no such possibility then the proceedings, whatever they are called, are not negotiation.

The experienced diplomat will usually counsel against the direct confrontation of those with final authority. Negotiation ad referendum offers greater opportunity for feeling out the situation, exploring the opposing points of view, trying out alternative approaches without commitment, testing general propositions by meticulous attention to detail. The process needs time, patience and precision, three resources which are not found in abundance at the highest political level. The direct confrontation of the chiefs of government of the great powers involves an extra tension because the court of last resort is in session. The costs of error or misunderstanding are multiplied by the seriousness of the issues and the power of those present.

Picture two men sitting down together to talk about matters affecting the very survival of the systems they represent, each in position to unleash unbelievably destructive power. Note that the one is impulsive in manner, supremely confident as only a closed mind can be, tempted to play for dramatic effect, motivated by forces only partially perceived by the other, possibly subject to high blood pressure; the other deeply committed to principles for which his adversary has only contempt, weighted down by a sense of responsibility for the hundreds of millions who have freely given him their confidence and whose fates are largely in his hands, a man limited by conscience, and policy in his choice of tactics and argument, a man with a quick temper and a weak heart. Is it wise to gamble so heavily; are not these two men who should be kept apart until others have found a sure meeting ground of accommodation between them? Is there not much to be said for institutionalizing their relationship?

The skepticism of the diplomat about the blessings of togetherness among heads of government and foreign ministers is well known. The 15th century advice of Philippe de Comines that "two great princes who wish to establish good personal relations should never meet each other face to face but ought to communicate through good and wise ambassadors" is matched in our own century by Sir Harold Nicolson's reservations about the "habit of personal contact between the statesmen of the world." Discounting generously for wholesome professional bias, their views point us toward a well-grounded generalization. Thinking broadly and over the long run, the course of wisdom lies in reducing the impact which accidents of personality have upon the relations among nations. We may recall with satisfaction the personal harmony in which George Marshall, Ernest Bevin, and Robert Schuman labored for allied unity and may try to forget the painful results of the personal difficulties between Anthony Eden and John Foster Dulles. But neither friendship nor aversion is an adequate basis for high policy. Personalities change, sometimes rapidly; but the great tasks of building a tolerable world order endure and national interests reach far beyond the idiosyncrasies of holders of public office.

I must confess to idle speculation about the extent to which the course of world affairs may have been affected by illness among those holding high public office since, say, the time of Woodrow Wilson. I say "idle" because it would probably be impossible to isolate the effects of illness and we cannot know what might have been. But the international list of those who have carried great responsibility while ill is a long one and there are fleeting glimpses of decisions which good health might have turned another way. The point is mentioned because one of the purposes of diplomacy, including its elaborate formality and high

style, is to exclude from great affairs of state the many irrelevancies which spring from human frailty.

If personalities make for complications, these are magnified by the circumstances of a summit meeting. When the Big Three consulted about wartime meetings they seemed much less concerned about getting away from the Germans than about getting away from the press. Apart from the harrowing insistence of the most competitive of the professions, the general atmosphere is that of the football stadium. Is our team winning? Did our man throw him for a loss? Who wins the most valuable player award? But beneath the surface lie the desperate hopes that tensions will be eased, that somehow things will get better. The result is a pervasive pressure toward the creation of illusions—at worst an illusion of victory, at best the pretense of accomplishment where none was achieved.

I must confess that I do not see my way through the inevitable entanglement of summit diplomacy with domestic politics. Can there be any doubt that a summit meeting in the spring and the visit of the President to the Soviet Union in June will give Mr. Khrushchev a chance to influence significantly our coming presidential election? Were not some of just a bit embarrassed when Mr. Macmillan announced a general election almost before the vapor trails of the President's jet had dissolved into British skies? Is the President of the United States to be caught up personally in the difficult task of satisfying General De Gaulle's appetite for grandeur? Can we not anticipate cables from still other quarters reading, "My government will fall unless you come to see us"? And how shall we handle the chain reactions which prestige factors will set off if summitry becomes a habit—the demands of other NATO partners to have a share, the need to show that the exclusive club is not limited to white nations and great powers, the resentment in Latin America if left at the bottom of our interest and concern?

One of the arguments made in behalf of summit meetings is that heads of government can talk things over directly with freedom of action and power to come to agreements promptly and decisively. But the President of the United States is subject to what might be called the Woodrow Wilson Effect—he must keep in mind his ability to make good on his commitments when he gets home. If the summit means bold diplomacy for some, it may well mean timidity for us. A President in Washington, in direct touch with his departments and congressional and party leaders may be able to react more promptly and more confidently than if he himself were present at the table.

A formidable argument for summit diplomacy is the one endorsed by President Eisenhower and repeated by Ambassador Charles Bohlen and others, to the effect that "If you wish to negotiate with the Soviet Union you must talk to Mr. Khrushchev." Standing alone, the argument is not wholly persuasive. Is there point in allowing the Soviet Union to set the style of international negotiation at the cost of disrupting the established political arrangements of other nations? Have we not already made a major concession in yielding to a procedure which works to his advantage and our disadvantage? If he insists upon having a foreign minister to whom he does not wish to give his confidence, is he to impose the same ignominious status upon the Secretary of State of the United States? Can we not insist that it is up to each nation to determine for itself who its highest ranking negotiator is to be? Or cannot Mr. Khrushchev find even one high-ranking colleague whom he can trust to represent him loyally and effectively?

IV

Something else has to be thrown into the scale—and because that something else may be present, I have been unwilling to criticize the exchange of visits between the President and Mr. Khrushchev and the one summit meeting now firmly arranged. It is just possible that significant changes are taking place in the directions of Soviet policy. It may be that the frightfulness of modern war has made itself felt, that the severities of a police state have revealed their dead end and that public opinion is exerting a moderating influence upon Soviet policy by shifting its priorities. It may be that the Communist revolution is reaching the point which other revolutions have reached, where the dogma is enshrined but not very much is done about it. It could even be that Mr. Khrushchev needs summit diplomacy to enable him to bring about certain changes in policy within his own system. If there is substance in these speculations, I would suppose that none of us would regret the President's effort to find out about them. But the risks are as high as the stakes. We are moving into the period in which we have anticipated that we would be at a temporary disadvantage in the strategic field. We are presenting the periodic uncertainty and confusion of a presidential year. Insofar as the public record is concerned, there is little to make us think that Soviet objectives have changed, and much to remind us of the growing strength through which they can pursue them. Dissension weakens the unity of the free world. The President is entitled, on the basis of all the information available to him, to take the risks but one can hope that he will be alert to the dangers of illusion. A democratic people can generate their own false hopes very efficiently; the task of leadership is to confront us with our duties in the light of unpleasant reality.

Let me sum up briefly. What we say and how we should like to appear are of transient importance compared with how we conduct the public business in our domestic and foreign affairs. No propaganda is so effective as an earned reputation as a vital society, offering expanding opportunities for its own citizens and basing its relations with the rest of the world upon mutual respect and underlying decency. If we are entitled to a measure of self-confidence, there are insistent problems which demand our attention: the solidarity of our alliances, our relations with newly independent peoples, the suitability of our Armed Forces for our needs, the orderly growth of our economy, the competitive position of our products abroad, our desperate needs in education, deterioration in our transportation and our great urban centers, the acceptance of our minorities as full-fledged citizens, and, in every vocation, profession or service, our shortage of competent men for leadership. Each can make his own list.

The crucial, indispensable contribution which the President can make to the conduct of our foreign affairs is to enter fully into his office, to use its powers and accept its responsibilities, to lead a people who are capable of responding to the obligations of citizenship. He holds a unique office in a unique constitutional system, which offers him vast powers in exchange for leadership—powers which are as large as the situation requires. With deep compassion we can acknowledge that his are burdens which no man ought to be asked to bear, that the problems before him may reach beyond the capacity of the mind of man, and we can be grateful that there are men with the temerity to seek the office. It is respect for the Presidency which leads one to believe that visits to 20 or more countries in the course of a few months, interspersed by periods of preparation and rest, take too much out of the man and his office. A presidential system cannot easily adjust to an interregnum; a nation moving with such great mass and velocity needs the engineer at the throttle.

Finally, the President must prepare himself for those solemn moments when, after all the advice is in from every quarter, he must ascend his lonely pinnacle and decide what we must do. There are such moments, when the whole world holds its breath and our fate is in his hands. Then every fragment of his experience, all that he has read and learned, his understanding of his own nation and of the world about him, his faith, conscience, and courage are brought to bear. It is in this realization, not in petty criticism, that we can be jealous of his time and energy and resistant to every influence which comes between the man and his burdens.

## U.S.S. "TOPEKA"

Mr. CARLSON. Mr. President, the U.S.S. *Topeka* goes to sea again.

Last Saturday, in New York, very impressive services were held recommissioning the U.S.S. *Topeka* as a guided missile ship. Kansas, and particularly Topeka, are proud of the recognition that is being given our State as this modern light cruiser is recommissioned as one of the most modern ships in our Navy.

Many high officials of the Navy, representatives of the Government, and city officials of Topeka, including the mayor, the Honorable Ed Camp, and other prominent Kansans attended the recommissioning.

At the ceremony Mrs. Frank Warren, wife of former Mayor Warren, of Topeka, who christened the cruiser *Topeka* in 1944, was recognized as the sponsor of this ship.

The name *Topeka* among the ships of the Navy has an interesting history. The first *Topeka*, a gunboat, played an important part in the Spanish-American War. The second *Topeka*, which was christened by Mrs. Warren in 1944, was a light cruiser that had an interesting history and entered into many engagements in the Second World War, serving much of her time in the South Pacific. During this service the *Topeka* earned two battle stars and many other awards for operation during that period.

The remodeling of the U.S.S. *Topeka* has been a 3-year task, undertaken in 1957, and culminating in new commissioning ceremonies in New York last Saturday.

The former light cruiser will carry a launcher which can fire two Terrier missiles simultaneously, these two-stage rockets being designed to intercept supersonic bombers. She will keep some of her 6-inch and 5-inch guns which she carried into World War II.

It is her electronic equipment, however, which emphasizes the Navy's present-day mission and performance. The U.S.S. *Topeka* will have 44 radio receivers, 19 transmitters, 8 radar sets, and 18 radar scopes. She will clear the Brooklyn Bridge only when the top of her mast and her radar antennas have been removed.

Mr. President, as I stated in the beginning, we in Kansas are proud of the recognition in the recommissioning of

this light cruiser, U.S.S. *Topeka,* as one of our most modern ships. She has a record of outstanding achievements in the past, and I am confident she will give a good account of herself wherever service calls.

The PRESIDING OFFICER (Mr. CANNON in the chair). Is there further morning business? If not——

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. FREAR. Mr. President, has the morning hour been concluded?

The PRESIDING OFFICER. Morning business has not been concluded.

## MEDICAL CARE

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a letter to the editor of the Delaware County Daily Times, dealing with the problem of the need for medical care in our country today.

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

LABOR UNION OFFICIAL DEFENDS BILL PROVIDING FOR MEDICAL CARE AS VITAL

To the TIMES:

The statement by Dr. William Erb, president of the Delaware County Medical Society, which was published in the January 19 issue of the Delaware County Daily Times, reminds us of the kind of social philosophy which was prevalent in the 19th century.

Dr. Erb claims that health care is a "private personal matter" and "will not be improved when surrendered to the Federal Government." The inference here is that the Forand bill, which TWUA along with the entire labor movement, is supporting, will in some way impair the "private" character of health care. This allegation could not be further from the truth.

First, under the Forand bill the choice of doctor is left to the patient. The only thing that the Government would control is reasonable cost. No doctor would be permitted to charge exorbitant fees for services.

Second, Dr. Erb's exhortation against Government control sounds very much like his compatriots in the AMA who, a generation ago opposed the requirement that all T.B. cases be reported to public authority, opposed compulsory smallpox vaccinations as interference with the "privacy of medical care," and fought immunization against diphtheria by public health agencies. True, these are all "invasions" of the right of private doctors to charge fees for these services, but would Dr. Erb favor rescinding these services?

Again, Dr. Erb states that the Forand bill would cost a "huge slice." In fact, the bill provides that the cost of the entire program could be financed by an additional one fourth of 1 percent of the payroll deduction for social security—hardly a huge slice, is getting pretty worn. This is AMA leveled against the Social Security Act in 1935. Would Dr. Erb repeal social security now? Dr. Fishbein, editor of the AMA Journal, termed old-age insurance as a "definite step toward either totalitarianism or communism." No doubt there are some who would find in this statement an accurate expression of their own feelings. But for the vast majority of American people social security has been a veritable lifesaver at the time in life when all other sources of income are cut off.

Our union and the AFL–CIO says that the Government should take the responsibility for guaranteeing that old people who are in need of medical care, can get it. Recent Senate committee disclosures of profiteering in the drug industry, where drug costs have been driven up in an unconscionable fashion, simply serve to underscore the desperate plight of pensioners who are living on inadequate stipends. These people are unable to afford the cost of decent health care. If our concern for human values has outweighed our concern for protecting the concept of medicine as a "private affair," we proudly affirm our position. The Forand bill, by providing for a system of prepaid health insurance for the aged, is a step in the direction of showing that the American people are not callous to the needs of the growing numbers of senior citizens in our society. In the view of the American labor movement, the welfare of the people comes before all other considerations.

Let us remember that it was the AMA who first opposed even voluntary health insurance plans as "socialism * * * communism * * * inciting to revolution" when they were first proposed. Today, millions of Americans hold voluntary health insurance policies and hundreds of thousands of AMA members honor them.

We are confident that our Nation, despite opposition, will continue to make progress in the area of social welfare. As for the trade union movement, we will continue to advocate measures which will benefit all Americans.

SOL STETIN,
*Vice President and Regional Director,*
*Textile Workers Union of America.*

## POLITICAL CONTRIBUTIONS BY AMERICANS FOR DEMOCRATIC ACTION

Mr. CLARK. Mr. President, on February 18, the distinguished junior Senator from Arizona [Mr. GOLDWATER] inserted in the RECORD material from a paper prepared by a Mr. Frank Childers of Princeton University, concerning an interview Mr. Childers had had with Mr. William L. Taylor, legislative representative for Americans for Democratic Action. This insert appeared under the caption "Loopholes in So-Called Clean Elections Bill."

Americans for Democratic Action, of which I have long been a member and for whose objectives I have great admiration, is frequently maligned. I do not rise to its defense upon every occasion when it is unfairly criticized or misrepresented, because if I attempted to do so I would have little time left for other purposes.

However, occasionally the attacks upon the ADA are so unfair that I feel I must say a word in defense of that organization.

Accordingly, after reading the material inserted by the Senator from Arizona, I called Mr. William L. Taylor to ask him for his side of the story. He replied that he was making a reply in the form of a letter to the Senator from Arizona, which he was requesting that the Senator insert in the RECORD to set the story straight.

My office has checked with the office of the Senator from Arizona and I am advised that although Mr. Taylor wrote the Senator on February 23, the Senator has not placed Mr. Taylor's letter in the RECORD. I am, therefore, taking the liberty of doing so in his stead, since I feel that Mr. Taylor's version of the facts should be given the same attention that has been given the original material.

The Senator from Arizona said he was unable to find the ADA's financial statement on file with the Clerk of the House. I found it very easily, by simply calling the Clerk's office and being informed that statements for several years are on file. The following figures were obtained from the 1958 statement—chosen because it was the latest election year:

The ADA listed a total of $125,000 in contributions in 1958. Of that sum, the UAW is listed as contributing $9,000, or less than 8 percent; total union contributions are listed as $30,000, or 24 percent. These figures verify the correctness of Mr. Taylor's denial of the Senator's assertion that the ADA receives 35 percent of its money from the UAW.

I ask unanimous consent to have printed at this point in my remarks a letter from William L. Taylor addressed to the Honorable BARRY GOLDWATER.

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

FEBRUARY 23, 1960.

The Honorable BARRY GOLDWATER,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR GOLDWATER: My attention has been called to your speech on Americans for Democratic Action and "Loopholes in So-Called Clean Elections Bill", which appears in the RECORD of February 18, 1960, at page 2887. With all due respect, I must say that in basing your remarks upon statements ascribed to me by a Mr. Childers of Princeton, you were victimized by a student with a wild imagination and no respect for the truth.

A Mr. Childers of Princeton did, indeed, interview me several months ago. (He stated that he was writing a theme on the conservative movement in the United States, that he had spent a couple of days in your office, that he wanted ADA's assessment of the conservative movement and answers to allegations that you had made about the ADA.) During the course of that interview I did furnish Mr. Childers with a copy of "A New Deal for the 1960's" and with a copy of ADA's platform reproduced in the ADA World. This much of Mr. Childers' account is true. The rest of Mr. Childers' report in which he purports to quote me, both directly and indirectly, is simply a collection of lies.

Specifically, to deal with the statements you single out for special attention, I did not tell Mr. Childers that: (1) "ADA receives slightly less than 35 percent of its total moneys from the UAW" or that "labor unions contribute most of ADA's total funds." I would not have made such a statement to him simply because it is not true. Incidentally, in accordance with the Federal Corrupt Practices Act, contributions received by ADA, both from labor and other sources, are reported and are on file with the clerks of

both Houses. (2) "Men and women are sent to States, towns and cities to support candidates favorable to ADA policy." Of course, ADA chapters participate in election campaigns, but Mr. Childers has attempted to twist this to mean something quite different. (3) I "would favor a plan to confiscate all the money and private property in the country, line up all the citizens in a row and give each man a proportional share". If I held such views (which I do not), I would hardly be likely to express them in a casual talk with a student I had never before met, nor could I hold a responsible position with an organization which is opposed to this philosophy.

I do not know what Mr. Childers' motives were in furnishing you with this fictitious account of our conversation. I wish I could believe that he was not very bright, that he took poor notes of our interview and had a poor memory of what was said. But Mr. Childers impressed me as an intelligent student. He discussed with me knowledgably, for example, ADA's support of tax reform legislation introduced during the last session by Senators CLARK, MCCARTHY, DOUGLAS, and PROXMIRE. Thus, I am afraid that this charitable explanation of his actions would not be accurate.

Mr. Childers has not furnished me with a copy of his report and I do not know what is contained in the sections you did not place in the RECORD. In the interest of fairness however, I would appreciate your placing in the RECORD my reply to those sections of his report entered in the RECORD.

Sincerely yours,

WILLIAM L. TAYLOR,
*Legislative Representative.*

## PHILADELPHIA PLANS MORE CITY-SUBSIDIZED RAIL SERVICE

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks an article entitled "Philadelphia Plans More City-Subsidized Rail Service, Fare Cuts," which was published in the Wall Street Journal of February 15, 1960, which I inadvertently forgot to have printed in the RECORD earlier than this.

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

[From the Wall Street Journal, Feb. 15, 1960]

COMMUTER RX?—PHILADELPHIA PLANS MORE CITY-SUBSIDIZED RAIL SERVICE, FARE CUTS—MAYOR TO BE BACKED BY RAILS, OTHER CITIES IN PLEA FOR FEDERAL AID TOMORROW—LATE SHAVES AND EARLY COCKTAILS

(By Michael Creedman)

PHILADELPHIA.—This venerable city of mossy parks, ancient brick row houses, the Liberty Bell, and other historical landmarks, hardly brings to mind an image of bustling civic progress. Its glories, to most outsiders, lie more in the past than the present.

Thus it is all the more surprising to find Philadelphia suddenly seizing the center of the stage with a ready-to-go, areawide program to tackle one of the toughest of all municipal headaches—the perennial commuter crisis.

The Philadelphia plan, in fact, may turn out to be the pattern of the future for many other U.S. cities of more than 500,000 population, if the enthusiasm for it now being shown by mayors of other cities and by eastern railroad presidents means anything.

NEEDED: A FEDERAL SUBSIDY

Basically the plans calls for the creation of a nonprofit municipal corporation—Passenger Service Improvement Corp. of Philadelphia (P.S.I.C.)—which will have the power to contract with local railroads and transit companies to provide commuter service for a flat fee every year. The fee would cover most or all operating costs. All revenues from the service would be credited to the P.S.I.C., which would set fares and schedules and ultimately, it is hoped, buy new equipment and lease it to the railroads. Since this most likely would be a deficit operation for the P.S.I.C., city and railroad officials believe the Federal Government must pick up the tab for part of the subsidy if the plan is to succeed.

Philadelphia's rationalization for the subsidy is this: Since the Federal Government already is footing the bill for as much as 90 percent of the cost of building highways into large cities, thereby helping to strangle them with congested auto traffic, some Federal money might well be spent improving railroad commuter service.

In an experimental program, which it has been financing itself since last 1958, the city already claims some success in getting people out of cars and back into the commuter trains. City-subsidized fare cuts and service improvements on three of Philadelphia's dozen commuter routes have increased ridership on the lines by percentages ranging from 20 percent to 200 percent. Now, Philadelphia is planning to extend the program to all commuter routes.

Tomorrow, Philadelphia's aggressive 61-year-old mayor, Richardson Dilworth, will lead to Washington a delegation consisting of executives from 11 major eastern railroads and the mayors or top officials of Boston, New York, Chicago, Cleveland, Milwaukee, St. Louis, New Haven, Wilmington, and a number of other cities. There details of the plan and of the Federal-aid legislation they want to carry it out will be explained to Senate party chiefs, LYNDON JOHNSON and EVERETT M. DIRKSEN, to the various congressional committees on transportation, and to the White House staff.

INQUIRIES POUR IN

So many inquiries have poured in from other cities since Philadelphia's plan was first announced last month that Philadelphia's city solicitor, David Berger, will hold a 1-day symposium for city attorneys and transit officials from other parts of the country in March, when he'll explain in detail just how the plan was developed and how other cities might follow suit.

Early this week the American Municipal Association, which represents 13,000 cities throughout the United States, will release details of legislation it has prepared for Federal aid for the commuter. The bills, which will be introduced during the current session, almost seem to have been drafted with Philadelphia in mind. They would provide long-term, low-interest Federal loans to municipalities to buy and lease new commuter equipment and a study of grants-in-aid to the cities, on a dollar-for-dollar matching basis, for other improvements in local rail transportation.

George Alpert, president of the financially hard-pressed New York, New Haven & Hartford Railroad, can hardly restrain his enthusiasm for the Philadelphia approach to the commuter problem, though his line goes nowhere near that city. "It is not just another study. The plan is realistic in setting up immediate, practical help," he says.

The Central Railroad of New Jersey, another non-Philadelphia line, has circularized its own riders with a lengthy tribute to "the city fathers of Philadelphia." Their action was taken, the railroad says, "while commuters in New York and Boston wait apprehensively for higher fares and more abandonments, and the leaders of their State and municipal governments hem and haw in search for a solution."

There are other proposed solutions—chiefly reduction of local taxes on railroads and a more liberal attitude by regulatory bodies in granting fare increases—that are being actively pushed. The Long Island Railroad since 1954 has been operating under a redevelopment plan which has halved its State and local taxes. Gov. Nelson A. Rockefeller last year pushed through a program to give other New York railroads tax relief; the State, in addition, has made available $20 million for the purchase of new rail commuter equipment.

LOCAL SUPPORT

Both the Pennsylvania Railroad and the Reading Co., which serve the Philadelphia commuting area, wholeheartedly stand back of the new plan, and, in fact, have been participating for more than a year in the experimental forerunner of it.

The plan has drawn its share of criticism, too. Attempts to gain the backing of the Association of American Railroads for the type of Federal aid which it would require fell apart when presidents of the western railroads dissented violently. Unlike most of the eastern lines, some of the western routes, such as the Chicago & North Western Railway, are still operating commuter service in the black and see no need for subsidies.

One Philadelphian calls it a "Brannan plan for railroads." Another, H. Jerome Jaspan, who claims to represent 1,800 local taxpayers, filed suit to block the granting of a charter to the new P.S.I.C.

The new nonprofit corporation, Mr. Jaspan says, "is just a front. It's just a feedbag to bail out the railroads which are losing money." Although the common pleas court here has overruled Mr. Jaspan's objections and approved the charter, he vows he'll take his case to the highest courts if necessary.

THE SUBURBAN ATTITUDE

Eventually, if the plan is to succeed, the support of suburban towns and counties outside of Philadelphia will be needed. Some of these communities are lukewarm about the prospects. A major fear is that, if they get tangled up with the central city on tackling the transit problem, before long they will be involved in downtown problems such as urban renewal, racial integration, housing, and high taxes.

But, in Bucks County, Planning Commission Director Franklin Wood says, "We don't want to be left out of this thing. Whatever is being developed we want to be part of because we'll regret it later if we aren't. After all, county lines don't mean anything any more. Traffic problems that 20 years ago didn't affect us have come up here now."

Philadelphia officials already can point to some positive gains since their initial experiments were begun a little more than a year ago. On the Reading's Fox Chase line, with the aid of city subsidies, the number of daily train movements was boosted to 14 from 6; fares were slashed from an average of 48 cents to 30 cents. Also, tie-in service with connecting bus lines was instituted, as an added inducement for commuters to leave their cars at home. As a result, the number of riders jumped from 10,521 in December 1958 to 35,982 in December 1959.

ENDING A SLUMP

The Pennsylvania, likewise, has been able to reverse a long-term traffic slide on its Chestnut Hill branch by means of lower fares and better service. The number of passengers on the route which had dropped from 2,627,000 in 1948 to 1,598,000 in 1958, last year turned up by nearly 30 percent.

Most railroads claim the nub of the commuter problem is the wide disparity between the huge amount of equipment needed to handle peak-hour loads and the much smaller amount required to serve the suburbs

during the balance of the day. Daytime travelers have increasingly deserted the rails to drive to town, the carriers say, but the railroads still must maintain a lot of equipment to handle commuter traffic. The Philadelphia scheme is designed to ease city auto congestion by putting more commuters on the rails, but it also seeks to beef up daytime rail travel as well.

While there are no exact statistics on how much the downtown auto traffic congestion in Philadelphia has been lightened by the experiment, a big, red-faced traffic policeman on duty near city hall says, "Since they started that cheap train service there seems to be a lot fewer cars coming through here in the rush hour."

The city figures that for every rider it can get to leave his car in the driveway in favor of public transportation, it saves $170 a year in police, highway construction, maintenance, and other costs.

In the last 10 years, many of the city's older downtown buildings were torn down and replaced in a $250 million program of modernizing. Another $600 million is slated for downtown improvement over the next decade.

"But," says Mayor Dilworth, "unless some way is found to improve mass transit, all the center city development will go down the drain."

THE RAILROADS' MOTIVE

Walter Patchell, vice president of the Pennsylvania, indicates that the preservation of the downtown area also is one of the principal reasons for the carriers' participation in the new plan. "The easiest thing for the railroads to do would be just to get out of the business of carrying commuters, but we realize this would destroy the center of Philadelphia."

Decentralization would mean the loss of thousands of dollars worth of profitable freight business, Mr. Patchell comments. He explains that railroads can perform freight service better than trucks when moving goods from one concentrated area to another. But if the city core is dispersed, truck competition, capable of deliveries to scattered points, would take over.

Even with the subsidies, Philadelphia railroads lost some $7 million bringing commuters into the city last year. And even with the more ambitions program contemplated for the future, according to City Solicitor Berger, "the railroads will never make money on this. At best it will be a break-even deal."

Joseph A. Fisher, president of the Reading agrees. However, he says, "We hope the new nonprofit corporation will absorb more of the costs of operating the service."

New contracts between P.S.I.C. and the railroads will be negotiated every year, and Mayor Dilworth admits that it is possible the rails will receive more money for operating services as time goes on, but he hopes revenues will increase, too.

This year, the Reading and the Pennsylvania will split between $1,400,000 and $1,525,000 for operating two routes, with about $325,000 of this representing contributions from the city. Figures aren't yet available for the third route, on which the contract expires in April. The sums for the first two routes are about the same as were paid out last year on those routes.

THREE ADDED LINES

Negotiations are expected to get under way soon to put three additional commuter lines on a similar basis. All intracity commuter lines here carry about 100,000 passengers daily, with about a fourth of these now riding on subsidized routes.

Philadelphia's suburbanites, outside the plan so far, meanwhile face the prospects of a new batch of fare increases from the Pennsylvania and the Reading in the not-too-distant future. Although Philadelphia usually has intervened in these rate applications in the past, there is some indication that from now on it will concentrate solely on improving the lot of its in-city commuters. This strategy, some city men believe, will have the effect of persuading outlying towns to join Philadelphia's program.

Philadelphia's city officials already are talking of unprecedented boons and frills for their own commuters—new air conditioned cars, spruced-up stations, special trains for theater parties and even electric shavers for late sleepers.

City Solicitor Berger claims he's serious when he suggests throw-away squeeze bottles filled with cocktails for the going-home crowds, fashion shows on the trains and a "Freudian approach" to rail riding, with curvaceous young lady conductors in rush hours and handsome young men to punch tickets on the afternoon shoppers' specials.

Already there's been considerable improvement in commuter morale, on the subsidized routes at least. Mrs. Katherine Harpster, one of the Pennsylvania's two local lady conductors, comments that 2 years ago, just after a fare hike, one of her passengers stopped her as she was punching tickets and snarled, "You don't need a punch. You ought to use a pistol."

"Now," she says, "the only kind of comments I get are friendly."

The ultimate goal of Philadelphia's city fathers is an integrated mass transportation setup for the entire eight-county metropolitan area of more than 4 million population, which includes Camden and other New Jersey cities across the Delaware River. This would also include operation of the privately owned Philadelphia Transportation Co., which carries some 1.1 million riders a day on subway and surface routes. However, complete control of all transit facilities, even if Federal aid becomes available, "will not spring into flower overnight," says Mayor Dilworth.

## MILITARY AIRLIFT

Mr. CLARK. Mr. President, if I may, I should like to have the attention briefly of my friend the junior Senator from Mississippi [Mr. STENNIS].

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks the third of a series of articles written by the distinguished military commentator, Hanson W. Baldwin, entitled "The Airlift Problem—III."

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

THE AIRLIFT PROBLEM—III—MILITARY TRANSPORT STUDIES QUESTIONS OF TACTICS, EQUIPMENT, AND COMMAND

(By Hanson W. Baldwin)

The Military Air Transport Service, which is flying an average of almost 7 million ton-miles daily during the 2 weeks of Exercise Big Slam Puerto Pine, hopes the maneuver will clarify some of its problems.

The exercise, which includes the transportation of more than 20,000 Army troops to Puerto Rico, ends next Monday. From it the Air Force and Army hope to draw some conclusions about the vexing problems of military airlift.

These problems are numerous; some of the more important ones are discussed here.

ROLE OF COMMERCIAL CARRIERS IN MILITARY AIR TRANSPORT

The Military Air Transport Service, under Lt. Gen. William H. Tunner, operates for the military forces an airways and air communications service, air weather service, air rescue service, air photographic and charting service, and a strategic airlift force.

Some 992 aircraft and 115,000 persons are assigned to MATS, including 4,000 Navy personnel. Of this total, almost 35,000 persons and 483 aircraft are assigned to so-called strategic passenger and cargo airlift.

To meet the war-plan needs of the Joint Chiefs of Staff, MATS is required to maintain a global air transportation system in a state of peacetime readiness that can instantly be expanded to wartime tempo.

This system has long been the target of commercial air carriers and of congressional critics, who maintain that the service is wasteful and competes unfairly with commercial air carriers.

Yet MATS has some convincing answers. Repeated Pentagon and congressional studies indicate that MATS must maintain almost its present level of operations if it is to meet the war-plans requirements of the Joint Chiefs and if it is to be capable of rapid acceleration to wartime tempo.

OPERATION EXPANDED

MATS normally flies an average of about 5 hours a plane a day. During the current maneuver this has been expanded to about 8 hours a plane a day, which is regarded as the minimum necessary for wartime operations.

Prior to the Korean war, MATS flight hours, programed at 3 hours a plane a day, were actually less than 2.7 hours.

When the Korean war began the Joint Chiefs ordered an accelerated tempo of 10 to 11 hours a day. It took MATS 11 months to build up to less than 7 hours a day, even though its personnel were reinforced with reserves. It never reached the Joint Chiefs' requirement.

MATS does not want to be caught short again; it feels that it must maintain its present tempo and volume of operations on its global air routes if it is to maintain war readiness.

THE MODERNIZATION OF MATS

MATS flies four types of passenger and cargo aircraft—the Lockheed C–121 Super-Constellation; the Douglas C–118 Liftmaster, the Douglas C–124 Globemaster and the Douglas C–133 Cargomaster.

These are all propeller-driven planes. The workhorse of the fleet is the C–124; there are 291 of these in MATS. It is a slow and aging plane, with maintenance headaches, although it is still doing yeoman service. The newest heavyweight cargo lifter—a turboprop aircraft—is the C–133. There are only 29 of these; eventually MATS will have 49.

There is rather general agreement that MATS needs modernization, but the unanswered question is whether an entirely new "ultimate" aircraft should be developed, or whether types of aircraft now or soon to be available should be purchased.

MATS is eager to purchase jets; it believes that so-called swing-tailed versions of the Boeing 707 or Douglas DC–8 commercial jet airliners could be modified and developed for military use, capable of using runways 4,000 feet in length or less. A combination of a turbo-fan engine and leading edge flaps and boundary layer control could permit short takeoffs and landings.

However, the Army points out that the fuselage of the 707 or DC–8 is not large enough for outsize cargoes and that adequate cargo planes are the bottleneck of the military transport problem.

Moreover, paratroopers cannot jump from any available jet; their minimum flying speed is too high. The Army prefers an improved version of the Lockheed Hercules C–130, which is used by the troop carrier wings of the Tactical Air Command.

TACTICAL AND STRATEGIC AIRLIFT

The problems of airlift are complicated by the overlapping functions of the Tactical Air Command and the Military Air Transport Service. Both operate troop carrier and military cargo aircraft.

The Tactical Air Command utilizes the C–130 and the Fairchild C–123 assault transport. These so-called "short-legged" aircraft are designed for so-called tactical or assault missions, with troops and cargo combat loaded for jumping or for rapid unloading on an improvised airstrip in an enemy zone.

MATS aircraft, on the other hand, have a so-called "strategic" mission. They are generally bigger, longer range planes. Paratroopers do not jump from them and cargo is not rigged for parachute dropping, nor is it combat loaded.

MATS planes are generally adapted to transporting troops and supplies to a staging area or friendly base, where the troops can be unloaded and then reloaded into Tactical Air Command assault aircraft that would fly them to the enemy objective.

But developing technology has blurred the once-clear distinction between tactical and strategic. So-called tactical aircraft are now achieving longer and longer ranges.

If a two-purpose plane that could combine both strategic and tactical functions could be developed airborne troops could be combat loaded in the United States and flown directly to the scene of action anywhere in the world without using intermediate staging bases.

MATS does not believe this is possible without great sacrifice of speed or other important characteristics. The Tactical Air Command and the Army think that it might be feasible in the future.

ORGANIZATIONAL AND COMMAND RELATIONSHIPS

The Army requested some time ago, and apparently was granted, a single point of contact between the Army and its Strategic Army Corps and the Air Force. Instead of dealing with two Air Force agencies—MATS for strategic lift, and the Tactical Air Command for tactical or assault lift—the Tactical Air Command was to be the point of contact for both.

The purport of a directive issued by Gen. Thomas D. White, Chief of Staff of the Air Force, initially went further than this. It was understood by both the Tactical Air Command and the Army that after the end of Exercise Big Slam/Puerto Pine next Monday the Tactical Air Command would, in the future, exercise control over all peacetime maneuvers involving both the Army and military air transport aircraft. This would be true whether the craft were drawn from MATS or Tactical Air Command.

However, partly as a result of the current exercise, there has been some restudy of this understanding. The question of command and organizational relationship between MATS and the Tactical Air Command and between them both and the Army is therefore one of a number of unresolved problems that the lessons of the current maneuver may help to solve.

Mr. CLARK. Mr. President, I invite the attention of my colleagues to the comments made by Mr. Baldwin to the effect that while the Military Air Transport Service, MATS, is eager to purchase jet aircraft for transport purposes, the Army points out that the fuselage of the 707 or of the DC–8 jet is not large enough for the outsize cargoes and that adequate cargo planes are the bottleneck of the military transport problem.

Moreover, paratroopers cannot jump from any available jet, since their minimum flying speed is too high.

Mr. Baldwin also points out that if two-purpose plane which would combine both the strategic and the tactical functions could be developed, airborne troops could be combat loaded in the United States and flown directly to the scene of action anywhere in the world without using intermediate staging bases.

Mr. President, I am confident that the Committee on Armed Services, of which the distinguished Senator from Mississippi is so able a member, will give close attention of the problem of airlift. I am happy to know the committee will do so, because in my judgment this is one of the unresolved problems of our military forces.

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

Mr. CLARK. I yield to the Senator.

Mr. STENNIS. Mr. President, I highly commend the Senator from Pennsylvania for bringing this matter to the attention of the Congress and of the people of the United States. It is a subject in which the Senator is well versed. I think his position is eminently sound.

Mr. CLARK. I thank my friend for his kind words. No one is doing a better job on the Armed Services Committee in this regard than my good friend from Mississippi.

Mr. President, I desire to address myself to another subject.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

## INTEREST CEILING ON LONG-TERM GOVERNMENT BONDS

Mr. CLARK. Mr. President, whenever the Democratic Congress is subject to praise on the financial pages, I think it is sufficiently noteworthy to warrant inviting the attention of my colleagues to the event.

Mr. Paul Heffernan, financial writer for the New York Times, published an article on page 1 of the financial section of that newspaper for Sunday, March 27, in which he described as "fortunate" the resistance of the Congress to the demand of the Eisenhower administration that the 4¼-percent ceiling on long-term Government bonds be lifted.

Imagine my amazement.

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

Mr. CLARK. I am happy to yield to my friend from Tennessee.

Mr. GORE. Mr. President, I read the article to which the Senator from Pennsylvania refers. Secretly, to myself, I expressed the wish that the editorial writer for the New York Times who writes editorials on economic policy, who has been castigating those of us who have resisted the proposed legislation in this regard, would read this article in the New York Times.

Mr. CLARK. I thank my friend for his interjection. I add that I hope Mr. Edward Collins, the New York Times commentator on financial affairs, will also take the time to read Mr. Heffernan's article.

Mr. President, I continue. Mr. Heffernan's exact words were:

It is fortunate that the Congress dragged its feet on the advance-refunding proposal. If the Government last year had carried out advance refunding of 2½-percent bonds with higher coupon issues on terms yielding investors from 4½ to 4¾ percent or more, the higher debt cost would have left the taxpayers saddled with a needlessly heavy burden when the market turned last winter.

Mr. President, most of my colleagues will, I am sure, recall the criticism which has been heaped upon our heads all winter for that fortunate footdragging. We were accused of threatening the safety of the Republic, of causing the gold reserves to be drained out of Fort Knox, of stoking the fires of inflation of trafficking with the soundness of the American dollar.

Now it turns out that what we did was "fortunate."

I think we should take this moment to pay our particular respects to the senior Senator from Illinois [Mr. DOUGLAS], who stood up in the Senate on the day that President Eisenhower sent his bond ceiling removal message to the Congress last year and cautioned us to go slow in responding to the President's request. The Senator from Illinois has stayed steadfastly with that recommendation since.

It has required great courage on the part of the Senator from Illinois to hold to his position under the torrent of abuse which has been directed at him. Today we can all concede that his wisdom is equal of his courage.

In an article in the same newspaper for Friday, March 25, Mr. Heffernan says that "the bond community believes that this would be a good time for the Treasury to come out with an issue of securities due in more than 5 years. It is assumed that $1 billion of such obligations could be absorbed by the market within the 4¼ percent long-term statutory cost limit."

Mr. President, I ask unanimous consent that the two articles by Mr. Heffernan which I have quoted be printed in the RECORD at this point.

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

[From the New York Times, Mar. 27, 1960]

BOND PRICE CLIMB ECLIPSES DEBATE—DISPUTE IN CONGRESS OVER 4½ PERCENT RATE CEILING NOW APPEARS POINTLESS—YIELDS TAKE HARD FALL—LAWMAKERS ARE EXPECTED TO TURN ATTENTION TO THE STOCK MARKET'S DROP

(By Paul Heffernan)

The sharp 2-month rise in the prices of Treasury and other prime debt securities has thrown into indefinite eclipse a 2-year long dispute about public debate management between the Treasury and antiadministration forces in Congress.

Probably legislation reluctantly activated by Democratic leaders to meet the Treasury's professed needs is now a dead letter. Under such legislation, the Treasury would have

been permitted to do a limited amount of long-term borrowing above the World War I enacted 4¼ percent cost ceiling and to undertake large-scale advance refunding—at higher rates—of major 2½ percent bond issues that will come due in 1961 and thereafter.

Less than 3 months ago there were strong market arguments for giving the Treasury more leeway in fashioning public borrowings. Of the Treasury's 54 issues of marketable interest-bearing securities, 13 were selling at prices to yield 5 percent or more. Of the Treasury's 32 issues of non-interest-bearing discount bills, 8 were selling at prices yielding 5 percent or more.

Last week only 14 of this register of 72 issues of Treasury debt were selling at yields of 4 percent or more. The highest yield was 4.15 percent. The highest yield obtainable from any of the 32 issues of discount bills was 3.36 percent. Bills due in 91 days were selling at rates yielding 2.84 percent, compared with 4.75 percent in early January.

BALKING FORTUNATE

It is fortunate that the Congress dragged its feet on the advance-refunding proposal. If the Government last year had carried out advance refunding of 2½-percent bonds with higher coupon issues on terms yielding investors from 4½ to 4¾ percent or more, the higher debt cost would have left the taxpayers saddled with a needlessly heavy burden when the market turned last winter.

Of course the story is not over, only a chapter. In due course, the eclipse will pass and the Treasury's headache may recur. Did not the Treasury's latest issue of long-term bonds—the 4s of 1969 (put out in 1957 and reopened last year) sell at 109 to yield about 3.05 percent within a year of their first sale? And about 2 years later did not this same issue decline in price to 94.1–16, equal to a yield of 4.71 percent? This could easily happen again, especially if the economy is in for another period of prosperity.

In retrospect, the Democratic reaction to the Treasury's proposals was less than adequate. The partisan opposition offered no pointed objection to the advance-refunding ideas of the Treasury, but marshaled emphatic dissent only against raising the 4¼ percent cost ceiling.

It was also apparent that the partisan political opposition, while unified in its stand against raising the 4¼ percent ceiling, was opposed to the idea for different reasons Some of the dissent smacked of the bipartisan Potomac folklore that low interest rates are "good" and high rates "bad."

Other dissenters were more sophisticated. While admitting frankly that there was no point to the 4¼ percent ceiling, they nevertheless reserved the legislative say-so as leverage for enforcing long-studied but controversial "reforms" on the Treasury and the Federal Reserve. The proposed legislative price for lifting the 4¼ percent ceiling was—

That the Treasury hereafter sell its marketable securities at public sealed bidding.

That future long-term bond issues of the Treasury be made subject to call by the Government within 5 or 10 years after issuance, so that they could be refunded at lower cost should market prices for bonds rise sufficiently.

That the Federal Reserve System pace increases in the money supply—that is, the demand deposits of commercial banks and money held outside banks—to correspond to rate of growth of the gross national product.

WILL ANXIETIES SHIFT?

Probably the market eclipse that has made a dead letter of the 4¼ percent cost ceiling legislation has made a dead letter, too, of certain congressional notions of "reform." Certainly no legislative body could make interest rates fall as sharply as the free market has done in the last 3 months.

More likely, the unshakable anxieties of the legislators will shift quickly—if they have not already done so—from the bond market to the stock market. When will the value of equity shares stop going down? Is a sizable business recession like that of 1957–58 coming into being? A demoralizing depression, like that of the 1930's? Will there be mass unemployment again? Another world war?

Potomac folklore to the contrary notwithstanding, these specters are the dread companions of low interest rates, at least in the memory of the present generation. It is strange to behold the eagerness with which populist legislators in the field of money and credit are ever ready to gallop forth—unwittingly—as horsemen of the economic apocalypse.

---

[From the New York Times, Mar. 25, 1960]

DISCOUNTS CLIMB FOR BILLS OF UNITED STATES—REST OF LIST ALSO DECLINES—CORPORATES FOLLOW TREND—MUNICIPALS FIRM

(By Paul Heffernan)

The sharp price rise in Treasury and other prime-risk bonds was checked yesterday by the disinclination of dealers to keep following each other's bids upward.

There was a brief flash of renewed bullish bidding in the early trading, but within a half hour dealers had come to the conclusion that the market was more in need of a breather than anything else after the sharp rise of recent weeks.

The price reaction came quickly. It did not take long for a progressive retreat in bidding to develop markdowns extending to 18/32 of a point in the case of certain long-term issues of both war and postwar issue. The 3½s of 1990 closed at 90 20/32, off 18/32.

The Treasury bills and notes of intermediate term also sold off. With the bills, discount rates rose six to eight one-hundredths of 1 percentage point. The June 22 tax anticipation issue was quoted at a rate of 2.78 percent, compared with 2.72 percent on Wednesday. The October bills rose in discount rate from 3.18 to 3.26 percent.

The new 5 percent notes due in August 1964 closed at 103 22/32, a decline of 14/32. The 4⅞s due in November 1964 declined to like extent to a bid price of 103 10/32.

Most market men felt that the price rise in the Government market since early January had been too sharp to be carried farther on the basis of any reasonable appraisal of the economic situation.

It was noted among the dealers that the rise in long Treasury bonds since January 6 reached 7⅝ points in one instance—the 3s of 1995. They stood at 79 4/32 on January 6; on Wednesday of this week they touched 86 24/32.

U.S. ISSUE SCHEDULE

The market men are giving much thought to the Treasury's expected borrowing of $2,500,000 in cash next month. The terms are expected to be made known next week. With only 14 of the Treasury issues selling at yields of 4 percent or more, the bond community believes that this would be a good time for the Treasury to come out with an issue of securities due in more than 5 years. It is assumed that $1 billion of such obligations could be absorbed by the market within the 4¼-percent long-term statutory cost limit. For the rest of the needed money, an offering of $1,500 million of tax anticipation bills due next September is held suitable.

Over-the-counter trading in high-grade corporate bonds followed much the same pattern as Governments. In early trading, bids on new prime issues in market supply were pushed up one-fourth of a point or so. By 11 o'clock, however, the price trend had reversed itself and many issues declined one-half point.

The Pacific Telephone & Telegraph 5⅛-percent debentures got up to 103⅝, only to drop back at the close to 103⅛ bid. The new Northern Indiana Public Service 4⅞s were bid up to 102⅞, but closed at 102½. The Central Illinois Lighting 4⅞s closed at 101⅞ bid after selling at 102⅝. The 5-percent debentures of the Chesapeake & Potomac Telephone Co. of West Virginia closed at 102¼ bid after having been quoted at 102⅞.

Dealers in local government bonds noted little change in the market's recent firm tone. However, public revenue and other obligations commonly quoted in terms of dollars were off about three-eighths on the day. The $25 million Cook County, Ill., expressway issue, which came to market on March 8, was closed out oversubscribed. The balance in the $15 million Louisiana highway account was pared yesterday by about $900,000 to $2,100,000.

The Chase Manhattan Bank executed a secondary offering of $5 million of New York State 3.6 and 3.75 percent bonds due from 1985 to 1995 at yields scaled from 3.35 to 3.5 percent.

On the New York Stock Exchange, bond transactions aggregated $6 million, compared with $5,630,000 on Wednesday. The New York Times combined bond price index went to 84.75, a new high for the year.

The Central Railroad of New Jersey 3¼s of 1987 sold at 37½, a new low.

The Union of South Africa 5½s of 1968 sold at 93¼, a new low.

Mr. CLARK. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point an article which was published in this morning's New York Times, entitled "High Rates in 1959 on U.S. Bonds Dented the National Nest Egg."

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

[From the New York Times, Mar. 28, 1959]

HIGH RATES IN 1959 ON U.S. BONDS DENTED THE NATIONAL NEST EGG—CASH SAVINGS INFLOW FELL AS HOLDINGS OF MAGIC 5's AND OTHER MARKETABLE GOVERNMENT SECURITIES MOUNTED

WASHINGTON, March 27.—The big impact of marketable Government bonds carrying high interest rates on traditional media of savings has been dramatically disclosed by figures on cash savings last year just issued by the Federal Home Loan Bank Board.

These savings took a big tumble last year. After reaching a peak of $18,900 million in 1958, they fell to $13,050 million in 1959. The figure covers the increase in savings in commercial and savings banks, savings and loan associations, credit unions, postal savings, Government savings bonds, and life insurance.

Americans last year invested only 4 cents of each after-tax dollar in these categories of savings, compared with 6 cents in 1958.

The main reason appears to have been the competing attraction of marketable Government bonds, including the magic 5s, plus, to some extent, the stock market. Individuals increased their holdings of marketable Governments last year by an estimated amount of upward of $5 billion.

Only savings and loan associations and credit unions showed any increase in savings flow last year. Life insurance held about even and the rest of the categories fell off sharply. Much the biggest loss was taken by savings accounts in commercial banks, which showed an increase of only $2,680 million in 1959, compared with $6,269 million in 1958.

Savings and loan associations had an increase from $6,064 million in 1958 to $6,572

million in 1959. Mutual savings banks dropped from $2,341 million to $932 million. Individuals reduced their holdings of Government savings bonds by $1,900 million in 1959, compared with only $500 million in 1958. Postal savings also continued to show a net decline—$196 million in 1959, compared with $189 million in 1958. Credit unions were up from $493 million in 1958 to $580 million in 1959.

The fourth quarter of last year showed some increase in the total of these savings over the level of the third quarter, but it was sharply below the final quarter of 1958. The quarterly totals in 1959 were $3,570 million in the first, $3,999 million in the second, $2,479 million in the third and $3,002 million in the fourth. The final quarter of 1958 showed a total of $4,681 million.

Mr. CLARK. Mr. President, it seems very clear indeed that the current trend in interest rates and in money is going to make it not only unnecessary but also very unwise to eliminate the 4¼-percent interest ceiling, and if we can only get bond issues floated now on a long-term basis at less than 4 percent a great deal of the pressure which has been going in to make mortgage money and other mortgage money for the ordinary people of America so hard to get will be lifted.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. CLARK. Mr. President, I desire to address myself to another subject.

The PRESIDING OFFICER. The Senator from Pennsylvania.

---

## WORLD PEACE AND DISARMAMENT

Mr. CLARK. Mr. President, I ask unanimous consent that there may be printed at this point in the RECORD three articles and an editorial which have recently been published on the subject of world peace and disarmament.

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

[From the Washington Post, Mar. 28, 1960]

### HERTER'S DECISION

(By Joseph Alsop)

Unless appearances deceive, it is unfortunate that Prime Minister Macmillan has come to Washington to talk with President Eisenhower about the negotiations for a ban on nuclear tests.

It is unfortunate simply because the President decided, on his own hook and before the Prime Minister got here, to do just about what Macmillan wants him to do. Hence Macmillan's intervention will mainly tend to make an independent decision to look as though it has not been independent. Thus, another needless complication will be added to a painfully complicated business.

The decision the President has reportedly taken is to accept, at least in principle, the latest Soviet proposal for a comprehensive ban on nuclear tests. Agreement must also be reached with the Soviets on several other hotly disputed points. But the Eisenhower decision at least resolves the seemingly irreconcilable conflict over underground tests too weak to be detected by an inspection system.

If all goes well, detectable tests will now be banned by a formal treaty providing a full inspection system. And undetectable tests will also be banned by a simple agreement to continue the existing test moratorium for at least another year, while the scientists tinker with their detection methods.

The pros and cons of this intricate device of a treaty-plus-an-agreement were hotly debated before a decision was reached. Macmillan in fact invited himself to Washington because, at one moment, it looked as though the victory would go to those who wished to reject the Soviet proposals out of hand. The debate produced the opposite result after Macmillan had packed his bags, so to say, and before he arrived in America.

The pattern of the debate is still worth study, because of the strong light it sheds on the recent evolution of the Eisenhower administration. To begin with, even the opposition struck a new note. Former Chairman of the Atomic Energy Commission, Adm. Lewis Strauss, literally opposed any kind of ban on nuclear tests. The new chairman, the able John McCone, favors a ban that can be inspected and enforced. But McCone fought the agreement to continue the test moratorium, because such an agreement will cover tests which cannot be detected by the inspection system.

Then, too, a crucial role was played by the new civilian leaders of the Pentagon, Secretary of Defense Thomas Gates and Deputy Secretary James Douglas. The Pentagon used to feel as much distaste as the AEC for any ban on nuclear tests. But Gates and Douglas now cast favorable votes. This is one of several recent and important indications that these two men are quietly bringing a new light into the Eisenhower administration's self-created caves of darkness and winds.

Finally, the President's decision was a major victory, in a very personal sense, for Secretary of State Christian R. Herter. Herter led the fight for the affirmative, constructive approach. He was the spearhead of his side in the argument. And even after the argument seemed to be going pretty badly, as Macmillan's hasty journey proved, Herter got his way in the end.

This was all the more noteworthy, because it was a repeat performance. In the long period of humiliating indecision about this country's policy on general disarmament, Herter played exactly the same role.

When the Coolidge Commission turned in its report, in effect, recommending that the United States could not support any kind of disarmament except fake disarmament, it was Herter who secured the report's rejection. He then fought for an affirmative, constructive approach through week after week of interdepartmental committee meetings. And although the final decision took an unconscionable time to reach, Herter got his way in the end.

Herter's recurring advocacy of sensibility and affirmativeness in dealing with the Soviets by no means implies a lack of firmness. When the Soviets played their trick with the passes of the Western military liaison group at Potsdam, the Secretary of State was the first to insist on a firm response.

Again, when the Pentagon said that high altitude flights to Berlin were "an operational necessity," the Secretary of State took the lead in securing the allied agreement that high altitude flights would be ordered solely because the civilian leaders of the Pentagon took another look at the operational facts, and saw that the alleged necessity did not exist.

In short, what can only be called a Herter style of policymaking is beginning to be fairly clearly discernible. It is a pretty impressive style, too.

---

[From the New York Herald Tribune, Mar. 28, 1960]

### EISENHOWER SEEN ACCEPTING TEST BAN, WITH A CONDITION

(By Roscoe Drummond)

WASHINGTON.—The storm warnings are showing and a debate of hurricane proportion is blowing up in Washington over whether the United States should accept the nuclear test ban as it is likely to emerge from the Geneva Conference.

The argument over the latest Soviet proposal is already ranging from phony to the West's last best chance. British Prime Minister Harold Macmillan is in town to discuss the matter with President Eisenhower, while several powerful Senators are getting ready to oppose an agreement, the terms of which they don't yet know.

I venture one appeal: Let's not grab off a handful of half-facts and rush out of the room with a set of half-baked conclusions bearing little relationship to reality.

There is no doubt that a nuclear weapons test ban is within reach. The negotiating gap between the Soviets and ourselves has been significantly narrowed. From its standpoint Moscow has made some substantial concessions.

We are now entering the most critical stage of the negotiations.

What is most needed right now is to know where we stand, what remains to be settled, and the choices before us.

The area of agreement already reached by the Soviet Union, Britain, and the United States is considerable. Few Western statesmen ever believed we would get so far.

Both sides have agreed to stop all nuclear weapons testing causing poisonous fallout; that is, all tests in outer space, in the atmosphere, under water, or anywhere above ground.

Both sides have agreed on the methods of verification and control for such a test ban.

Both sides have agreed—and this is a new position for the Soviets—that inspection methods are not yet adequate to detect small yield underground tests.

Both sides have agreed to undertake joint scientific studies to try to devise better means of verifying underground tests.

This is exactly where the negotiations stood when the United States and Britain made their latest offer. We offered to sign a treaty to cover everything listed above, thus banning all aboveground and underwater testing which could be inspected. We proposed to exempt underground testing until better means of inspection could be devised.

The next move was up to the Soviets and they didn't wait long to make it. They accepted everything we proposed on condition—that we agree to a voluntary moratorium on underground testing until adequate methods of inspection are developed.

It is to resolve this question—should we accept such a moratorium—that Prime Minister Macmillan and President Eisenhower are conferring. There also remains the issue of the permissible number of onsite inspections in each other's country to verify unexplained earth tremors, which is probably negotiable.

What Mr. Macmillan and Mr. Eisenhower will almost certainly decide is to accept the Soviet proposal, also with one condition. That condition would be that the underground moratorium be limited to something like a year rather than the 3 or 4 years Moscow has suggested.

The basis of their decision would be this:

1. World opinion is never going to tolerate the resumption of atmosphere-polluting nuclear tests. It is 99 to 1 that neither side will resume such tests, with or without a treaty. Therefore, we are either going to end such tests with agreed inspection or end them without getting any agreed inspection. To refuse a short moratorium on underground testing could mean losing the whole agreement on inspection for aboveground testing.

2. We have had a moratorium on underground testing for some 17 months. A 12-month extension could well speed up the joint study of new means of inspection. If

adequate policing cannot be devised then both sides would recover the right to small yield underground tests.

There will be plenty of time for debate. Any such agreement would have to be ratified by two-thirds of the Senate.

[From the Philadelphia Inquirer, Mar. 28, 1960]

A CHANCE TO END A-TEST IMPASSE

Talks by President Eisenhower and Prime Minister Macmillan beginning today at Camp David come at one of those crucial junctures in history when the lives and hopes of millions depend upon a choice of the right road.

In this instance the question is what to do about Russia's provisional acceptance of the joint United States-British proposal for a ban on nuclear weapons tests.

The Western plan calls for an end to tests with the exception that underground explosions of relatively minor intensity would be permitted until a foolproof method of detecting them can be devised.

Russia has announced a willingness to accept this plan provided that all underground tests are banned indefinitely—at least 4 or 5 years. The Soviet idea, in essence, is to rely on the honor system to end the smaller underground atom blasts. In other words we would have no way of knowing whether the Russians actually ended all tests. We would have to take their word for it.

The Soviet word is worthless. Mr. Eisenhower and Mr. Macmillan should be in complete agreement on this point. It would be suicide to gamble national security on the strength of a Kremlin promise.

But the stakes are too high and the danger too great to reject flatly the Russian suggestion. A rejection may be exactly what Premier Khrushchev expects and wants.

Mr. Khrushchev plays his cards of cold war diplomacy cleverly. He apparently has hoodwinked a lot of people in the free world into thinking that Russia is the prime mover in trying to end nuclear bomb tests and that the West is stalling.

Precisely the opposite is true and we believe that spokesmen for both the United States and Britain could be more emphatic on this score. United States and British representatives have been at Geneva intermittently since October 1958 trying patiently to persuade the Soviets to end nuclear weapons tests under a system of adequate international inspection.

Premier Khrushchev adroitly placed the cart before the horse by adopting the Western proposal and tacking on the proviso about banning undetectable underground tests by "gentlemen's agreement."

It seems to us that the surest ground for the West in the present situation is to advance negotiations along the line where some measure of agreement already exists—instead of permitting negotiations to stand or fall solely on the issue of a moratorium on underground tests.

A possible United States-British move at this time would be tentative acceptance of the moratorium idea on a short term rather than a long term basis—on the condition that Russia demonstrate good faith by agreeing to the specifics of an international inspection plan within, say, 6 months.

Remember, the Soviets have accepted the West's inspection plan in principle only. That's a far cry from agreeing to details of precisely who will do the inspecting and under what limitations.

What, then, could be gained by accepting the Soviet proposal unconditionally?

Here is an unusual opportunity for a shrewd move by Mr. Khrushchev to be used to advantage by Mr. Eisenhower and Mr. Macmillan as a means of testing Soviet sincerity. It would be foolhardy to throw away this chance by accepting or rejecting a moratorium on underground tests without qualification, or by rushing blindly into some kind of hasty commitment that might jeopardize Western security.

[From the New York Times, Mar. 28, 1960]

FINLETTER JOINS ROCKEFELLER PLEA—REPUBLICAN AND DEMOCRATIC LEADERS AGREE UNITED STATES MUST PROMOTE WORLD AMITY

Governor Rockefeller, a Republican, and Thomas K. Finletter, a Democrat, agreed yesterday that the United States should lead in seeking a new cooperative world political order.

The Governor and the former Secretary of the Air Force took part in the first 1960 telecast of a Columbia Broadcasting System series, "The Great Challenge," broadcast from the Rockefeller Institute, 66th Street and York Avenue. About 400 spectators were present.

Governor Rockefeller said the United States should seek "a political framework which someday may be comparable to the one we created for our own Nation in the federation of states on a worldwide basis." Such a vision, he held, would give "a hope of confidence to free people."

For the first time, science has given man the capacity to "lift the burdens" from his shoulders, Mr. Rockefeller continued. He foresaw "the greatest and most exciting period in the history of the world." The basic quest, he said, should be "related to the brotherhood of man and the concept of the fatherhood of God."

A positive U.S. role in relation to peoples' hopes for freedom and self-realization, the Governor argued, would be "a stranger force than a negative containment purely of the Soviet and Chinese Communist forces."

The American people, he added, also would not be satisfied with "a military negative containment."

Mr. Finletter said new weapons could destroy mankind, so that war as a method of solving disputes "is out." Peace, he held, must be made "positive" and centered very largely on disarmament, inspected, controlled, and "enforced by the United Nations."

"The rule of law has expanded geographically since the beginning of time," Mr. Finletter said.

Another participant, Dr. Victor L. Butterfield, president of Wesleyan University, Middletown, Conn., said American colleges and universities were "still quite paternalistic and quite authoritarian in the intellectual treatment of students."

Mr. CLARK. Mr. President, the first is an article written by Mr. Joseph Alsop and published this morning, which commends very highly Secretary of State Herter for his active efforts to help attain world peace with disarmament. I concur strongly in the views expressed by Mr. Alsop.

Mr. President, the second is an article written by Mr. Roscoe Drummond, published in the New York Herald Tribune this morning, entitled "Eisenhower Seen Accepting Test Ban, With a Condition." In company with the distinguished senior Senator from Minnesota [Mr. HUMPHREY] I strongly join in Mr. Drummond's views, and I hope the majority of my colleagues feel the same way.

Mr. President, the third is an editorial which was published in the Philadelphia Inquirer of this morning, entitled "A Chance to End A-Test Impasse." I identify myself with that editorial and hope all of the delegates at Geneva will join with the Secretary of State, and, I hope, the President, in pressing for a meaningful treaty in this regard.

The final article, Mr. President, was published in this morning's New York Times, entitled "Finletter Joins Rockefeller Plea." It appears that the fine American and former public servant in Democratic administrations, Mr. Thomas K. Finletter, has joined with Governor Rockefeller of New York in urging that Republican and Democratic leaders agree to go on promoting world amity and world peace through meaningful disarmament agreements.

Mr. President, I yield the floor.

## REFINANCING OF GOVERNMENT OBLIGATIONS

Mr. SCOTT. Mr. President, some Senators have indicated that the time is now favorable for the Federal Government to refinance some of its obligations, and thereby remove the pressure of Treasury competition from the market. This may or may not be the fact. But I point out to those Senators that that is precisely what we have been trying to do for quite some time through the enactment of legislation. The Treasury cannot wait until individuals feel that the market condition is suitable, but it should have the power at all times to fund its indebtedness, so that it may take advantage, without the restriction of present statutory limitations, of what is the best market time. The Treasury should not wait for individual Senators to advise it that a given time would be a good moment to refund its obligations, because money might be tight the next week or the next month, and it might be loose a month or two after that.

What the Treasury needs is the statutory authority which it has requested, rather than unsolicited advice.

## GOVERNOR DEWEY ON "MEET THE PRESS"

Mr. SCOTT. Mr. President, I think anyone who did not have the opportunity on yesterday to hear, on "Meet the Press," former Gov. Thomas E. Dewey, of New York, missed a memorable program. I am delighted that Governor Dewey's views were made available to so large an audience, and I express the fervent hope that Governor Dewey will be heard from frequently, and on many forums, in the forthcoming months.

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

Mr. SCOTT. I yield.

Mr. KEATING. I also heard this fine presentation on "Meet the Press." To my way of thinking it was an extremely impressive performance by a most distinguished statesman and a great political figure.

Mr. President, I share the views expressed by my distinguished colleague from Pennsylvania, and hope that Governor Dewey's great talents and ability will be put to further use in government. Governor Dewey can undoubtedly make many significant contributions, and has all the qualities which are needed and important in the field of government.

I sincerely hope that the American Government will avail itself of his many abilities.

I thank my friend from Pennsylvania.

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

Mr. SCOTT. I yield to the Senator from Kansas.

Mr. CARLSON. I wish to associate myself with the remarks just made by the Senator from Pennsylvania and the Senator from New York regarding the appearance of former Governor Dewey of New York, a great Republican, on the "Meet the Press" program last evening. I think he conducted himself in his usual fine manner, and I sincerely hope that from time to time he will continue to make his views known publicly, because I think the Nation is looking forward to hearing from him often.

Mr. SCOTT. Mr. President, I hope the talents of this outstandingly able private citizen will not be denied to public life in the future.

## THE WHEAT MARKETING PROGRAM

Mr. MORSE. Mr. President, I was delighted to have the privilege of becoming a cosponsor of S. 3159, a new and, in my judgment, sound program for the orderly marking of our wheat, which has the support of the major farm organizations.

In the February 1960 issue of the Oregon Wheat League's publication the Wheat Field there appears an article which in concise form sets forth the major provisions of this important legislation.

Because of the interest aroused by this program in my State, I ask unanimous consent that the article to which I have referred be printed at this point in my remarks.

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

### NAWG NEW WHEAT PROGRAM

A new program for wheat, supported by eight major farm organizations is being readied for Congress; the proposal will be introduced in February.

Named the "wheat marketing plan," the proposal has been developed jointly by the National Grange, the National Farmers Union, and the National Association of Wheat Growers. In addition, the marketing plan has the support of the National Farmers Organization, the Missouri Farmers Association, the National Corn Growers Association, the American Soybean Association, and the Grain Sorghum Producers Association.

The wheat marketing plan embodies many of the principles of its predecessors, the wheat stabilization and domestic parity plans. Persons acquainted with these proposals are aware that wheat producers' organizations have never supported the current farm program, in either its present form, or earlier forms of the Agricultural Adjustment Act of 1938—as amended.

The wheat marketing plan is a 14-point program that will save taxpayers $572,217,000 after its first year of operation. After 5 years, the net savings to the Government will be $3.7 billion when compared with the present program. Additionally, it will bring about a net annual reduction of 4.6 million tons of feed grain, which presently is greatly aggravating feed grain and livestock markets.

This is how the program works; complete details may be obtained by writing the Oregon Wheat League, Box 438, Pendleton.

### HOW THE PROGRAM WORKS

1. The Secretary of Agriculture shall determine the total quantity of wheat for the primary use. This shall be the amount of wheat to be used for domestic food consumption and total exports for the next marketing year.

2. Establish a national wheat requirement for primary use in an amount 150 million bushels less than the amount determined in No. 1 above.

3. Allocate the national wheat requirement for primary use among individual wheat producers on the basis of the normal production on each farm (bushel allotments).

4. Before the start of the marketing year, each qualifying wheat producer will be issued marketing certificates for his share of the national wheat requirement for primary use.

5. In order to become a qualifying wheat producer, a minimum of 20 percent of the wheat-base acreage must be placed in whatever land retirement or conservation program that may be available, except that any producer having a share in the national wheat requirement for primary use of 200 bushels or less shall be exempt from this requirement. Payment for participation in this land-retirement program shall be limited to $5,000 or to the payment earned on 50 percent of the base, whichever is larger. No certificates will be issued to nonqualifying wheat producers.

6. A farmer may plant, harvest, and sell all the wheat he wishes, but wheat sold for primary use must be accompanied by marketing certificates.

7. Marketing certificates are not required for wheat sold for secondary use such as feed, seed, or commercial use.

8. Certificates are valueless unless accompanied by wheat that the producer certifies was produced on his own farm. They are not transferable and are good only for the marketing year for which they are issued.

9. No person shall be allowed to process for food or to export any wheat not covered by marketing certificates.

10. CCC shall not sell any wheat for this primary use at less than 100 percent of the effective parity price. After the program has operated for 1 year, the demand for this primary use will require at least 150 million bushels of CCC wheat, thus the price to producers at the marketplace should approach parity.

11. The CCC inventory of wheat will be reduced in an orderly manner since a substantial portion of the primary use market will come from CCC stocks.

12. Continuation of export subsidies, paid in cash rather than in kind, will be required through the adjustment period.

13. In order to assist in orderly marketing, after the first year a 65 percent of parity loan would be offered to qualifying producers only on certificate wheat. However, for the first year, the 75 percent of parity loan rate should be continued only on certificate wheat due to the difficulties which will be encountered in the transition from an acreage allotment program to a bushel marketing program.

14. When CCC stocks have reached a reasonable level, the share of the national wheat requirement for primary use to qualifying producers shall be increased to meet the market demand for primary use.

## MEDICAL AID FOR THE AGED

Mr. MORSE. Mr. President, I was very much pleased and gratified to read in the newspaper this morning that yesterday afternoon in Detroit, Mich., some Democratic candidates for the Presidency of the United States rediscovered the Forand bill. I welcome their support.

I should like to have the RECORD show, however, that in 1958 the senior Senator from Oregon introduced in the Senate a companion bill to the Forand bill. The senior Senator from Oregon has testified at great length in the committee of the House of Representatives on the Forand-Morse bill. Over the past 2 years he has made several major speeches in the Senate urging early action on the Forand bill.

Now that we have new recruits in support of the Forand bill, I hope that in the Senate we can have early hearings on the Morse companion bill to the Forand bill.

I say to the medical profession of the country that "it is coming. You cannot stop it; and you had better join us in perfecting the legislation, so that we may have a bill which will be in the best interests of the old people of the country, a self-liquidating program, a program which will be paid for by the beneficiaries thereof during their working years, and a program which will receive the cooperation, instead of the opposition, of the medical profession."

There is not a syllable in it that endangers the private practice of medicine. On the contrary, it is a program which would put the old people of the country in a position to pay their medical and hospital bills, and their bills for medicine.

It is a sound program, one which carries out a primary obligation of an elected representative of a free people in the Congress, namely, to translate into legislation moral obligations. This Forand-Morse bill involves a moral obligation which all the people of the country, including the Government, owe to the aged of America.

## ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

Mr. KEATING. Mr. President, the date of March 25 marks the 42d anniversary of the proclamation of independence of the Byelorussian Democratic Republic. The life of this independent state was regrettably shortened by its partition between Poland and Russia under terms of the Riga Treaty of 1921. Their cherished dream of self-determination was crushed by this treaty, but that dream has not died and will not die in the hearts of the courageous Byelorussians. They have known, all too briefly, what it is to be a nation of free men, in control of their own destinies, and the forces of tyranny can never destroy the spirit that makes freedom, once gained, a treasure ever to be yearned for and fought for again.

We know the fine people of Byelorussia as White Russians. The very name is a symbol of resistance to communism in the free world. Today, 15 million of these victims of brutality are not allowed to celebrate their national anniversary of independence. This fact represents the greater reason why we should mark and honor this day, in the name of a proud and valiant people doomed to silence by official decree. Further, it must be accepted as a sacred trust that we continue to offer hope and

to extend encouragement to the great Byelorussian people. Until the day of their ultimate deliverance dawns, all free men must dedicate their resolve and their energies to the splendid cause of the brave nation which we honor on this occasion.

Mr. LAUSCHE. Mr. President, March 25 was the 42d anniversary of the national independence of the Republic of Byelorussia. Although in the homeland the Byelorussian people are forbidden by their Soviet masters to celebrate national holidays of native patriotic significance, the American citizens of Byelorussian descent join with Byelorussians throughout the free world in commemorating this most important day in Byelorussian history in order that men everywhere will know that the spirit of freedom still survives as a flame in the hearts of all Byelorussians, and that there is still a faith and belief that a truly free Republic of Byelorussia will arise like the fabled phoenix out of the fires of Soviet persecution and oppression.

The people of Byelorussia first proclaimed their land a free and independent nation on March 25, 1918. Yet the young Byelorussian National Republic was soon turned into a battlefield for the armies of Russia and Germany, and then Russia and Poland. Thus, tragedy stalked the Republic and its freedom-loving citizenry.

In 1944, Byelorussian territory was occupied by Russia, and today is known as the Byelorussian Soviet Socialist Republic. The Soviet ignored the natural ethnographical boundaries, and half of its land was redistributed by the Soviet Government to the Peoples Republics of Poland, Lithuania, Latvia, Ukrainia, and Russia itself.

Through the last 16 years of unnatural partition and Soviet control, many evidences have come from behind the Iron Curtain to reassure the free world of the West that the desire for freedom and liberty still lives in the indomitable and courageous souls of the Byelorussians. Communism's greatest weakness is the nationalist spirit within its oppressed bloc of satellite nations. We fail to remember that more than half the population of the Union of Soviet Socialist Republics are merely captives of Soviet's military power, and that the sources of the Soviet's industrial strength lie in the natural resources of these same captive nations.

We must continue to affirm our faith in the American-enunciated principle of self-determination of nations. President Woodrow Wilson, President Franklin D. Roosevelt, and President Dwight D. Eisenhower all have called for this principle to be recognized in the international community of nations.

When acceptance of this principle is fully acknowledged by the nations of the world, then the Republic of Byelorussia will again become sovereign and free, and its citizens will enjoy the fruits of democracy.

Today, we can but salute the lovers and fighters for true Byelorussian independence.

CVI——415

## EMMET JOHN HUGHES SPEAKS TO NATIONAL CIVIL LIBERTIES CLEARINGHOUSE

Mr. PROXMIRE. Mr. President, at the 12th annual meeting of the National Civil Liberties Clearing House on March 24, Mr. Emmet John Hughes, chief of the foreign correspondents for Time and Life magazine, and recently appointed senior adviser on public policy and public relations to the Rockefeller family, presented a statement on "The Promise of American Life, 1960: Our International Image."

In his speech, Mr. Hughes calls for debate of such issues as:

First. "Whether without the political involvement of China there can be serious world arrangements on disarmament."

Second. "Why the whole decade of the 1950's has passed without any great debate between Republicans and Democrats on the basic premises or purposes of American foreign policy."

Third. "Why our Government, at one and the same time, pays unprecedented homage and deference to the dictatorship of General Franco in Spain, and professes to be both astonished and concerned by the anti-American passions of revolutionary forces surging through Latin America."

Fourth. That "the free world is not going to have a grander sense of purpose—or self-respect—by hearing oratory pretending that either Spain in the West or Korea in the East is ruled by a free government."

Fifth. That "the whole past 7 years have gone by without the Democratic opposition even inviting serious scrutiny of a single one of the propositions of American world policy, much less inspiring truly creative new propositions, even bold innovations."

Mr. Hughes delineates a case for fresh, hard thinking about the tasks summed up in the words "disarmament, national security, international relations, and freedom."

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

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

STATEMENT BY EMMET JOHN HUGHES, CHIEF, FOREIGN CORRESPONDENTS, TIME-LIFE, TO THE NATIONAL CIVIL LIBERTIES CLEARING HOUSE, WASHINGTON, D.C., MARCH 24, 1960

I thank you for the honor of being here with you—citizens so clearly, so seriously, concerned with the problems of freedom and freedom's survival. And I plead my respect for you as excuse for the seeming presumption of what I propose to do. This is: to discuss, in a few swift minutes, something of the state of the Nation, of the world, of the hope of freedom—and how we have come to this state.

The question can be put most simply: What time is it? What time is it in a historical sense? For I suggest that all of us—pessimists and optimists, realists and idealists, Democrats and Republicans—can surely agree on one proposition: if we do not know the hour and the day, we can scarcely know the promise, or the peril, of the moment in which we live, or—let it be added—the moment in which we, as a nation, could cease to live.

The time, then, seems marked by three things—distinct but related. It is, in the broadest and grandest sense, the age of explosion. It is also the end of an era. It is—most specifically—a moment of peril, perhaps the moment of peril in the life of America.

What do such phrases as these three mean?

The age of explosion: The sounds and the portents of this are all around us. Plainest of all are the exploding wonders of science. But more than bombs, of course, are exploding: The very lives of almost all nations and empires, nearly all peoples on the earth, are enduring earth-shaking change. All the years since World War II have come to seem almost mere hours in the deathday of old empires as 25 new nations have come to birth. Africa echoes with a drumbeat of change as 220 million people, some 90 percent of them unable to read or to write, have moved massively toward the precarious privilege of ruling themselves. Across Latin America, the sweep of revolution has toppled seven dictatorships in just the years since 1955. And across the world—from Paris and Madrid to Karachi and Rangoon—the sovereignty of the people has been assumed by an extraordinary array of military regimes or army generals. Now, beside the familiar forms of a De Gaulle or a Franco or a Nasser, stand lesser known figures in Burma, Pakistan, Lebanon, Thailand, Sudan. And the long martial line across the globe reminds us that, different as these men are as individuals, almost all of them stand like sentinels, assigned by the people, to guard against the peoples' own doubts and divisions—the trustees of ill-defined hopes, the protectors against ill-defined fears, as old political forms and formulas have trembled and fallen.

And in this age of explosion, of course, the revolution in political wills is matched, in headlong force, by the revolution in economic wants. While the population of the world itself explodes in historic number, peoples who strive to be free also—not illogically—crave to be fed. But the appetite of course is for much more than food alone. It seeks full, lavish satisfaction—in steel mills and electric turbines, dams to harness rivers and railroads to join cities, water where there is sand and heat where there is cold. The smoking stack and spinning generator and plunging mine shaft convey more, indeed, than premise of economic plenty. They have become priceless symbols of popular hope and pride, regarded as vital signs of true nationhood: What self-respecting nation wants to be without its respectable steel mill? Never in the history of man has the huge army of the world's desires been mobilized to storm such dizzy heights—an age of explosion, plainly and profoundly.

No less clearly, we stand at the end of an era. We have reached, as I think most of us sense, the end of the postwar era: the end of one set of devices and designs to adjust and adapt our national life to the age and the world we live in.

The fact is seen most simply in the lives, and in the deaths, of men. Thus the last year saw the passing from the scene of the American Secretary of State who had exercised such rare personal sovereignty over American policy for most of the years of the 1950's. And swiftly following his departure, this policy acquired new manners and methods, if not new substance, as the American Vice President visited Moscow, the Soviet Premier visited America, and the President traveled halfway around the globe in his personal quest of peace. And the aging of leaders of people elsewhere in the world suggests, too, the same historic fact. In Europe, the towering figures of Adenauer and De Gaulle have reached the ages of 84 and 69. In India, Nehru passes his 70th year, and the 400 million people of India

may, in the near enough future, be struggling for new leadership to spare them old chaos.

The signs of the end of an era thus mingle: the aging of men and the coming of events—both men and events great in history. Upon the American scene, there appear both new facts and new awareness of them. They mark 1960, in the political arena, as something more than another presidential election year, and, in the economic arena, something more than the advent of the promised boom of the new decade. Thus, in the very vocabulary of public discussion, the word "negotiation," as applied to Soviet-American relations, suddenly has no longer seemed to carry an ugly or shameful sound. Thus, in the plain measure of sheer military strength, America has fallen toward a place of secondary power. Thus, in the equally plain measure of economic power and productivity, America meets ever sharper challenge from the ever-growing force of the Soviet economy—the end of an era, indeed, and dramatically.

In one historic sense, the age of explosion; in a different historic sense, the end of an era. Together, I suggest, the two shape the present moment—a moment of peril.

Why is it such a moment?

The answer, I suggest, bears upon something more grave, even more close to our lives, than anxiety over the speed or the depth of our scientific probes beyond the atmosphere. For this anxiety can only be a warning symbol of another question, the question of the pace and the profundity of our political thinking about the very earth we inhabit. The serious matter concerns not only the thrust of our rockets, but the thrust of our ideas. It is an issue of not only supreme science but also basic intelligence, affecting not only outer space but inner consciousness. Have we not, in short, largely failed to serve or advance our national purpose in the world, which can be nothing less than a creative and sustained effort to foster freedom, secure order and promote justice?

One fact may measure the true issue and mark the anxious moment in which we stand. It is the fact that the sum of our political and diplomatic strivings, throughout the greater part of the decade of the 1950's, has come to this: We have succeeded in one thing—in postponing serious and direct diplomatic encounter with the Soviet Union until this moment when, in terms of relative military power, we have achieved the weakest position in all the years since World War II. In the rude terms of slogans, we spent, as you know, the greater part of the decade of the 1950's mobilizing actions and policies under the banner of "Negotiation From Strength." Year after year, we have witnessed the deferment of the negotiation and the decline of the relative strength. And thus the plain fact is that the decade has come to end with the practice of something quite fantastically remote from our preachment—more negotiation, less strength.

As we look not to the past but to the future, the advent of the new decade warns of new danger from the long lapse of serious political intelligence and true political purpose.

One specific illustration should suffice. Today negotiation between America and the Soviet Union continues in the sphere of armaments. We all know the tormenting hazards and obstructions (many of willful Soviet design) impeding progress here. But I suggest that we contemplate the consequences not of failure, but of success, in this area—the consequences in the sense of how different are the ways the two nations would view success and use success. For America, the event holds promise in such forms as lower taxes, higher Federal revenues, larger budget surpluses, more consumer goods—all the paraphernalia, in short, of the world of enjoy now, think later. For the Soviet Union, the same event and the same opportunity hold proundly different political promise: not merely an anxiously sought increase in consumer goods but a disciplined dedication of even greater economic resources to the clearly and rationally defined political purpose of winning all the world to its own ways. For American policy, the event offers a chance to do less in the world. For Soviet policy, the event offers a chance to do more in the world.

What is notable about these facts of the immediate past and the immediate future? It is, I repeat, the clear proof that our military lag may be matched or excelled by a historic kind of mental lapse, a lapse and failure of our national capacity to see the world as it is, much less lead or inspire it.

This lapse can be measured by the long parade of our illusions, reaching back across the years. They have been illusions of the most varied and fanciful kind. We all know many of them for we all have believed some of them—

The illusion that somehow both war and negotiation with the Soviet Union could and should be equally avoided;

The illusion that serious policy was defined by the demand for sincerity from an antagonist profoundly and utterly sincere in his hostility;

The illusion that liberation was a rational diplomatic purpose rather than a vulgar political slogan;

The illusion that Soviet communism boasted few resources or ingenuities of its own beyond the capacity to foster treason or to steal the military secrets born of a genius that, by mystic and benign decree of history, could only be American;

The illusion that conferences of foreign ministers can achieve something more than a charade, when the Soviet Union declares in advance of the fact that no other result will be forthcoming;

The illusion that if enough weak and troubled and divided nations affix their signatures to a common treaty some magic alchemy will make the alliance strong;

The illusion that, in the whole critical decision-making process of our Government the vital acts of individual decision could be abdicated in favor of devices called the staff system or the committee method or the expert study, all on the most doubtful political premise that, in politics, many minds are better than one, and without regard to the fact that there exists at no place, at no time, in all recorded history, mention of a great nation in great peril being suddenly saved by decision of a study group;

The illusion that Soviet communism was not only a historic menace but also the prodigiously ingenious and inexhaustible creator of all troubles on earth, so that it could be largely forgotten that—even if Soviet communism were suddenly and marvelously to vanish utterly—this fantastic event would indeed have little if any effect upon such matters as: the boundaries of Israel or the boundaries of Kashmir, the allegiance of Algeria or the allegiance of Silesia, the stability of the Spanish dictatorship or the durability of the French constitution, food for India or markets for Japan, race riots in the Congo or food riots in Calcutta, the power of Germany, the size of Russia, the enigma of China, or the astigmatism of America.

And so on and on. The infinitely varied illusions, not of one man, nor of one administration, nor of one party, but of a whole people.

Whence comes a national life full of so much illusion? There can be, I believe, but one serious answer. It is the failure of our democratic processes, and specifically the two-party system; to dispel illusion, to foster serious national debate, and thus to encourage intelligent national decision.

The life of illusion, in short, has endured for the most elemental reason. In the dialog of our democracy, it has largely been left unchallenged by its mortal enemy, the truth.

This is the heart of the matter. For the rule of democracy demands the sovereignty of truth. This is the law of reason that must govern the conversation of freemen. And without true respect for reason, there can be no true discourse, no great decision.

This failure of our democratic dialog can be simply illustrated. Thus, for example, American world policy has been able, quite recently, to veer from a seeming suspicion of all diplomatic negotiation to a seeming avidity for all diplomatic encounters—and the event has come to pass without a clear attempt by either major party to define its own attitude toward the occurrence. Thus, again, the most dramatic event of recent diplomacy has been, of course, the visit to America by Soviet Premier Khrushchev. He came, he saw, he left. And to this date it is quite impossible to know the attitude, specific, and rational, of either major political party to the event.

Let the whole matter—the question of truth in politics—be stated more explicitly and bluntly. What does such political truth mean?

Here are a few things:

Truth means we need serious and honest debate on future policy toward Communist China, for without the political involvement of China, there can be no serious world arrangements on disarmament. And to the leaders of our national debate, it is time, long since, to say, "Gentlemen, start talking, and please talk sense."

Truth means for all the partisan rhetoric to the contrary, the whole decade of the 1950's has passed without any great debate between Republicans and Democrats on the basic premises or purposes of American foreign policy. The Dulles policy was never, as avowed, a contradiction of the Acheson policy. It was the precise reverse, a continuation of that policy. And to our political leaders, we have the right to say, "Gentlemen, stop the charade and let us get on to the facts."

Truth means we can only be dismayed and disheartened when our Government—at one and the same time—pays unprecedented homage and deference to the dictatorship of General Franco in Spain, and professes to be both astonished and concerned by the anti-American passions of revolutionary forces surging through Latin America (even appointing a study group to analyze reasons for their dislike and hostility). It is time to say to architects of each policy, "Gentlemen, even though we know that all of us are groping and grasping for peace with shaky hands, please let the right one know what the left one is doing."

Truth means we cannot let our political rhetoric fill the air with such a kind of moralizing as only clouds our politics and confuses our morals. We know that there are harsh needs and practical necessities to be met around this shaking earth; and not always can we, or should we, advertise a rationale of righteousness for simple prudence. And the free world is not going to have a grander sense of purpose, or self-respect, by hearing oratory pretending that either Spain in the West or Korea in the East is ruled by a free government. It is time to say to all such orators, "Please plainly tell us what you think is right, what you think is necessary, and what you think is expedient, and stop trying to pretend that all three are the same thing."

Truth means we, the citizens, are weary of all silly promises of absurd, or even plausible, panaceas. We are old enough to know that the implements of foreign policy, diverse though they be, do not include Aladdin lamps or magic carpets or seven-league boots.

So we find it time to say to Democrats and self-designated intellectuals: Please do not continue intimating to us that all will be right in the world with just a few more intercontinental missiles here, a bit more economic aid there. Nor is the issue so simple that our diplomacy can acquire great resonance merely by teaching our diplomats fluency in many languages, thereby giving them many tongues in which to say nothing.

Truth means it is time for Democrats to cease congratulating themselves upon the vagaries and the errors of foreign policy as designed and practiced by their adversaries. For they have little cause for such self-esteem. The whole past 7 years have gone by without the Democratic opposition even inviting serious scrutiny of a single one of the basic propositions of American world policy—much less inspiring truly creative new propositions, even bold innovations. And so it is time to say: Leaders of the Democratic Party, where have you been—all this grave political time?

In short, it is time to address the political leaders of our Nation in some such blunt phrases as these:

"Gentlemen, do not continue trying to imitate the folly of the titans of our automobile industry. Stop trying to sell the people chrome. If you do not, you, too, will prove a poor match for foreign competition. The people are interested in things more serious—where they are going and how, rationally, they may proceed to get there. The people are anxious. They are tired of years diligently spent in evading the issues. And they are weary of the cheap cliches, the empty conventions of partisan behavior.

"The natives of this country, gentlemen, can no longer be bought (neither they nor their votes) with tinsel and bangles and bright-colored beads. Keep up the charades and you will find yourselves talking to a most limited audience, yourselves. You will also, meanwhile, have corrupted the processes, and degraded the dialogue, of democracy itself. Stop, finally, exploiting the vision of bipartisanship, not as a shield of national unity but as a cloak for national complacence. Start the debate going. State issues plainly and dilemmas honestly. Talk truth. And all freemen and their sons will thank you."

Perhaps this is too harshly stated. Yet I do believe, deeply, that some, if not all, of these words speak seriously for a people still capable of great endeavor, through a long period of great trial, and impatient to proceed with their business.

Now, after presuming to issue all these sweeping generalizations upon the historic moment in which we live, I shall not proceed to the further presumption of prescribing some fantastically ideal foreign policy in 3 minutes.

Yet I do dare to suggest a few guiding principles, simple in form but severe in meaning, that seem true—true, that is, to the need of our time, the nature of our Nation, and the hope of freedom. Let me state these principles tersely.

First. We must respect, in our policy and in our preachment to the world, the simple commandment not to take the name of freedom in vain. We cannot pretend that allies by convenience are allies by principle. Nor can we paint or parade our every political action to seem a moral imperative. In a nation, as in a man, the proof of this dedication to moral principles does not lie in the measure of how frequently he recites them—but how rarely he finds it necessary to explain them. And again, with governments as with individuals, the commonest excuse for a failure of intelligence is a profession of virtue.

Second. We must, as a nation, seriously learn to live with risk. This does not mean such unthinkable risks as implied in the fantastic doctrine of massive retaliation, whose very grotesqueness made it incredible, hence politically meaningless. We must live with the risk of making tough political decisions everywhere in the world. Our leaders must have the stamina to take such risks, and our people the patience and wisdom to refrain from cursing every decision that does not produce a political triumph. We cannot be, at one and the same time, a friend to Nasser and his foe. We cannot be friends with French colonists and Algerian rebels.

Third. We must, as a nation in our Nation, demonstrate an understanding and appreciation of politics as the arena of truly historic decision. This means, in world affairs, a keen and profound awareness that not all the guns in the world, nor all the world's food, automatically assure any people's devotion to freedom, for the choosing of freedom is a political act. And this means, in our own Nation, a new and clear appreciation that politics signify something more than an eccentric adjunct to so-called normal civilian or business life. It is a curious fact that we are quite accustomed to testing men to see if they can serve in the Army, to see even if they can drive a car, but we seem to imagine that no special faculties are needed for the most difficult of all arts, the art of government. Thus, if a lawyer can handle litigation, he is presumed to be an accomplished diplomat in dealings among nations, or if a man successfully directs a great corporation, he should be a brilliant architect of national defense. These are shallow and deceptive propositions. They betray contempt for true politics. And if we, as a people, persist in using the word "politics" as a kind of term of abuse, then we have only ourselves to blame for those politicians who, in turn, abuse our good sense and judgment.

Fourth and finally, there is the truth that lies beneath all other truths: It is not enough, as a nation, to seem. It is necessary to be.

Our policies and our politics will command respect in the world only as they command respect at home—no more, no sooner.

We shall find American diplomacy persuasive in the world when America's own political debate seriously—and not frivolously—argues the great matters before us and the world.

We shall find that the political promises of America bring warm and respectful response from black men in Nigeria when the practices of America cease to deserve cold and despising response from the Negroes of Mississippi and Arkansas.

Everywhere we shall be believed, not for what we say, but for what we do, for how we live, for what we are.

We do not seek, quite obviously, to conquer the world. We do seek to convince it. Somehow, it is here that we have failed. This is the failure that we cannot, dare not, suffer, for it strikes at the very root and nature of America as a nation.

This Nation is a political experiment. This is the heart of the American proposition, and it is not an idea essentially cultural or religious or esthetic or imperial. We have not been dedicated to the proposition of proclaiming such faiths as once came out of Israel, nor leading the genuine of art to the summit of a new Greece, nor imposing sovereignty in the manner of Rome. Ours has been, uniquely in the annals of the nations, a political enterprise, a promise to secure order and to foster justice and to nourish liberty.

And so the promise of America and the need of the world meet, as it were, to contrive the trial of the time in which we live. And the historic test is precisely this: Whether America can help bring order to a world threatening chaos, can save liberty from its peril, can extend justice to many people and nations, and to fail in this, therefore, would be no ordinary disaster. It would not mean merely loss of a war. It would mean the death of an idea.

This is what we seem to have forgotten in our preoccupation with quick devices to ease pain or banish peril. And we have tended too, perhaps to lose sight of the crucial truth that intelligence, political intelligence has a place in our Nation's birth and history, almost unique. The very creation of America was an act of applied intelligence, as great, as daring, as inventive, as any act we are called upon to accomplish today in leading other nations from the shadow of fear.

And the creators of America were, as they had to be for their chosen enterprise, intelligent men. They read widely. They studied thoughtfully. They used words carefully. They reasoned conscientiously. They wrote articulately. They debated earnestly. They respected what they used—their intelligence. They looked at the world as it was—not as they wished it to be. They neither feared knowledge nor acknowledged fear. And they loved America, the supreme act and creation of their intelligence.

No less an act, and only a like creation, can hold true promise of guarding what they created.

---

## DOUGLAS BILL AIMED AT LOAN SHARKS VICTIMIZING SERVICEMEN

Mr. PROXMIRE. Mr. President, on Thursday, March 24, William Hussong, the general manager of the Navy Federal Credit Union, told the Senate Banking Committee an eye-opening story of how our American naval personnel are being victimized by loan sharks. The hearings were on the Douglas "truth in lending bill" that would require the lender in any commercial financial transaction to tell the borrower both the total finance charges involved in the borrowing and the simple annual rate of interest.

Mr. President, this testimony surprisingly concludes that the better educated and more well to do may even be more easily victimized than the poor and less educated for whom the loan shark represents a more constant experience.

Because this testimony so fairly and accurately documents the case for the Douglas bill, I ask unanimous consent that it be printed in the RECORD at this point.

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

STATEMENT OF WILLIAM A. HUSSONG, GENERAL MANAGER OF THE NAVY FEDERAL CREDIT UNION, BEFORE THE SENATE SUBCOMMITTEE ON BANKING AND CURRENCY IN CONNECTION WITH SENATE BILL S. 2755

My name is William A. Hussong. I am general manager of the Navy Federal Credit Union and have headed the professional staff of this credit union since November 1951. Prior to that time I was associated with the Railway Employees Federal Credit Union in Washington, D.C. I assisted in the organization of this credit union in 1946, serving first as a volunteer treasurer and a member of its board of directors and later as its full-time salaried manager. Previous to my credit union association, I was employed as a railway labor representative by the International Brotherhood of Electrical Workers and by the Railway Employees' Department of the A.F. of L. Thus, for almost 20 years, I have been constantly concerned with problems directly related to matters of personal finances and have devoted a substantial portion of my career to the analysis and solution

of these problems. This "firing line" experience has permitted, and in many instances required, the detailed review and analysis of thousands of case histories of credit transactions involving hardships resulting from usury, fraud, misrepresentation, misunderstanding, poor judgment, etc.

This experience has led me to conclude that the vast majority of the problems involving credit resulted from (1) the debtor's ignorance of the actual and comparative alternate costs of credit, (2) the urgency of the need for credit, and (3) combinations of both.

Ignorance in matters of credit appears to have little relationship to the average individual's level of intelligence or his degree of education with one minor but rather startling exception. In urban areas, persons in educated-medium income groups seem to be less cognizant of the comparative costs of credit than are persons in less educated-low income groups. There are two reasons for this apparent incongruity. The educated person, while generally proficient in calculations involving rates of simple interest, has difficulty recognizing, let alone analyzing the perverted rates spawned by the credit industry. On the other hand, the less educated-low income person, because of the frequency of his contacts with credit merchants and because the total of his "easy payments" usually represent a substantial portion of his paycheck, instinctively seems to have a greater awareness of credit cost. In his words, "he knows when he is being took" but can't say why or for how much.

By credit ignorance, I therefore refer to the fact that the average person is either blissfully unaware of the price he actually pays for credit or he is so confused by the kaleidoscopic language and practices of the credit industry as to be incapable of sound judgment. Credit ignorance is also related to the tendency of most consumers to be more concerned with the product or service under consideration than with the size of the payments to be made or the cost of the credit involved. As a result, the consumer is more likely to evaluate the value of a "time-payment plan" in terms of convenience rather than in terms of actual cost. This is particularly true when urgency is involved. Credit ignorance is therefore closely associated with basic human motivations as well as with the complexities of the credit industry.

This combination of complex credit practices and human weaknesses has provided many opportunities for unscrupulous credit merchants to profit at the expense of the uninformed consumer. To illustrate this point, I have set up a hypothetical situation with myself as the credit seeker. Using actual contracts, I have translated each offering of credit into terms of simple annual interest to show the wide divergency in the actual costs of credit available and to illustrate the hardships which may be imposed upon the consumer. The examples used, as well as those that follow, are all supported by original documents or photocopies of original documents previously furnished the committee. These exhibits are coded NFCU in primary numerical sequence and secondary alpha sequence:

A CREDIT WONDERLAND

"My automobile is in pretty bad shape. It's late fall and I'd like to trade it in for either a new or used car before winter."

*Dealer sponsored financing*

By franchised dealers: My first step is to call on a franchised auto dealer. Here I am furnished with a brochure (NFCU–1) listing varying amounts to be financed and the amounts of monthly payments for varying maturities. This brochure tells me to study the figures carefully as they can save you hundreds of dollars. Perhaps they could, but a little arithmetic soon showed me that the simple annual rate would be about 25 percent for 18 months and almost 28 percent for 36 months.

Calls on other franchised dealers resulted in such a variance of amounts, financing plans, and charges that they defied comparison until reduced to terms of simple annual interest. This is illustrated by the following finance contracts involved:

NFCU–2, of a national auto finance company, 12 percent simple interest.

NFCU–3, of a national auto finance company, 12 percent simple interest.

NFCU–4, of a local bank, 9½ percent simple interest.

NFCU–5A, of a local bank, 19 percent simple interest.

NFCU–5B is a newspaper advertisement that shouts "no money down" in bold, black type 1¾ inches high. Significantly, this loan (NFCU–5A) carried the highest rate.

By nonfranchised dealers: As the newspaper ads of the nonfranchised dealers offered to sell allegedly comparable cars at prices below those advertised by the franchised dealers, I called on them. Here again, it was necessary to reduce the costs of financing to terms of simple annual interest before factual comparisons could be made. In some instances however, this was virtually impossible. For example, NFCU–6 shows a contract calling for $426 finance charges (actually $429 because of an error in addition) on a principal balance of $795. This made the total obligation $1,280. Payments were to be $43 per month for the first 20 months and $60 per month for the remaining 7 months. Only a competent mathematician could compute the actual simple annual rate for the term of this contract. My figures indicated about 40 percent.

NFCU–7 illustrates another example of the same problem. More expensive than before but easier to translate into terms of simple interest because no payments except the last were made against the principle. In this case, $187.65 was charged to finance $300. Monthly payments of $15 were to be made for 11 months followed by 1 payment of $322.65 or $22.65 more than the original obligation. The simple annual rate carried by this transaction was about 62½ percent.

Other finance plans offered by nonfranchised dealers are illustrated by NFCU–8, 9, and 10 where the simple annual rates charged vary from 36 percent per year to 56 percent per year. (Note, as a group, finance charges made by nonfranchised dealers are always higher than those made by franchised dealers. This accounted for the reason their cars were sold for less.)

By this time, I had been offered contracts involving rates of interest that varied from a low of 9½ percent per annum to a high of 62½ percent per annum. Had I not taken the time to compute and compare these rates, I could have signed any one of these contracts with the firm conviction that I had made a good deal.

*Independent financing plans*

By finance companies: My next call was on a finance company to whom I was currently indebted and one that makes loans by mail throughout the United States. As its offices were in Maryland and because I needed more than $300, its rates for the amount I requested were regulated by the Maryland industrial finance law, a law typical of those currently in effect in many States. These laws, while they effectively establish maximum charges, are extremely difficult for the average person to interpret or to convert these charges into terms of total cost or annual simple interest rates. Therefore, even though this law was stated on the reverse side of the statement of transaction submitted as NFCU–11, I had difficulty translating the legal verbiage into meaningful figures. NFCU–11, does, however, illustrate how the total charges were compiled. I have set the amounts down here in reverse order for purposes of clarification:

| | |
|---|---|
| Amount currently owed | $245.00 |
| Less rebate for prepayment | 11.06 |
| Net principal balance due prior to new loan | 233.94 |
| Add cash received | 195.02 |
| Principal amount borrowed | 428.96 |
| Charges added: | |
| Life insurance | 7.14 |
| Service charges | 19.60 |
| Interest at 6 percent per annum on $490 | 34.30 |
| Total | 61.04 |
| Total note (amount to be repaid) | 490.00 |

Using these figures, I determined that the actual rate, in terms of simple annual interest, was 22.8 percent with life insurance and 20.1 percent without life insurance.

This is an excellent example of the ease in which the average borrower may be misled in his search for credit.

The 6 percent per annum rate as stated on the statement of transaction could mean many things. In this case, a careful reading of the law revealed that it meant one-half of 1 percent per month for the number of months contracted for and applied against the total of all contractual indebtedness. This included the amount of cash borrowed, service charges, life insurance and the amount of interest added. Thus, interest was charged for interest and for carrying charges as well as for life insurance premiums and for the use of the money actually advanced. This 6 percent, as applied to this transaction, is what I call a piggyback rate or a rate that plants a secondary charge on the back of primary charges. The 6 percent per annum rate as stated in the statement of transaction could also be interpreted to mean the percentage to be applied against the amount financed and added to the total indebtedness or it could mean a charge of one-half of 1 percent per month would be applied against the decreasing principal balance.

Further, because of the manner in which the 6 percent is applied and because it represents only a portion of the total charges involved, the prominence accorded this rate is quite misleading. This is not a 6-percent loan, as many people have been led to believe, but a loan of 13 percent at the add-on or discount rate or over 20 percent in terms of simple annual interest. Here is a typical example of what I call the 6-percent shell game. Only the manipulator knows for sure which shell, if any, covers the pea.

To some people, 6 percent is only 1 percent more than they are paying on their home mortgage. Actually, it is closer to 12 percent, or twice the rate they thought they were paying. This conclusion is supported by the Court (*Ford Motor Co.* v. *Federal Trade Commission*, 120 F. 2d 175, 6th Cir. 1941), when, in a case involving a 6-percent plan of financing, it stated in part: "The average individual does not make, and often is incapable of making, minute calculations to determine the cost of property purchased on the deferred payment plan."

Contacts with other lending institutions of the type previously mentioned resulted in comparable credit offerings. While some of these organizations restricted their service to local clients, a substantial number, particularly those who had offices or affiliates in other States, emphasized the fact that they also did business by mail. NFCU–12 supports this conclusion.

This led me to consider the possibility of borrowing by mail. NFCU–13 consists of

actual ads in one issue of a weekly newspaper with national circulation. One ad carried a repayment schedule which coincided exactly with rates quoted locally. Another quoted "low bank rates" without further identification. One of the remaining seven was the same organization whose plan was reviewed in NFCU–11. (NOTE.—As all of these plans seemed to be available locally, I submit this exhibit only to illustrate the availability of credit by mail and the absence of factual information relating to the charges involved.)

*Banks (time payment)*

The next source of credit I considered was that offered by banks. Because payment schedules of bank loans frequently appeared in the newspapers and in direct mail promotion, I thought I might save time by comparing the costs as shown in these charts. This proved to be no simple task, as illustrated by NFCU–14, because there was little or no consistency in the manner in which the charts were organized. For instance, had I desired to determine the cost of $500 for 18 months, only one (NFCU–14A) of the six-charts furnished by the four banks would have provided this information. The other charts showed $502.20, $499.41, $453.85, and $483.30 as the nearest comparable amount. However, when the charges for loans of these amounts and maturities were reduced to terms of simple annual interest the rates charged by these banks were very comparable; three at 14.8 percent and one at 13.9 percent; all included life insurance. Another very interesting fact developed from the conversion of the charges to basic rates. In one table, a loan of $1,000 for 18 months carried a simple annual rate of 14.8 percent. However, when the maturity of this loan was increased to 36 months the annual simple interest rate jumped to 17.2 percent.

While these comparisons gave me a rough idea of the cost of bank credit, I was told by friends that a number of banks were making auto loans at a 3-percent rate. Telephone calls to these banks supported this rumor to the extent that the 3-percent base rate was an add on rate. This is about 6 percent in terms of simple interest. In addition, there were varying conditions that had to be met. Minimum down payments, life and auto insurance and/or minimum maturities were required in varying degrees to qualify for the 3-percent rate. However, a higher rate was available to those who couldn't qualify for the lower rate. In several instances, the 3-percent rate was available only to current customers or to customers residing in the area contiguous to the bank.

In addition to the sources of credit previously mentioned, I did find other sources and different plans where the costs of credit could be more easily evaluated and compared. These were:

(1) Banks (single payment loans): One payment personal and collateral loans were available to persons with top credit ratings. The borrower signs a note for a limited period of time (usually 3 to 6 months) and repays the amount actually received in cash plus interest computed at annual simple interest on a 360-day basis.

(2) Insurance companies: Loans in the amount of the cash value of insurance policy were available to policyholders. Interest is charged at simple annual interest rates on unpaid balances until the loan is paid in full. Frequency and amounts of payments are controlled by the borrower.

(3) Retail credit stores, small loan companies, credit unions, and others offering rate per month plans: These plans offered time purchases and loans to customers and members (credit unions) at rates of simple monthly interest applied against monthly unpaid balances. This monthly rate is easily converted to an annual rate by multiplying by 12. NFCU–15 illustrates four retail store plans and the basic credit union plan..

(NOTE.—Some confusion may occur in attempting to evaluate the time payment plans of retail stores. This is because a number of retail stores offer their customers the choice of several different types of repayment plans and switch accounts back and forth between no charge, medium charge, and high charge plans in accordance with the rapidity with which the customer liquidates his account. An example of this is the full-page newspaper ad (NFCU–15A) of a department store's time purchase plans. Charges for credit are referred to as a small service charge. In terms of simple annual interest, this small service charge is actually 18 percent for the 12-month plan but drops to 15 percent for the 24-month plan. This was an interesting development as in one of the bank plans (NFCU–14), the loan for the longest maturity carried the highest interest rate.)

By this time, I had been through a "wonderland of credit," where percentages multiply and divide at will, where finance charges materialize on command and fees are collected on the way out. Had I been required by an urgent need to accept credit from the most convenient source, I'm sure that I wouldn't have left this fairyland unscarred.

This "credit wonderland" also had a few side attractions to which I'll refer briefly. These are the sharp practices and rackets that not only inflate the costs of credit, but also impose enormous financial hardships on the debtor, particularly those who can least afford it. They include:

1. The balloon note, illustrated in NFCU–7 where, after 11 monthly payments, the principal amount borrowed actually increased.

2. The dealers practice of selling sales or installment contracts to banks and finance companies.

While I am not questioning this practice as it relates to the activities of reputable organizations, it does appear to add to the cost of credit has definitely been infiltrated by vicious rackets. For instance, it is common practice for many dealers to add a finance charge to the cost of the item bought, then sell the sales contract to a finance company who in turn adds a service or other charge. Thus, the debtor is frequently not aware of the full cost he must pay for credit until advised by the finance company. Almost without exception, these finance companies and even banks give dealers a kickback or establish so called "dealers reserves." This practice is even recognized by law in at least two States—Michigan, and Ohio. Should the debtor find the merchandise defective and complain to the finance company, he is referred back to the dealer who has already been paid and may have little interest in correcting the defect. An honest dealer will make the adjustment but the only way to make the dishonest one meet this obligation is by court action. This, most families cannot afford.

3. Bait advertising, such as "no money down," "low bank rates," "no carrying charge," "our 6 percent plan," "name your own terms," "free service," "guaranteed cash reserve," etc. NFCU–16 contains a few examples. These "come ons" are usually loaded with gimmicks camouflaged to make them palatable, but which usually result in exorbitant charges. As most States do not regulate finance charges on time sales as they do on cash loans, the debtor has little or no protection against the charges made for credit except his own sense of values. Experience has shown the inadequacy of the individual in this area. The no money down "come on" is one of the most vicious as it usually results in people of small means signing two high rate notes; one for the down payment and another for the balance, with payments to be made on each. There are many variations of the no down payment "package."

For instance, a military officer's no money down, 4 percent plan was found to be 4 percent on the amount borrowed as a down payment and to be repaid in 3 months (actually this 4 percent is about 32 percent per year in terms of simple interest). The remaining balance was financed at a rate of over 20 percent per year in terms of simple interest.

Another example of bait advertising is NFCU–16A. This is a direct mail ad stating in part:

"Only ——— finance offers this free service. This service means we guarantee a cash reserve of $750. Extra money is always available for shopping, paying bills, medical or dental care, or even to meet emergencies while traveling. You can have a money guarantee account without using a penny of your own. There is absolutely no cost except on the amount taken out and used.

"For example:

"You withdraw $100 now; monthly repayment is only $6.72.

"You withdraw $300 now; monthly repayment is only $20.16.

"You withdraw $750 now; monthly repayment is only $42.77."

In this example, neither the cost of credit nor the number of payments could be determined by the credit seeker. Computation based on the State law showed the simple annual rate carried by the $100 and $300 loans to be 36 percent but the costs involved in the $750 loan defied analysis. However, many people are borrowing money for merchandise purchases at 36 percent when credit is readily available at retail stores at 18 percent, 12 percent, and even less. Why? Simply because they are unaware of the true costs of credit.

Another example of a misleading ad is NFCU–16D which advertises new cars for $1.25 a week in large black letters. Further down, in very fine print is added "plus insurance and interest for the first 52 weeks." Interest was quoted over the telephone at 6 percent add on. However, even when the actual charge for interest was combined with charges for life insurance, auto insurance and service charges, it was still impossible to reduce the charges for credit to terms of simple annual interest because only $65 would be applied against the principal during the first year.

4. The lack of regulations dealing with the rights of the debtor who desires to prepay his obligation.

Here is another area, particularly with respect to consumer finance plans, that is almost devoid of effective regulation and one wherein the debtor is easy prey for the unscrupulous creditor. Prepayment, without a reasonable reduction in the total cost of credit, will inflate the rate charged to astronomical proportions. If no adjustment is to be made in the event of prepayment, the debtor is at least entitled to be made aware of this fact before he signs the contract. NFCU–17 is a reproduction of a contract in which $125.70 was charged to finance $378.75 for 15 months; a simple annual rate of almost 50 percent per year. After signing the contract, the debtor realized that this charge was exorbitant and tried to pay it off. After considerable argument in which the debtor was represented by an attorney, the creditor agreed to release the debtor from his obligation but charged him $25 for the privilege. This resulted in a rate of 130 percent in terms of simple annual interest.

NFCU–18 consists of personal letters and is presented to illustrate the difficulties even college graduates have in evaluating and discussing credit. The subject matter deals with allegedly exorbitant rates of interest charged naval aviation cadets and junior flying officers in Florida. All are college graduates.

NFCU–18A: The disciplinary officer of a naval aviation cadet battalion writes: "As you are probably well aware, there is a tremendous volume of used- and new-car sales in this area and approximately 80 to 85 percent of the cadets stationed here have cars financed through local agencies, many of which have pretty exorbitant rates of interest."

NFCU–18B: A naval aviation cadet writes: "I have already been taken as far as finance charges are concerned."

NFCU–18C: A second lieutenant, U.S. Marine Corps, writes from California: "I purchased the car last August as a cadet for $1,600, at 8 percent per year, through ——— Investment Co., Pensacola, Fla. The total amount due back came to over $2,100."

(NOTE.—Charges in this case were $500. At 8 percent per year add-on interest, the interest charge for 36 months would only be $384. However, the total charge for 36 months at an 8-percent simple annual interest rate would have been $197.

NFCU–18D: A first lieutenant, U.S. Marine Corps, writes from Florida: "I am having the car financed by a bank, the total interest for which ($2,560) amounts to $498 for 36 months."

(NOTE.—This charge amounts to a simple annual rate of about 12.6 percent.)

NFCU–18E: A lieutenant, U.S. Navy, writes from Florida: "I had finally received an accounting of my balance from ——— Discount Corp. to find that my net (balance owed less rebate for prepayment) was $150 higher than what I expected."

Here are statements made by five persons, all college graduates, four of whom, in one way or another, reveal evidence of basic misunderstandings of credit. The same four also have the impression that they had been overcharged for credit. "A," because of his responsibility for the men in his command, expresses concern over their being charged what he considered "exorbitant rates." The only effective way he now has to advise his men as to what is exorbitant is to analyze each individual contract. How much more effective he could be if it were possible for him to just say, "Don't pay more than —— percent. If you do, you're on your own, and don't expect any help from me."

"B" merely states that he had been "taken" insofar as finance charges are concerned. This is a typical reaction of many intelligent people when they take time to analyze the actual costs of their credit obligations.

(C)'s charges were much greater than warranted by the risk. They were apparently negotiated on the basis of an 8-percent annual rate which proved to be an "add on" or "discount" rate plus other charges rather than a simple interest rate.

(D)'s charges were actually about the best he could do in that locality—but how could he know?

(E)'s difficulty developed when he attempted to prepay his debt and found that his rebate would be about $150 less than anticipated.

NFCU–19 also consists of letters which reflects the writers' misunderstanding of their credit transactions. Three of these letters also illustrate the need to disclose rights of prepayment.

NFCU–19A is from a lieutenant commander in the Medical Corps of the U.S. Navy. He writes from a fleet post office address on the west coast. He reviews a credit transaction in which his actual finance costs amount to 18.7 percent in terms of simple annual interest. He also states, "When I offered to pay up ahead of schedule the manager of the company did not seem enthusiastic. He gave many excuses for not furnishing me with figures showing how much I would save if I paid ahead of schedule. Indeed he suggested my saving would not be substantial because by laws they were required or permitted to keep money that in effect would be unearned interest. I don't believe this."

NFCU–19B is from a lieutenant in the Supply Corps of the U.S. Navy. He provides information showing that he obligated himself to a credit charge amounting to a simple annual interest rate of 16.6 percent, and that he has made 6 payments on a 36-month obligation. He also states, "I do not know the payoff amount of this lien." Here again, the need for a requirement to disclose prepayment privileges is indicated.

NFCU–19C is from a second lieutenant in the U.S. Marine Corps who wrote from a fleet post office address on the west coast. He lists finance charges amounting to a simple interest rate of 14.6 percent and states, "I feel that the interest I am paying on the loan is excessive."

NFCU–19D is from a lieutenant in the U.S. Navy who writes from Corpus Christi, Tex. The finance charges he lists amounts to a simple annual rate of 12.65 percent. He calls this a "high rate of interest."

Both these men seem to feel that the interest they are paying is high. This may or may not be so but—both confused finance charges with interest. It is this matter of semantics that leads to many hardships and misunderstandings. Interest charges, as such, are almost universally regulated and to charge interest at a rate in excess of that permitted by law is considered usurious. On the other hand, finance charges are not so generally controlled. For this reason, many credit seekers find themselves saddled with exorbitant finance charges which they innocently accepted, subconsciously confident that they were protected by law against usurious rates. This false impression is frequently exploited by unscrupulous finance companies who talk in terms of "interest" when discussing finance charges but never include rates of interest in their contracts.

NFCU–19E is from a lieutenant in the U.S. Navy on board ship in the Pacific. He quotes "6 percent" as the charge of financing. Here, the financing is for a 3 year term so the 6 percent is multiplied by 3 and the 18 percent is applied against $3,510, the amount to be financed.

This results in a total charge for credit of $631.80 as the rate is 6 percent per annum add on. At the 6-percent per annum simple interest rate, the total charge for interest on $3,510 for 36 months would have been $324.68 or a difference of $307.12.

Another statement made by this naval officer was: "The State of California requires the payment of $25 when paying off a car contract in advance so this would have to be included." This is most significant when related to (A) who was not aware of this so-called requirement until he attempted to prepay his obligation. Of greater significance is the fact that both men have apparently been misled. The California law permits, but does not require, minimum or prepayment charges as these men were led to believe. The average debtor seeking to prepay his credit obligation usually has to rely on the integrity of his creditor for an equitable adjustment. However, in these two cases, both men used the word "required" in connection with a transaction that could only benefit their creditors.

NFCU–20 is submitted as evidence of the concern we have had over the inability of our members to protect themselves from credit abuses. This exhibit consists of paid newspaper ads, informative brochures, and news bulletins and represents a sampling of our efforts to assist Navy and Marine Corps personnel in their credit transactions.

NFCU–20A brochure: "Used Car buyer beware."

NFCU–20B: Newspaper ad offering the above brochure free to all Navy and Marine Corps personnel.

NFCU–20C: Newspaper ads re "How financing costs can be boosted."

NFCU–20D: Newspaper ad re "Buying on time."

NFCU–20E brochure: "Finance charges and how to watch them."

NFCU–20F brochure: "How much does it cost to borrow money?"

NFCU–20G: House organ, "Shop for your money."

NFCU–20H: House organ, "Don't be fooled."

NFCU–20I brochure: "How to answer an auto dealer."

NFCU–20J brochure: "Three rules to help you avoid paying too much for credit."

NFCU–20K brochure: "Don't get stuck with easy credit."

Unfortunately, our educational efforts like those of others have met with little success. The education of the consumer in the wise use of credit is a challenge many have accepted but none have accomplished. From time to time, public interest is aroused by the viciousness of certain local credit practices and the details of these rackets exposed to the consumer through press, radio, and television. Many labor unions and consumer organizations have distributed literature on the subject. Other groups, such as better business bureaus are constantly engaged in attempts to protect the consuming public from credit abuses.

Unfortunately, all such efforts to educate the consumer, while temporarily effective, soon become dated. Memories are short and new abuses appear to replace the old ones.

The problem of educating the consumer to merely protect himself against credit abuse, let alone to make judicious credit decisions, will continue to defy solution so long as the subject remains complex and the text nebulous. The answer then is not to be found in further fruitless attempts to produce credit linguists, but to reduce this polyglot subject to a common language, a language in which such terms as "rate," "interest," and "amount" mean the same thing to all people.

The following table appeared in the Washington Star on December 2, 1957. This table is presented to illustrate the ease by which the average person could compare and evaluate costs of credit when such costs are reduced to terms of simple annual interest. As a matter of background information, it is important to realize that the costs of credit are generally directly related to the risk involved and the amount of work necessary to service the account. Thus credit extended in small amounts without security for short periods of time will usually carry a much higher rate than for credit extended in large amounts that is secured by collateral and/or for longer terms. A person with a good credit standing or acceptable collateral would be foolish to buy on time at 18 percent when less expensive credit is so readily available to him. However, the average person blithely accepts the higher charges without realizing the difference.

---

*Area interest rates*

What individuals typically pay for sales credit and short-term loans in the Washington area:

[Percentage]

| | *Annual rate on unpaid balance* [1] |
|---|---|
| Loans by commercial banks: | |
| Loans secured by U.S. Government bonds, State, municipal bonds, common stocks, life insurance, savings accounts: | |
| Up to $10,000 | 5 – 6 |
| Over $10,000 | 4½ – 5 |
| Automobile loans: | |
| New cars | 7 – 9¼ |
| Used cars | 7½ – 11 |
| Home improvement loans (title I) | 9½ |

*Area interest rates*—Continued

[Percentage]

| | Annual rate on unpaid balance |
|---|---|
| Personal unsecured loans: | |
| Up to $2,500 | 6 –11 |
| Over $2,500 | 5 – 6 |
| Brokerage firms: Collateral loans | 5 |
| Life insurance companies | [2] 5 – 6 |
| Credit unions | [3] 12 |
| Small loan companies: [4] | |
| In Maryland, up to $300 | 36 |
| In Virginia, up to $300 | 30 |
| In Virginia, $300 to $600 | 18 |
| Sales credit: | |
| Department stores: | |
| Revolving credit or budget plans | 6 –18 |
| Deferred payments on appliances | 16 –18 |
| Appliance, furniture, and other stores | 18 |
| Washington Gas Light Co | 11 |
| Automobile dealers: | |
| New cars | 10½–12 |
| Used cars | 11 –20 |

[1] This must not be confused with an add-on or discount rate; the latter rates are computed on the face amount of the note, even though the outstanding balance declines.

[2] Depends on policy; some old policies provide for loans at 4½ percent.

[3] Some credit unions lend at 8 percent.

[4] Companies licensed under Maryland's industrial finance law can loan up to $1,500 at a 6-percent discount rate plus certain added charges. In the District of Columbia, no small loan companies are licensed because of the low rate and other provisions of the District Small Loan Act.

I have tried, in a comparatively short time, to outline and illustrate some of the basic difficulties experienced by the average person in his sales credit and short-term borrowing transactions.

Because the subject is so vast and complex, I have restricted myself to a review of those problems that apparently could be eliminated by a universal requirement to disclose charges for credit in terms of amount and as a rate per year in terms of simple interest. The appended chart, "Typical credit charges," is a compilation of the current practices of the major organizations extending time sales and cash loan credit and illustrates the basic reason why the average individual does not or cannot get fair value for his credit dollar.

How simple it would be to evaluate and compare credit charges if the section of this chart headed "Typical charges" was replaced by a single column headed "Rate of interest" wherein the typical charges were all reduced to terms of annual simple interest. The most uninformed person could then make objective credit decisions that are now denied even the astute.

For the committee's information, I have also appended an explanation of the method I used to reduce the finance charges (in the examples previously referred to) into terms of simple annual interest. While there are other acceptable methods that could have been used, this one was selected because of its simplicity and because it assumes that equal monthly payments will be made against the principal amount due plus an additional amount each month for interest. Thus, the total amount of each subsequent payment decreases. An alternate method is to establish equal monthly payments that include interest—in which case, the interest is deducted from the amount paid and the remainder applied against the principal. In either case, the total amount paid over the term of the loan is the same but, because of the difference in the monthly declining principal balances, the rate in terms of simple interest is slightly (about one-tenth of 1 percent) different.

In conclusion, I would like to express my gratitude to you and your committee for the privilege of testifying for this, in my opinion, sorely needed legislation. Credit has become a very essential part of the American way of life. In varying degrees, it is available to us all and, like any other commodity, it carries a price tag. But here the similarity ceases because the tag attached to credit is written in a language unintelligible to the average person.

Most of us have learned to shop for the things we buy and for the services we need. Our selections are based on price and quality and we usually have the ability to make sound decisions. However, when we want to purchase credit, we become enmeshed in a web of charges, fees, insurance, and rubbery interest rates. As a result, our credit purchases are usually made on the basis of convenience and assumption rather than on price and quality. The real tragedy is in the fact that few of us realize or will ever know the price we actually pay for credit because of our inability to read and understand the price tags attached to credit packages. There is only one logical solution. Credit must carry informative and meaningful labels—labels that will identify the product and its composition in the same manner and for the same reasons that similar labels are required on certain consumer goods. The housewife shopping for a dress no longer needs to be an expert in fabrics to make her selection or to compare values. She just looks at the label and compares prices. Is not the person shopping for credit involving hundreds of dollars entitled to the same protection as the housewife in her purchase of a $10 dress?

Mr. Chairman, this concludes my testimony. I am at the committee's disposal for questions.

Thank you.

*Typical credit charges*

| | Collateral | | | Typical charges | | | | | | | Prepayment privileges | Typical rates in terms of simple annual interest |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Percent charges | | | Lump sum charges | | | | | |
| | Stocks, bonds life insurance, savings accounts, real estate | Consumer goods | Signature only | Simple interest | Add on interest | Discount interest | Finance charge | Service charge | Life insurance | Auto insurance | | |
| CASH LOANS | | | | | | | | | | | | |
| Insurance companies | X | | | X | | | | | | | Yes | 5 to 6 percent. |
| Commercial banks | X | | | X | | | | | | | do | Do. |
| Do | | X | | | X | | | | | | Short rate | 7 to 15 percent. |
| Commercial banks (prime credit risk) | | | X | X | | | | | | | Yes | 5 to 8 percent. |
| Commercial banks (average credit risk) | | | X | | | X or X | | X | X | | Short rate | 10 to 12 percent. |
| Credit unions | X | X | X | X | | | | | | X | Yes | 6 to 12 percent. |
| Consumer finance companies: | | | | | | | | | | | | |
| Small loans | | X | X | X | | | | | X | | do | 30 to 36 percent. |
| Large loans | | X | X | | | X | | X | X | X | Short rate | 18 to 30 percent. |
| CONSUMER FINANCING | | | | | | | | | | | | |
| Commercial banks through dealers | | X | | | | X or X | | X | X | X | Short rate | 8 to 18 percent. |
| Credit unions | | X | | X | | | | | | X | Yes | 6 to 12 percent. |
| Auto dealers: | | | | | | | | | | | | |
| Through national finance companies | | X | | | X | | X | | X | X | Short rate | 11 to 14 percent. |
| Through local finance companies | | X | | | | X or X | X | X | X | X | Short rate or none. | 12 percent to no limit. |
| Retail stores own plans: | | | | | | | | | | | | |
| 1 to 3 months' maturity | | X | | | (1) | (1) | (1) | (1) | (1) | (1) | Yes | None. |
| 4 to 12 months' maturity | | X | | X | | or | | X or X | | | do | 10 to 15 percent. |
| 12 to 24 months' maturity | | X | | X | | or | | X or X | | | do | 12 to 18 percent. |
| Retail stores through finance companies and banks. | | X | | | | X or X | X | X | X | | Short rate or none. | 10 percent to no limit. |
| HOME IMPROVEMENT LOANS | | | | | | | | | | | | |
| Commercial banks: | | | | | | | | | | | | |
| FHA title I | | | X | | X | | | | | | Short rate | 9½ percent. |
| Own plans | X | | X | | X or X or X | | | X | X | | do | 8 to 12 percent. |
| Credit unions | X | | X | X | | | | | | | Yes | 6 to 12 percent. |
| Finance companies | X | | X | | | X or X | | X | X | | Short rate or none. | 12 to no limit. |

[1] No charge.

HOW TOTAL FINANCE CHARGES CAN BE CONVERTED INTO A RATE IN TERMS OF SIMPLE ANNUAL INTEREST

A. Formula for simple interest (1 payment):

Rate of interest per period in decimals × Actual amount borrowed or financed × Period of time in days, months or years = Total amount paid as interest or carrying charges

Example:

0.06×$100×1 year=$6 interest
0.12×$100×1 year=$12 interest

B. Because most personal and consumer loans and time purchases are paid in installments, the formula for simple interest must be expanded to compensate for the periodic reduction in the actual amount due.

Formula for simple interest (installment payments):

$$\frac{\text{Rate of interest per month in decimals} \times \text{Actual amount borrowed or financed} \times \text{Number of payments to be made+1}}{2\times\text{number of payments to be made each month}} = \text{Total amount paid as interest or carrying charges}$$

Example: $100 for 1 year repaid in 12 monthly installments at 6 percent per year and 12 percent per year.

(6 percent per year÷12=0.005 per month and 12 percent per year÷12=0.01 per month)

$$\frac{0.005\times\$100\times(12+1)}{2\times1}=\$3.25 \text{ interest}$$

$$\frac{0.01\times\$100\times(12+1)}{2\times1}=\$6.50 \text{ interest}$$

C. To translate total interest or finance charges into terms of simple interest per month or per year, the previous formula is modified as follows:

(1) $$\frac{\text{Total amount of interest or finance charges}\times2}{\text{Actual amount borrowed or financed}\times(\text{number of monthly payments}+1)}=\text{Rate of interest per month}$$

(2) Rate of interest per month×12=rate of interest per year.

Example: $1,800 to be financed for 3 years costs $400:

$$\frac{\$400\times2}{1{,}800\times37}=\frac{8}{666}=0.012 \text{ or } 1.2 \text{ percent rate of interest per month}$$

0.012×12=0.144 or 14.4 percent rate of interest per year

(NOTE.—This formula assumes that one payment is to be made each month until indebtedness is fully liquidated.)

D. Currently loans and installment financing are offered to the public in many forms, some identical in appearance but vastly different in total cost. For example—an advertised 6 percent loan or cost of financing, standing alone, is meaningless. Six percent, unless further identified, can legally result in wide variances of actual cost and in terms of simple interest.

(1) Six percent add on or $6 per $100 added to the amount borrowed either per year or as a fixed cost with reference to time.

If by year, the actual simple interest would be—

$100 for 1 year

$$\frac{\$6\times2}{100\times13}=0.009231 \text{ per month or approximately } 11.1 \text{ percent per year.}$$

As the maturity of such financing is extended, the rate of interest per year is increased.

$100 for 3 years

$$\frac{\$18\times2}{100\times37}=0.00973 \text{ per month or approximately } 11.7 \text{ percent per year.}$$

If the 6 percent is a fixed cost without regard to time, the resulting rate per year is usually increased. For instance, if the indebtedness is liquidated in 6 months, the rate in terms of simple interest would be about 21 percent per year.

(2) Six percent discounted or $6 per $100 may be deducted in advance. This has the effect of an even higher simple interest rate than results from a 6 percent add on contract.

$100 for 1 year

$100−$6=$94 actual amount borrowed

$$\frac{\$6\times2}{94\times13}=0.009836 \text{ per month or approximately } 11.8 \text{ percent per year}$$

$100 for 3 years

$$\frac{\$18\times2}{94\times37}=0.001035 \text{ per month or approximately } 12.4 \text{ percent per year}$$

(3) Six-percent simple interest or one-half of 1 percent per month on declining balance. This is the only meaningful and factually correct media whereby the average debtor can determine and compare costs of borrowing or financing.

NOTE.—The preceding analyses are all based on a 360-day year (or 12 months of 30 days each). When using a 365-day year or actual days per month, the annual simple interest rate will be slightly less than established by the 360-day formula.

The formula also assumes regular equal monthly payments on the principal plus interest on the decreasing balances. When simple interest is computed on the basis of equal monthly payments including interest, the resulting rate will also be slightly less than that established here. The difference in all cases, however, is only about one-tenth of 1 percent per annum.

## MILWAUKEE JOURNAL BACKS FULL DISCLOSURE OF CREDIT TERMS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a persuasive editorial from the Milwaukee Journal, entitled "Borrower Has Right to Full Disclosure of Credit Terms," supporting the Douglas bill, be printed in the RECORD at this point.

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

BORROWER HAS RIGHT TO FULL DISCLOSURE OF CREDIT TERMS

Senator DOUGLAS, Democrat, of Illinois, deserves encouragement in trying to bring some common sense into our credit-crazy economy. With the support of such responsible organizations as the Better Business Bureau and the Federal Reserve System, he is sponsoring a bill under which people who buy on credit would have to be clearly told what that credit is costing them.

The Senator's "full disclosure" bill is not anticredit. DOUGLAS, a former professor of economics, appreciates the worth of consumer credit, when properly used, in helping people acquire homes, automobiles, and other big purchase items.

What his bill aims at discouraging is excessive use of credit and camouflaging of credit terms so that purchasers are either not informed of credit costs or are misled as to their true amount.

Legislation of this sort cannot be expected to eliminate misuse of credit or keep foolish and gullible people from getting head over heels in debt. But the measure—or one incorporating its principles—should at least help counteract what Harold Rosner, president of Robert Hall Clothes Co., terms the "credit virus."

As an early witness before the Senate Banking and Currency Subcommittee studying the Douglas bill, Rosner declared:

"From my experience of 40 years in the retail apparel industry, I can tell you gentlemen that when the terms are made to seem easy enough to meet, people suffering from the credit virus can no more resist the installment salesman than the gambling or liquor addict can resist his particular type of addiction."

But people who use consumer credit are not the only ones who stand to gain from full disclosure legislation. Businessmen generally should benefit. In 1955 excessive credit boomed auto sales at the expense of other trade. Legitimate dealers in credit would also be protected from unscrupulous competitors. One credit manager testified that in checking a variety of auto finance plans he found contracts calling for interest rates that ranged all the way from a low of 9½ percent a year to 62½ percent a year.

"Every borrower should have the right to full knowledge of the terms and contents of credit contracts, stated in a uniform and truthful manner," says DOUGLAS.

What could be fairer?

## ADMINISTRATION RESPONSIBILITY FOR THE RISE IN THE COST OF LIVING

Mr. PROXMIRE. Mr. President, yesterday the New York Times devoted a part of its Review of the Week section to a discussion of living costs, and stated that living costs have risen to a new alltime high. The writers of the review point out that the principal upward force was caused by the continuing rise in the cost of services, especially in hospitalization insurance, and home mortgage insurance.

This statement is very interesting because our friends in the Republican Party on the other side of the aisle emphasize the fact that they are the party which is trying very hard to counter inflation. The fact is that on both of these vital issues, hospitalization insurance, and home mortgage insurance, it is the Democratic Party alone which is fighting hard in an attempt to help our older people and others who need assistance in connection with hospitalization insurance, and is also, of course, trying to persuade the administration to reverse its high interest policies and to reduce interest rates.

In 1952, the last year of a Democratic administration, according to my estimates the average family of four spent for hospitalization about $50 and in 1959 about $100; for mortgage interest in 1952 the average family spent about $75, now it spends about $127.

Perhaps this will enlighten our Republican friends as to why polls show most Americans consider the Democratic Party can best be trusted to fight inflation.

## WHEAT PRICE SUPPORT PROGRAM

Mr. MURRAY. Mr. President, because of recent administration attacks on the wheat price support program, I was greatly interested in a column on the subject which appeared in the Great Plainsman recently. It was written by Wayne Darrow, well-known Washington Farmletter writer. Mr. Darrow's column is a reminder of the importance of wheat in the Nation's history, both past and present.

I ask unanimous consent to have the column printed in the RECORD.

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

WASHINGTON WHEAT LETTER

(By Wayne Darrow)

WASHINGTON, D.C.—The future of the wheat growing industry hangs in the balance this spring. What Congress does the next two months may set the pattern for years to come as to how wheat is sold, and

for how much. What it doesn't do may be important, too.

It is unfortunate for the producers of America's No. 1 food that wheat has become the chief symbol of the old farm program which is under fire from the Eisenhower administration, and from much of the press and the public. It is even more unfortunate because even the last die-hards of the old "farm bloc" want to change the program.

Wheat is held up as the horrible example of what happens when the Government steps in to bolster farm prices and income.

It's also too bad, both for wheat growers and the public, that in the bitter fight over farm policy, virtually all the facts about wheat in its role in American history are disregarded, save two: The high cost of the support program, and the mounting surplus.

Forgotten in the political clamor are such facts as these:

Wheat underwrote the opening of the West after the Civil War. Along with beef, pork, cotton, and tobacco, exports of wheat financed a moneypoor America in the building of the cities and of industry. Farm products sent to Europe serviced the United States debt.

Wheat is the most widely grown crop in the United States. It is the most universally grown and used crop in the world. Next to cotton, it looms the largest of any farm product in world trade. Millions of towns and city people depend for their livelihood on handling, processing, transporting and distributing wheat and its products.

Wheat helped win World War I. It was the chief means of relieving hunger and averting collapse in Europe after World War II.

American wheat today is fighting communism in a score of countries where U.S. foreign policy is backed up in part by the much-condemned wheat surpluses.

These past and present services of wheat to the whole economy do not warrant preferred treatment for wheat farmers. But they should be a reminder that the surpluses of one decade may be the salvation of the next. This has happened twice in this century.

National wheat policy should be geared to national welfare, rather than just farmer welfare, and to the future as well as to the present. Wheat should be rated as national wealth, as a national blessing which is vouchsafed to few other countries, and as a universal food that can aid in bringing universal peace.

What's done now about wheat ought not to be done out of the heat of politics, or out of the hysteria into which the public has been aroused by demagogs.

But the clamor about wheat in the spring of 1960 approaches the hysteria stage. This makes for action, and likely enough, for bad legislation.

To read the papers and the speeches one would think the fight is simply one of the Eisenhower administration and the Farm Bureau to get rid of the old wheat program over the opposition of Democrats, big wheat farmers and a few others. The others engaged in the fight want another program, too, including National Wheat Growers Association, Grange, and Farmers Union.

The real fight is between the advocates of several new plans, including that of abolishing the program. The number in Congress who would end it all, if they could, is substantial. The two main views advanced in farm circles are:

1. Eliminate production controls. Reduce price supports gradually, setting them at 75 to 90 percent of the previous 3-year average price. USDA estimates this would reduce support from $1.77 a bushel average now to around $1.38 within three years. This view is held by Secretary Benson, though he emphasizes that he thinks "quality wheat" would sell above support. Farm Bureau also holds to this view. The oft-repeated maxim is that the cure for dollar wheat is dollar wheat.

2. Tighten production controls and put them on a bushelage basis. Provide for X amount of wheat to come out of CCC stocks each year, and thus whittle down surpluses without wrecking current prices. Underwrite farm prices by a loan at some high percentage of parity, or by requiring CCC to sell its stocks at not less than parity. This view is held by National Wheat Growers Association, Grange, Farmers Union, and four other commodity organizations.

House Agriculture Committee started hearings on wheat the second week of March. First try is for a bill giving farmers a choice of programs. Ike said he'd consider such a plan. Failing in this, committee leaders aim to take up the new 1960 plan of National Wheat Growers Association, Grange and Farmers Union.

The choices discussed are: (1) A cut of 20 percent in allotments and support at 85 to 90 percent of parity, or (2) Benson's plan of no acreage allotments and price supports for three years at 75 percent of the previous 3-year average market price.

The "choice plan" may bog down in committee over the question of whether the 15-acre exemption men get to vote. Democratic leaders oppose this because they say it would make mockery of the referendum for bona-fide wheat men who depend on wheat for a living.

The new plan of National Wheat Growers has been gaining converts in Congress. It would restrict marketings to U.S. food and export needs, less 150 million bushels to come out of CCC stocks each year to reduce the Government surplus. CCC wouldn't be allowed to sell below parity, so market prices would tend to approach parity.

Farmers Union proposes to make this plan a part of the over-all farm bill proposed by a score of liberal Democrats. It's also offered as a separate bill by Representative BREEDING, (Democrat of Kansas), with bipartisan backing.

Whatever wheat bill is reported out of House Agriculture Committee stands a 50–50 chance of passage. It will be backed by the top Democratic leadership. It would likely be vetoed because Congress won't be passing anything acceptable to Secretary Benson.

The PRESIDING OFFICER. Is there further morning business?

---

## ADDRESS BY HON. ALAN BIBLE, OF NEVADA, AT UNVEILING OF STATUE OF LATE SENATOR PAT McCARRAN

Mr. BYRD of Virginia. Mr. President, I had the great privilege of attending the ceremony held in the rotunda of the Capitol on the occasion of the unveiling of the statute of the late Senator Pat McCarran which was presented to the United States of America by the State of Nevada.

It was my good fortune to know Senator McCarran very intimately. It so happens that I am using in the Senate Chamber the desk that once was his.

As a Senator, he will always stand preeminent in the annals of the U.S. Senate. He was courageous and exceedingly able, and was dedicated to his public service.

I was profoundly touched by the remarkably able speech made by Senator ALAN BIBLE at the unveiling ceremony. This speech was of such a high standard that it deserves to be printed in the CONGRESSIONAL RECORD. I may say that I have never heard a finer speech on an occasion of this kind, or one better delivered.

I ask unanimous consent that the address be printed in the body of the RECORD as a part of my remarks.

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

ADDRESS BY SENATOR ALAN BIBLE, OF NEVADA, AT CEREMONY OF UNVEILING OF STATUE OF SENATOR McCARRAN, MARCH 23, 1960

Mr. Chairman, Mrs. McCarran and family, your Eminence, Cardinal Spellman, Dr. Harris, Senator Johnson, and Senator Dirksen, my colleagues, Senator Cannon and Representative Baring, Governor Sawyer and Lieutenant Governor Bell, and friends of Senator McCarran, today I have the high privilege and great honor of speaking for the people of the State of Nevada as we dedicate the statue they place here to the memory of our friend and benefactor, Patrick Anthony McCarran. To his thousands of friends in his beloved Nevada and throughout the country, this strong man has become a symbol of complete independence, of fierce loyalty, of unqualified devotion to this country, and of magnificent courage in the face of his convictions. Right or wrong in the minds of others, Pat McCarran walked the halls of history with head high and eyes set on the far horizon of what he believed was for the ultimate good of his people and his country.

Growing up as he did in the great outdoors of rock and hill and sagebrush, gaining an education by hitching rides on freight trains to go 14 miles up the canyon to the schools in Reno, worshiping his Irish mother and father, and reveling in their wit and willingness to work, Pat McCarran emerged from his childhood with certain attitudes indelibly written into his mind. He did not lose these convictions through the years when he studied for the law by reading Blackstone aloud to the sheep that he herded, out on the sandy hills of the Truckee River canyon. With the completely private attention of the grazing animals, he practiced public speaking, becoming skilled in the art of the now old-fashioned orator. When he later raised his voice to a shout, and gestured vigorously in the ardor of his words, he was doing what came naturally.

He believed in freedom of expression, in every man's right to fight for his convictions, and in his personal responsibility to live up to the oath of office he took when he came to the Senate in 1933. No one ever took more seriously the words of that oath: "To support and defend the Constitution of the United States against all enemies, foreign and domestic; to bear true faith and allegiance to the same; to take this obligation freely, without any mental reservation or purpose of evasion; and to faithfully discharge the duties of his office."

Every man, individually and in the solitude of his own thinking, must interpret those words and live up to his oath of office. Each of us must be, and strive to be, true to the truth that is in us. It is no criticism of Nevada's fiery Senator, that from 1933 to his death in 1954, he gave no quarter to any man who seemed to deviate from the rigid measuring rod that he applied as a standard for judging loyalty to that oath of office. He believed in the Constitution of the United States to the last comma, and he knew it word for word, sentence by sentence, article by article. In 1937, speaking in Philadelphia, Pat McCarran summed up his complete dedication to our constitutional form of government, born in that very city 150 years before, when he said, "The law is not the people. The people is not the law. The law is the spirit of justice governing the people, and its application to individuals, to associations, to every form of civil life must

be so hedged around with reverence and security that the civil courts, established by and with the consent of the Constitution may, in an hour of popular passion, protect all the people from the tyranny of what might be a lawless majority."

It is exceedingly fitting that the great fighter from the Far West should stand here in the Halls of the Congress of the United States clothed in the judicial robes he wore as justice and, for 2 years, chief justice of the Nevada Supreme Court. There he wrote decisions which have stood the test of time, on subjects he explored to their depth because they particularly affected the great western section of this land where he was born.

In 1938, Senator McCarran found himself prominently named on two lists. He was proud of being listed on the so-called roll of honor of those who fought to prevent the Supreme Court packing bill from being passed; and, as a result, he found himself on the administration's purge list. He was reelected overwhelmingly. Nevadans evidently agreed with his thinking that, as he expressed it, "That the courts permitted by the Constitution should be independent of the will or dictate or dominance of any other authority, is the spirit of the organic law."

Nevada's great champion served in the U.S. Senate during two decades of decision. Labor never forgot the vigorous and outspoken support of their early programs. The country's mining industry saw in him one who knew their problems, appreciated their importance, and did such things as holding the floor alone for many hours to defeat an attempt to repeal the Silver Purchase Act and let the price of silver fall below the cost of production. Farmers also knew he believed in their importance in the economic pattern for a strong America. Veterans had his open and persistent support, and with equal fervor, he picked up the cause of the civilian war worker, whom he called the man behind the man behind the gun.

Prophetically, he searched into the vast tomorrows to choose the course he took today. In 1947, for example, he fervently championed the cause of small business. Speaking before the Senate, he proclaimed that "The soul of the individual is being smothered in the struggle of the giants. But these things are well known. Indeed, they are so well known that we are in danger of accepting them as commonplace and inevitable."

I was privileged to travel with him many, many miles, over the desert roads of our native State, in campaign time and out of campaign time. I often heard him use the lines of Oliver Goldsmith from the "Deserted Village." It seems to me that these lines, which he gave so often, typified his philosophy.

"Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and men decay;
Princes and Lords may flourish or may fade;
A breath can make them, as a breath has made;
But a bold peasantry, their country's pride,
When once destroyed, can never be supplied."

The year 1940 saw the shadow of a great war. Prior to Pearl Harbor, on September 4, 1941, Pat McCarran started his great campaign against those who "have avowedly come here for the purpose of destroying this country. If we espouse the principles of the Constitution of the United States, we will not lend support to those who would destroy this Government." He went further, and it is prophetic that he said in the same speech to the Senate, on the debate to extend lend-lease agreements with Russia: "I despise Hitler and all he stands for, and equally I despise Stalin and all he stands for. I want those two dogs to come together and destroy each other. It would be well for democracy. But I would not lend a word to either one of them because neither is a friend of this country. If Stalin succeeds, then God help democracy, and God help Christianity."

When war was declared on December 7, 1941, Senator McCarran emphatically said that "the American people would have gone to any honorable end to avoid war; but, while we love and crave peace for ourselves and all the peoples of the world, we will not retreat when unprovoked and uninvited attack is forced upon us. A united people will teach a lesson to all aggressors everywhere and remind them that decency still prevails among honorable men."

Senator McCarran left many legislative monuments as a result of his 21 years in the U.S. Senate.

The presence of so many men in this audience who are prominent in the aviation world is a tribute to the work of the man from the sagebrush, in the great field of civil aviation. He always had great pride in his authorship of the Civil Aeronautics Act of 1938.

With his indefatigable will to work, he also initiated much constructive legislation which was all but forgotten in the turmoil of the conflicts of the closing years of his service. Those who had praised him for the Administrative Procedures Act, designed to protect the rights of individuals against "bureaucratic dictatorship," as he called it, joined the chorus of criticism when he was portrayed as one who would admit no displaced persons to the United States. The fact that he was demanding careful screening and strong safeguards to assure that those who came in would not be those intent upon destruction of the land to which they came, was lost in the welter of controversy. When later, as chairman of the Senate Judiciary Committee, it became his responsibility to codify the mass of immigration laws as amended through many decades, he was branded as anti-Jewish, anti-Catholic, anti-Italian, and even anti-Irish. One cannot measure the heartaches suffered during these years by the Senator, his family, his staff, his friends. Few understood his deep fear of "conquest by immigration;" and hateful pressures simply bolstered his determination to carry out the principles in which he heartily believed. Throughout all, Pat McCarran stayed in character—fearless, convinced of the right of his course, and, therefore, immovable.

His analytic power was great. How right he was when he said, "Communism is the biggest booby-trap in human history. You can drift into it if you refuse to think, if you are too lazy to take action to avoid it, if you shut your eyes to realities, if you give ear to the voices that are constantly trying to create and foster dissatisfaction and prejudice, hatred, unrest, and uncertainty." Man of action that he had always been, Pat McCarran determined to awaken the people of the country to the potential threat of subversives—of those men and women, within our own shores, not just having ideas, but actually working to commit those acts which would eventually undermine or overthrow the Government of the United States.

Creation of the Internal Security Subcommittee, and passage of the Internal Security Act of 1950, did serve the purpose he had in mind, which was to keep the people of this country from accepting the spread of communism as "commonplace and inevitable." It also served to bring to this rugged man of the West, now 75 years of age, great physical and emotional strain. In spite of this, the speed with which Senator McCarran traveled the long marble halls of Congress, brought to mind the fact that he had held the record for the hundred-yard dash for more than 20 years.

It is a great source of comfort to those of us who counted this man as our friend, to look back upon August and September of 1953. It was a double golden anniversary for the silver-haired Senator.

Fifty years earlier he had first served in the State Legislature of Nevada, beginning a long career of public service. That same year, he married Harriet Weeks, of Clover Valley, Nev., whom he had courted while they attended the university. Five children were born to them, three of whom are here today. In addition, it was his birthday, on August 8.

I shall never forget, Mrs. McCarran, that night at the fairgrounds in Reno when you and your husband were honored in a ceremony which certainly reflected the great devotion and admiration of the people of our State toward you. Among the plaudits of leaders of American Government and industry where the earnest expressions of appreciation from your friends representing every county in the State. That night, Pat McCarran did one of the most eloquent and beautiful things I have ever seen anywhere—one which typified the real person he was. When called upon to respond, the Nevada Senator walked up to the stage, greeted the audience, turned to his wife sitting in the spotlight there before him, and recited, in its lovely entirety, James Whitcomb Riley's "Old Sweetheart of Mine."

I know in this audience today are those of you who knew this man and loved him. Many of us owe much to him, for what he did for us. Some present today actually listened as he made the statements I have quoted, and you will agree they contain no doubletalk, and no straddling of any fence.

Pat McCarran lived and died as a man of the mountains, built of rock and hardened by the desert winds. Life was never dull to him. But he was gentle, too; and, as the years pass by, I think we will remember him most for the quick smile, the hearty laugh, the great feelings this man had within his heart for his people and his country.

This statue, which our State today presents to the United States, has been formed with careful and skillful hands. Cast in bronze, and built to stand throughout the years, it well can be a symbol of one who lived with unflinching courage, with high patriotism, with uncompromising standards, and with gentleness and kindness clothed in the dignity of statesmanship.

Any life is temporary; but from the mold we build by our way of life, finally emerges whatever pattern there can be for the casting of the soul. From the life of Pat McCarran has come this fine bronze statue, made possible by his beloved State of Nevada and his countless friends. It has been made forever lasting by the hot flame of the molten steel which casts the mold, strangely symbolic of his own way of living.

I am proud to dedicate this statue to the memory of our friend, Patrick Anthony McCarran, whom this country will not soon forget.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## CALL OF THE CALENDAR—ORDER OF BUSINESS

The PRESIDING OFFICER. In accordance with the unanimous consent agreement entered on last Thursday, he call of the calendar will take place at this time, starting at the beginning of the calendar.

Mr. JOHNSON of Texas. Mr. President, I desire to inform the Senate that any bills objected to on the call of the calendar may be called up on motion at the conclusion of the call. I make specific reference to Calendar No. 1060, H.R. 7456, to extend for 3 years the suspension of duty on imports of casein, and Calendar No. 1199, S. 2669, to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted small vessels carrying freight to and from places in the inland waters of southeastern Alaska.

Mr. SALTONSTALL. Mr. President, does the majority leader mean by that statement that the consideration of the Department of Commerce appropriation bill will not be resumed today?

Mr. JOHNSON of Texas. No; I did not say anything like that. I said that the two bills to which I referred would be taken up on motion following the call of the calendar. That is a practice which is normally followed. The Department of Commerce appropriation bill will come up after the action on those bills has been completed.

It is hoped that the Department of the Interior appropriation bill can be taken up tomorrow. I inquire of the Chair if the bill has been reported; if so, when; and when will it be eligible for consideration under the rule?

The PRESIDING OFFICER. The Department of the Interior appropriation bill was reported on Friday. It will be eligible for consideration tomorrow, if the hearings and reports are printed.

The clerk will state the first order of business on the calendar.

## BILLS PASSED OVER

The bill (S. 1075) to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior was announced as first in order.

Mr. ENGLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 91) to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the operations of such act, and for other purposes, was announced as next in order.

Mr. BARTLETT. Mr. President, I ask that that bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

Let the Chair inquire of the Senator from California and also of the Senator from New York, in order to expedite the call of the calendar, if there are any bills between Calendar No. 133 and Calendar No. 1053 which the Senator may not ask to have go over.

Mr. KEATING. The answer is, Mr. President, that there are.

Mr. ENGLE. Mr. President, I ask that the bills between Calendar No. 133, S. 91, and Calendar No. 331, H.R. 5140, inclusive, go over; and beginning with Calendar No. 397——

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. FREAR in the chair). The Senator from Oregon will state it.

Mr. MORSE. What is now being proposed as the procedure in connection with the handling of the calendar is that we give a bloc or blanket objection. Is that correct?

The PRESIDING OFFICER. If there is objection, the regular procedure will be followed. The Chair was only trying to expedite the calling of the calendar, by having the Senate proceed next to Calendar No. 1045, rather than to have the clerks call individually all the preceding measures on the calendar, to which it is understood objection will be made.

Mr. MORSE. Mr. President, I believe that would be a most unfortunate precedent. When the calendar is called, I think any Senator should be in a position to request an explanation of a measure, for the RECORD, for future reference, and the withholding of objection until that is done, so that explanations may be made in some instances. It does not take much time to proceed with the calendar call in the regular way.

Therefore, I object to the proposal now made.

The PRESIDING OFFICER. Objection is heard; and the next measure on the calendar will be stated.

## BILLS AND OTHER MEASURES PASSED OVER

The resolution (S. Res. 131) referring Senate bill 882, for the relief of the heirs of J. B. White, to the Court of Claims, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 1617) to provide for the adjustment of the legislative jurisdiction exercised by the United States used for Federal purposes, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1851) for the establishment of a Commission on a Department of Science and Technology was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1789) to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MAGNUSON subsequently said: Mr. President, I should like to ask a question of the Senator from California. The Senator from Kansas and I are quite interested in this matter. Let me ask the Senator from California what the objection is, or whether the bill can be placed at the foot of the calendar. The bill relates to freight car shortages.

Mr. ENGLE. Mr. President, I may inform the distinguished chairman of the committee that there are several objections to this particular measure, and those objections have been registered with the official objectors. Personally, I have no objection.

Mr. MAGNUSON. I know that.

Mr. ENGLE. But in making the objection, I am doing so at the request of several Senators.

Mr. MAGNUSON. I thank the Senator from California.

The bill (S. 2308) to validate certain extended oil and gas leases was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1711) to promote the foreign policy of the United States by the more effective use of U.S. agricultural commodities for the relief of human beings and for promoting economic and social development in less developed countries was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2522) to provide for the enrichment and sanitary packaging of certain donated commodities and to establish experimental food stamp allotment programs was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1734) to amend section 409(c) of the Communications Act of 1934 with respect to presentations in any case of adjudication which has been designated for a hearing by the Federal Communications Commission was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2086) to provide for the establishment of a National Wildlife Disease Laboratory was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

## TRANSFER AND EXCHANGE OF CERTAIN LANDS TO MASSACHUSETTS PORT AUTHORITY—BILL PLACED AT FOOT OF CALENDAR

The bill (H.R. 5888) to authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority certain lands in South Boston, Mass., in exchange for other lands was announced as next in order.

Mr. ENGLE. Over, Mr. President.

Mr. MORSE. Mr. President, will the Senator from California withhold his objection, so that a brief statement in regard to the bill may be made?

Mr. ENGLE. Mr. President, I shall be glad to do so.

Mr. MORSE. Mr. President, this is the Massachusetts Port Authority bill again. I ask unanimous consent that there be printed in the RECORD the same argument in support of the Morse amendment to the bill that I previously made in the Senate; and I also ask unanimous consent that my amendment may be printed in the RECORD.

Mr. President, I have requested that those two insertions be made in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. SALTONSTALL. Mr. President, reserving the right to object, let me say that I could not hear what the Senator from Oregon requested.

Mr. MORSE. I am requesting that there be printed at this point in the RECORD the same argument I previously made in opposition to the bill, when it previously was before the Senate; and I have also requested that my amendment to the bill be printed at this point in the RECORD, before I make a very brief comment on this bill at this time.

The PRESIDING OFFICER. Is the Senator from Oregon offering the amendment, or does he simply wish to have the amendment printed?

Mr. MORSE. The amendment has already been printed. I shall ask the Senate to act on the amendment when the bill is really being considered by the Senate. However, I understand there is objection to having the bill considered at this time, during the call of the calendar, and that the bill will not be considered by the Senate today. As a result, I see no purpose in calling up the amendment until the bill is actually under consideration by the Senate.

Mr. ENGLE. Mr. President, I have asked that the bill go over.

Mr. SALTONSTALL. Mr. President, do I correctly understand from the Senator from California that there is some other objection to the present consideration of the bill, in addition to the objection by the Senator from Oregon?

Mr. MORSE. Mr. President, if the only objection is mine, let me state that I am perfectly willing to have the bill considered by the Senate at this time. I filed the objection because I did not know whether I would be able to leave the Foreign Relations Committee and reach the floor of the Senate during the call of the calendar today. However, under the circumstances I have no objection to having the bill considered at this time.

Mr. SALTONSTALL. Mr. President, if the Senator from Oregon will consent to have the bill go to the foot of the calendar, that will give me time to get all my data on the bill from my office. I do not have them here now, because I did not know the Senator from Oregon would discuss the bill at this time.

Mr. MORSE. That will be perfectly agreeable.

Mr. President, I ask unanimous consent that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Is there objection? Without objection, the bill will be placed at the foot of the calendar.

## BILLS AND OTHER MEASURES PASSED OVER

The bill (S. 883) to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2402) to clarify the authority of the Postmaster General to provide for the expeditious, efficient, and economical transportation of mail, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 174) to discharge the Committee on the Judiciary from the further consideration of Senate bill 2391 to extend the Commission on Civil Rights and to provide further means for securing and protecting the right to vote was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 169) concerning the desirability of holding an international exposition in the United States was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 910) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2168) to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

Mr. MORSE. Mr. President, will the Senator from California withhold the objection for a moment?

Mr. ENGLE. I am delighted to do so.

Mr. MORSE. Has the Senator from California made the objection because of the objection of the Senator from Oregon?

Mr. ENGLE. The objection to the consideration at this time of Calendar 924 was a policy committee objection.

Mr. MORSE. Very well.

Mr. President, if the Senator from California will permit me to add a word or two, let me say that I am perfectly willing to have the Missouri bill considered whenever the Senate wishes to take it up. At that time I wish to offer my amendment to it.

The PRESIDING OFFICER. Objection has been heard, and the bill will be passed over.

## BRIDGES OVER FEDERAL DAMS—BILL INDEFINITELY POSTPONED

The bill (S. 793) to amend title 23 of the United States Code, in order to increase the amount authorized for bridges over Federal dams, was announced as next in order.

Mr. ENGLE. Mr. President, the purpose of this bill is to amend title 23 of the United States Code, in order to increase the amount authorized for bridges over Federal dams. The bill was reported by the Committee on Public Works on September 5, 1959.

When the Federal-Aid Highway Act of 1959, H.R. 8678, was on the Senate floor, an amendment similar to Senate bill 793 was proposed by the Senator from Tennessee [Mr. KEFAUVER] and was accepted by the Senate. That amendment became section 108 of Public Law 342, 86th Congress.

Since the provisions of Senate bill 793 were enacted into law, there appears to be no reason to retain the bill on the Senate Calendar; and I ask unanimous consent that the Senate bill 793 be indefinitely postponed.

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

## AMENDMENT OF COMMUNICATIONS ACT OF 1934—BILL PASSED OVER

The bill (S. 2653) to amend the Communications act of 1934, to establish jurisdiction in the Federal Communications Commission over community antenna systems, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

Mr. MAGNUSON. Mr. President, let me inquire of the Senator from California whether the objection which has been listed with the policy committee came from the distinguished senior Senator from Arkansas [Mr. FULBRIGHT].

Mr. ENGLE. We have received both that objection and others.

Mr. MAGNUSON. There are other objections, in addition to his?

Mr. ENGLE. Yes; and I may add that the bill has not been cleared by the policy committee.

Mr. MAGNUSON. I understood all of us had come to an agreement on the bill, and that there would be no objection. That is why I have made this inquiry. So far as I know, we have complete agreement on the bill.

Mr. ENGLE. I have no personal objection.

Mr. MAGNUSON. I understand.

Mr. ENGLE. The objection I have registered has been registered on behalf of other Senators.

Mr. MAGNUSON. I understand.

The PRESIDING OFFICER. Objection has been heard, and the bill will be passed over.

## BILL PASSED OVER

The bill (S. 1447) to amend section 161, title 35, United States Code, with respect to patents for plants, was announced as next in order.

Mr. KEATING. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

## AMENDMENT OF FEDERAL COAL MINE SAFETY ACT—BILL PASSED OVER

The bill (S. 743) to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE. Mr. President, will the Senator from California withhold his objection for just a moment?

Mr. ENGLE. Very well.

Mr. MORSE. I wish to make a brief comment on Senate bill 743, which deals with the whole matter of mine safety.

I think all of us have been shocked by the recent disasters in the mines. I hope this particular bill can be brought up on motion, if it cannot be considered during the call of the unanimous-consent calendar. I hope the bill will be brought up at an early date. It comes from a committee of which I am a member.

The bill has had very thorough consideration, now, for some 2 years; and I believe the time has come for the Congress to take some action by way of legislation, in the interest of protecting the safety of the miners of the country.

The PRESIDING OFFICER. Objection has been heard, and the bill has been passed over.

## BILLS PASSED OVER

The bill (S. 609) for the relief of the estate of Gregory J. Kessenvich was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2673) to provide for the appointment of additional circuit and district judges, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

## ESTATE OF ELIZABETH J. ANTHONY

The resolution (S. Res. 215) to pay a gratuity of Joseph T. Stratton as executor of the estate of Elizabeth J. Anthony was considered and agreed to, as follows:

*Resolved,* That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Joseph H. Stratton, as executor of the estate of Elizabeth J. Anthony, an employee of the Senate at the time of her death, a sum equal to eight months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

## MARY G. HOSEY

The resolution (S. Res. 214) to pay a gratuity to Mary G. Hosey was considered and agreed to, as follows:

*Resolved,* That the Secretary of the Senate is hereby authorized and directed to pay, from the contingent fund of the Senate, to Mary G. Hosey, widow of Henry F. Hosey, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

## SELMA N. PUCKETT

The resolution (S. Res. 216) to pay a gratuity to Selma N. Puckett was considered and agreed to, as follows:

*Resolved,* That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Selma N. Puckett, widow of Leslie C. Puckett, widow of Leslie C. Puckett, an employee of the Senate at the time of his death, a sum equal to two months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

## EVELYN CLARK

The resolution (S. Res. 217) to pay a gratuity to Evelyn Clark was considered and agreed to, as follows:

*Resolved,* That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Evelyn Clark, widow of Malichia Clark, an employee of the office of the Architect of the Capitol at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

## AMENDMENT OF ACT RELATING TO THE COMMISSION OF FINE ARTS

The bill (S. 2778) to amend the act relating to the Commission of Fine Arts was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Act entitled "An Act Establishing a Commission of Fine Arts," as amended (40 U.S.C. 106), is amended to read as follows:

"SEC. 2. That to meet the expenses made necessary by this Act an expenditure of not exceeding $100,000 a year is hereby authorized."

## AMENDMENT OF TARIFF ACT OF 1930

The bill (H.R. 5887) to amend the Tariff Act of 1930 to place ground, powdered, or granulated seaweeds on the free list was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that a brief explanation of the bill be printed in the RECORD at this point.

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

This bill would put all ground, granulated, or powdered seaweeds on the free list. At the present time crude or unmanufactured seaweeds are free of duty and kelp, a form of seaweed, is free of duty also when ground, granulated, or powdered.

H.R. 5887 would put all ground, granulated or powdered seaweed in the same category as kelp. At the present time the duty is 5 percent. The uses are much the same, namely as a jelling, thickening agent in certain prepared foods and extracts, and is considered a raw material in those uses.

Seaweeds manufactured beyond grinding would not be affected by the bill.

The Finance Committee found no opposition to the adoption of the bill. The Departments of State, Treasury, Commerce, and Labor reported favorably on the bill.

## BILLS PASSED OVER

The bill (H.R. 6132) relating to the rate of tax on the issuance of shares or certificates of stock by regulated investment companies, was announced as next in order.

Mr. PROUTY. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 7456) to extend for 3 years the suspension of duty on imports of casein, was announced as next in order.

Mr. ENGLE. Over by request, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that an analysis of the bill be printed in the RECORD.

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

Casein has been imported free of duty since September 3, 1957. This bill would continue this free importation until the close of March 31, 1963.

There are really two types of casein—that which is edible and that which is not considered edible and is used for other purposes such as coating paper, glues, adhesives, and so forth. Very little domestically produced casein is used for nonedible purposes, whereas practically all of the imports are nonedible. The two are not considered closely competitive. Since 1952 most domestic skim milk has gone into products other than casein.

Favorable reports were received from the Departments of Agriculture, Labor, and Commerce. The Labor Department stated "The Department is not aware of any unfavorable developments resulting from the free importation of casein." The Department of Agriculture stated that the free importation since 1957 had afforded an adequate testing period and they, too, found no unfavorable developments.

## EXCLUSION FROM GROSS INCOME OF CERTAIN NONRESIDENT ALIEN EMPLOYEES

The Senate proceeded to consider the bill (H.R. 135) to amend the Internal Revenue Code of 1954 to exclude from

gross income amounts paid by the United States to certain nonresident alien employees or their beneficiaries, which had been reported from the Committee on Finance with an amendment on page 3, line 4, after the numerals "31", to strike out "1958" and insert "1959."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a brief explanation of the bill.

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

A nonresident alien working for an American Embassy or other Government agency abroad presently is not subject to U.S. tax on the salary paid him by the United States since this is income from sources without the United States. In the case of a U.S. civil service retirement pension, the amounts set aside by the Government for the future retirement of a nonresident alien working abroad also are free of tax since if these amounts were paid to him directly they would not be subject to tax. However, to the extent the annuity represents earnings on the amount set aside by the Government, a tax is due on the payments because this is considered as investment income from sources within the United States. On this portion of the annuity payments a 30-percent withholding tax generally is applicable.

The Department of State has indicated that nonresident alien employees consider their pensions to be deferred compensation, and since their earned income is tax free, they expect their pensions also to be tax free. Your committee has also been informed that the imposition of this tax upon the retirement benefits of nonresident aliens has caused severe hardships and has engendered resentment against the United States because of its failure to comply with what is assumed to be its contractual obligation to pay retired alien employees a pension consisting of a specified sum of money.

H.R. 135 provides that amounts paid to a nonresident alien individual by the United States in respect of services performed by an employee of the United States are not to be taxable to him to the extent they are attributable to basic U.S. salary derived from sources without the United States. This will mean that for the typical nonresident alien who has worked for the United States only abroad, no U.S. tax will be payable with respect to his pension.

This provision as amended by your committee is effective for taxable years beginning on or after January 1, 1960.

Both the Treasury Department and the Civil Service Commission favor enactment of this bill.

---

## AMENDMENT OF INTERNAL REVENUE CODE OF 1954

The bill (H.R. 4586) to amend section 4021 of the Internal Revenue Code of 1954 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is asked for.

Mr. BYRD of Virginia. Mr. President, the bill relates to the product sold under the trade name of "Sen Sen."

So far as is known, the product sold under the trade name of Sen Sen is the only aromatic cachou on the market today. Other products which are used for similar purposes, such as mouthwashes, mints, chewing gum, and so forth, are not taxed because they do not fall within the categories of taxable products listed in the law. Thus, the tax on aromatic cachous places them at a competitive disadvantage with nontaxed articles purchased for similar use.

Another reason for not subjecting aromatic cachous to the tax is the fact that they are usually sold at candy stores, confectioneries, and other shops which do not handle other articles subject to the toilet preparations tax. As a result, the proprietors of these stores are burdened with the requirement of collecting and remitting negligible amounts of tax. This fact has in many cases discouraged proprietors from handling the product.

The Treasury Department believes that it would be reasonable to consider this exemption if it can be so considered in isolation to any other tax reductions.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

---

## EXEMPTION FROM TAXATION OF CERTAIN NONPROFIT CORPORATIONS OR ASSOCIATIONS

The bill (H.R. 6155) to amend the Internal Revenue Code of 1954 to exempt from taxation certain nonprofit corporations or associations organized after August 31, 1951, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I ask for an explanation of the bill.

Mr. BYRD of Virginia. Mr. President, under existing law an exemption from income tax is provided for nonprofit, mutual organizations having no capital stock, which are organized before September 1, 1951, and which are operated for the purpose of providing reserve funds for, and insurance of, shares or deposits in domestic building and loan associations, cooperative banks, or mutual savings banks. H.R. 6155 would extend this exemption to similar corporations or associations organized before September 1, 1957. The amendment would apply to taxable years beginning after December 31, 1959.

There are four such organizations now in existence: Two in Massachusetts, one in Connecticut, and one in Ohio. All of these are nonprofit, mutual deposit guarantee organizations without capital stock organized for the benefit of a group of mutual savings banks or for a group of building and loan associations. These guarantee organizations provide two services for their member banks. First, they provide a deposit insurance fund to aid their members in financial difficulty and in final extremities to pay off the depositors in full if a member bank is liquidated. Second, they also maintain a liquidity fund—which may or may not be a fund separate from the deposit insurance fund—to make loans to member banks which are basically sound but short of liquid assets.

As is indicated by the above description these guarantee organizations, although operating somewhat differently from the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation, provide essentially the same services for their members. The FDIC and FSLIC are Federal corporations and exempt from income tax on their investment earnings. Three of the four private organizations providing essentially the same services for their members also are exempt because they were organized before September 1, 1951, the approximate time when the exemption for these organizations was added to the law. The fourth of these guarantee associations, although performing the same services, was organized on December 6, 1956, under an Ohio statute which became effective on October 12, 1955, and is, therefore, currently denied this exemption.

H.R. 6155 corrects this discrimination by moving forward from September 1, 1951, to September 1, 1957, the date before which these guarantee funds must have been organized in order to obtain income tax exemption.

Mr. MORSE. Mr. President, I am not a member of the committee, and I did not have an opportunity to study this bill or consider it until I listened to the explanation of the Senator from Virginia.

I judge that the question I am now going to put to the Senator deserves an answer "No," but, in order to make a record, I should like to ask it.

As the Senator from Virginia knows, there is growing concern in our country among many about the rapid increase of so-called charitable trusts and the resulting tax problems they create. There are many who believe that we need to review very carefully the charitable trust institution as a device for evading taxes which really ought to be paid by organizations that are, in effect, carrying on private industry enterprises and are using the charitable trust as a way of escaping taxes and putting themselves at a competitive advantage over other private entrepreneurs.

Can the Senator from Virginia assure me that if I vote for this bill I could not, by any stretch of the imagination, be voting for something that could create a precedent which would weaken a subsequent effort for the elimination of tax exemption for many charitable trusts?

Mr. BYRD of Virginia. I can give the Senator that assurance. I share his concern over that entire question. This bill relates to only one company, which was organized in Ohio, and was taxed when other companies were not taxed. It has nothing whatever to do with charitable trusts.

Mr. MORSE. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment in line 8, after the numerals "31", to strike out "1958" and insert "1959."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## AUGUSTA FURNITURE CO., INC., OF STAUNTON, VA.

The bill (S. 2779) relating to the election under section 1372 of the Internal Revenue Code of 1954 by the Augusta Furniture Co., Inc., of Staunton, Va., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point an explanation of the bill.

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

S. 2779 would provide that the election under the provisions of section 1372 of the Internal Revenue Code of 1954 made by the Augusta Furniture Co., Inc., of Staunton, Va., and mailed to the District Director of Internal Revenue, Richmond, Va., on December 2, 1958, shall be deemed to have been filed with such District Director on December 1, 1958.

Subchapter S of the Internal Revenue Code, enacted into Public Law 85-866 on September 2, 1958, contains a provision permitting certain corporations to elect not to be subject to the corporate tax, but instead to have their income taxed directly to their shareholders. In addition, the net operating losses of the corporation are passed through directly to the shareholders. The provisions of subchapter S are available only if the election is filed within the required time period. In the case of any small business corporation having a taxable year beginning after December 31, 1957, and on or before the date of enactment of subchapter S (i.e., September 2, 1958) and which ends after such date, the election was required to be filed within the 90-day period beginning on the day after such date of enactment. This 90-day period expired on December 1, 1958.

Mr. S. W. Sterrett, vice president of the Augusta Furniture Co., Inc., of Staunton, Va., advises that he called the Staunton, Va., office of the Internal Revenue Service and was told that the deadline for filing the election was December 2, 1958, and that any election postmarked that date was in order. (Under sec. 7502 of the 1954 code, a document, other than a tax return, is generally considered to be filed on time if it is mailed and postmarked on or before the date prescribed for filing.) Stockholders of the Augusta Furniture Co., meeting on December 1, 1958, signed forms, and on December 2, 1958, mailed the election to the Internal Revenue Service at Richmond, Va. Subsequently the company was informed by the Richmond office of the Internal Revenue Service that it was 1 day too late, as the deadline for filing the election was December 1, 1958, and that its papers were postmarked December 2, 1958. Mr. Sterrett advises that the error will cost the Augusta Furniture Co. $6,700.

Although the Commissioner of Internal Revenue is authorized by section 6081(a) of the code to grant extensions of time for the filing of certain documents which a taxpayer is required to file, that authority does not apply in the case of an election permitted under the code which specifies the filing date. There is no authority under existing law under which the late election of the Augusta Furniture Co. could be treated as having been timely filed.

As a precedent to enactment of this bill, I respectfully refer you to Private Law 363 (82d Cong.) and Private Law 663 (84th Cong.), both of which involved late elections.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2779) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the election under the provisions of section 1372 of the Internal Revenue Code of 1954 made by the Augusta Furniture Company, Incorporated, of Staunton, Virginia, and mailed to the District Director of Internal Revenue, Richmond, Virginia, on December 2, 1958, shall be deemed to have been filed with such District Director on December 1, 1958.

## TREATMENT OF COPYRIGHT ROYALTIES

The bill (H.R. 7588) to amend the Internal Revenue Code of 1954 with respect to the treatment of copyright royalties for the purposes of the personal holding company tax was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that a brief explanation of the bill be printed in the RECORD at this point.

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

The personal holding company tax was developed as a device to prevent the avoidance of the individual income tax by the formation of incorporated pocketbooks for the receipt of certain investment income by a single or relatively small group of individuals. From time to time in the past, Congress has found it necessary to exempt from the personal holding company tax, legitimate types of operating income. H.R. 7588 is a new instance wherein operating income is being subjected to the threat of the personal income holding company tax through changes in business circumstances. The music publishing industry once found its principal market in the sale of sheet music, even though they received some royalty income from music. Recent developments, however, have tended to shift the major sources of music publishing income from the sale of sheet music to royalty income, largely as a result of the fact that radio, television, motion pictures, and the expansion of the use of phonograph records have increased royalty income at the same time when sales of sheet music are correspondingly declining.

The pending bill meets this situation by excluding copyright royalties from the definition of personal holding company if the following conditions are met:

1. More than 50 percent of their gross income is from copyright royalties;

2. Business expense deductions are equal to at least 50 percent of gross income; and

3. They do not have more than 10 percent other personal holding company income.

Your committee has added an amendment to make it clear that copyright royalties do not include income from the leasing of motion picture films which have been held under existing law to be rents and not royalties.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, Senate proceeded to consider the bill (H.R. 7588), which had been reported from the Committee on Finance with amendments, on page 3, line 16, after "section 544.", to insert "This paragraph shall not apply to compensation which is rent within the meaning of paragraph (7), determined without regard to the requirement that rents constitute 50 percent or more of the gross income"; and on page 5, line 22, after "December 31", to strike out "1958" and insert "1959."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## TRANSITIONAL PROVISIONS FOR INCOME TAX TREATMENT—BILL PASSED OVER

The bill (H.R. 8684) to provide transitional provisions for the income tax treatment of dealer reserve income was announced as next in order.

Mr. PROUTY. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Mr. BYRD of Virginia. I ask unanimous consent that a statement as to two amendments I desire to offer to the bill be printed in the RECORD.

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

STATEMENT BY MR. BYRD OF VIRGINIA

I am sending to the desk two amendments which I ask to be read.

The first of these two amendments simply moves up from July 1, 1960, to September 1, 1960, the date by which taxpayers must elect to have the provisions of the bill apply. This change is made necessary by the elapse of time since the bill was reported by the Finance Committee.

The second amendment makes technical and clarifying changes in the provisions of the committee amendment beginning on line 23 of page 11 of the bill relating to the application of the statutes of limitations on making assessments or refunds for the taxable years to which an election by a a taxpayer under the bill applies. The purpose of the amendment is to make it clear that an election will not apply to a taxable year which has been closed by a closing agreement or compromise after June 21, 1959, even though the taxable year was open on that date.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, I wish to make a suggestion. I note that the Senator from Virginia, as usual, is ably prepared with explanations of these bills. I think it would be very helpful if we had an understanding that, even though one of the committee bills goes over, if the Senator has a prepared typed explanation of the bill, it can be printed in the RECORD, so that when we study

the RECORD tomorrow, we will have the explanation before us. All we are doing is paving the way for future calendar discussion. If the Senator has the explanations typed, I think they ought to be printed in the RECORD in each instance.

Mr. BYRD of Virginia. Mr. President, I thank the Senator from Oregon.

The PRESIDING OFFICER. The Chair will inquire if the Senator from Virginia expects the bill to be taken up for consideration at the foot of the calendar.

Mr. BYRD of Virginia. I do not think so.

The PRESIDING OFFICER. The Chair will inquire of the majority leader if he expects to make a motion that the bill be considered.

Mr. JOHNSON of Texas. Mr. President, I will say to the Presiding Officer that I do not have any position in that regard.

The PRESIDING OFFICER. The clerk will continue the call of the calendar.

Mr. ANDERSON. Mr. President, I express the hope that the majority leader will confer with the minority leader and will make a motion that the Senate proceed to consider Calendar No. 1073, H.R. 8684, to which there has been objection. Actually, the Committee on Finance spent a lot of time on the bill. All sorts of formulas were brought before the committee. After an enormous amount of work, the bill is before the Senate. The bill would merely allow a small automobile dealer to be relieved from paying taxes on his profits until he got the profits.

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

Mr. ANDERSON. I am happy to yield.

Mr. KEATING. I join in expressing the hope that the distinguished majority leader will soon make a motion that the bill be considered. I have had a good deal of interest in the bill indicated to me. I should like to see action on it.

Mr. ANDERSON. I hope that may happen.

Mr. BYRD of Virginia. Mr. President, I join in that request.

Mr. ANDERSON. Mr. President, the able chairman of the Committee on Finance, the able Senator from Virginia, was as careful as a man could be in the handling of the bill. We tried to find some possible loophole. So far as the Secretary of the Treasury is concerned, he has approved it, I believe. The bill merely would provide that the dealer would not have to pay taxes on profits until he got the profits.

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

Mr. ANDERSON. I am happy to yield.

Mr. PROUTY. It is my understanding that the bill involves a revenue impact of something in the vicinity of $80 million. We merely felt it was not properly calendar business.

Mr. ANDERSON. Mr. President, this bill is very fair. What the bill would do, perhaps, is to delay the payment of taxes until the dealer gets his profits. By the same token, we could say that a man ought to pay in advance on everything he expects to make in 1960, and not wait until 1960 is over to see how he comes out.

Mr. PROUTY. I feel there is merit in the proposed legislation. We simply felt it was not properly calendar business.

Mr. ANDERSON. I beg the Senators' pardon. I thought the objection was to the bill. It may not be properly calendar business. I would not argue with the Senator on that question.

I merely express the hope that the majority leader, in consultation with the minority leader, will make a motion to take the bill up for consideration, because the Committee on Finance has spent a lot of time on the bill, and it has finally reached the point where I thought it was satisfactory to all. I thank the Senator from Vermont for straightening me out.

Mr. BYRD of Virginia. Mr. President, I agree with the Senator from Vermont that the bill is not properly calendar business.

The PRESIDING OFFICER. The clerk will state the next measure on the calendar.

## TAX ON CERTAIN LAMINATED TIRES PRODUCED FROM USED TIRES

The Senate proceeded to consider the bill (H.R. 6785) to amend section 4071 of the Internal Revenue Code of 1954 so as to fix a tax of 1 cent per pound of certain laminated tires produced from used tires, which had been reported from the Committee on Finance with an amendment, on page 2, line 11, after the word "and", to strike out "(4)" and insert "(3)".

Mr. MORSE. Mr. President, may we have an explanation of this bill?

Mr. BYRD of Virginia. Mr. President, a laminated tire consists of a series of rubber pads—cut from scrap rubber tires—held together by a metal band on which the pads are threaded in a manner to form a complete circle. These tires are used for off-highway purposes where the terrain is rough or where there is the hazard of puncture in the case of pneumatic tires. They are used primarily on lifts, cranes, payloaders, weed cutters, and similar types of industrial and farm equipment.

Under present law the laminated tire, which does not go on any public roads, is subject to the tax of 5 cents a pound, Because of the very heavy weight of the laminated tires, this represents a burdensome tax, in some cases representing a burden equal to nearly 20 percent of the retail price of the tire. On the other hand, the pneumatic tires, which to some degree can serve the same purposes, because of their substantially lighter weight, pay a much smaller tax per tire. As a result, the laminated tire industry, which is both a new and a small industry, has found it difficult to develop with the present relatively heavy tax burden and competitive disadvantage.

In view of these considerations, the committee had concluded that it is appropriate to provide a lower rate of tax applicable to laminated tires. Therefore, this bill amends present law—section 4071(a)—by adding a new paragraph providing a tax of 1 cent a pound in the case of laminated tires of the type not used on highway vehicles, where these tires consist wholly of scrap rubber made from used tire casings and where there is an internal metal fastening agent. This is in lieu of the tax of 5 cents a pound to which these tires would otherwise be subject.

The amendment adopted by the Committee on Finance merely corrects a typographical error in the referred print of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## INSTITUTION OF CONTROLS OVER THE MANUFACTURE OF NARCOTIC DRUGS

The Senate proceeded to consider the bill (H.R. 529) to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institutions of controls over the manufacture of narcotic drugs, and for other purposes, which had been reported from the Committee on Finance with amendments, on page 14, after line 10, to insert:

(d) The amendment to subsection (g) of section 4731 of the Internal Revenue Code of 1954, made by subsection (b) of this section, shall not affect any proceeding commenced before such amendment, but such proceeding shall be continued to final disposition as if the amendment had not been made.

And, on page 20, at the beginning of line 6, to strike out "1960" and insert "1961."

The amendments were agreed to.

Mr. MORSE. Mr. President, may we have an explanation of the bill, as amended?

Mr. BYRD of Virginia. Mr. President, H.R. 529, a bill to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes, was reported favorably by the Committee on Finance, with two minor amendments.

The bill is designed to give full effect to treaty obligations of the United States to limit exclusively to medical and scientific purposes the manufacture of narcotic drugs and to require that such manufacture be restricted to persons and premises that have been licensed for the purpose. The present provisions for the control of the distribution and use of narcotic drugs, insofar as the Federal law is concerned, are contained in parts I and III of subchapter A of chapter 39 of the Internal Revenue Code of 1954. These provisions, generally known collectively as the Harrison Act, do not afford a basis for specific quantitative limitation of the manufacture of narcotic drugs. The bill, therefore, gives effect to the treaty obligations by pro-

viding for the licensing of qualified manufacturers of narcotic drugs, and the equitable assignment of manufacturing quotas, based upon the amount of each narcotic drug found to be necessary to supply medical and scientific needs only. Provision is made for adjustment of these quotas as may be found necessary, by increasing or decreasing medical and scientific needs, with due allowance, within the maximum total permissible quantity, for a new, qualified manufacturer, and for clinical development and subsequent manufacture of a new narcotic drug.

The bill also provides for a revision of the procedure, under section 4731(g) of the Internal Revenue Code of 1954, to cover under the Harrison Narcotic Act controls of new drugs which may be found under specified conditions to be readily capable of conversion into drugs having addiction liability, and amends section 4702(a) of the Internal Revenue Code of 1954 to allow, under certain conditions, exceptions from certain Harrison Narcotic Act provisions in favor of preparations having little or no addictive quality.

Provision is also made for the application of Federal narcotic controls over new drugs found and duly reported, under the 1948 protocol procedure, to have addiction liability similar to the narcotic drugs already subject to the Narcotic Manufacturing Limitation Convention of 1931.

A further purpose of the bill is that of amending the Narcotic Drugs Import and Export Act to bring the regulation of exports into conformity with current treaty obligations, and to permit the importation and exportation of certain narcotic drugs for scientific research purposes.

As the bill is intended generally to operate on a calendar year basis, committee amendments made the licensing requirement of section 8 effective on or before January 1, 1961, and added a saving clause as a new subsection (d) of section 4 of the bill, to validate any current proceeding commenced under the present section 4731(g) of the Internal Revenue Code of 1954, to cover a new drug under the Harrison Narcotic Act, notwithstanding the revision of said section 4731(g) of the Internal Revenue Code of 1954 made by section 4 of the bill.

I will say to the Senator from Oregon, the committee held two rather lengthy sessions on this bill, which was unanimously reported. It was recommended by the Departments concerned.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## PROPOSED ADDITIONAL BUILDING FOR THE LIBRARY OF CONGRESS

The joint resolution (S.J. Res. 97) to authorize preliminary study and review in connection with proposed additional building for the Library of Congress, was announced as next in order.

The PRESIDING OFFICER (Mr. FREAR in the chair). The Chair asks that the Committee on Public Works be discharged from the consideration of House Joint Resolution 352, which is substantially the same as Senate Joint Resolution 97, that House Joint Resolution 352 be substituted for Senate Joint Resolution 97; that House Joint Resolution 352 be amended by striking out all after the enacting clause and inserting the language of the Senate joint resolution as proposed to be amended; that the House joint resolution, as amended, be passed; and that Senate Joint Resolution 97 be indefinitely postponed.

Is there objection?

Mr. PROUTY. What are the differences?

The PRESIDING OFFICER. The Chair does not know that he is supposed to explain any differences; but the Chair is informed by the Parliamentarian that there is substantially no difference.

Is there objection to discharging the Committee on Public Works from the further consideration of House Joint Resolution 352?

The Chair hears none, and it is so ordered.

Is there objection to the present consideration of House Joint Resolution 352?

There being no objection, the Senate proceeded to consider the joint resolution (H.J. Res. 352) to authorize preliminary study and review in connection with proposed additional building for the Library of Congress.

The PRESIDING OFFICER. Is there objection to striking out all after the enacting clause and substituting the language of Senate Joint Resolution 97, as proposed to be amended by the committee?

The Chair hears none.

The question is on agreeing to the amendment.

The amendment was agreed to, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Architect of the Capitol, under the direction and supervision of the Joint Committee on the Library, is authorized and directed to prepare preliminary plans and estimates of cost for an additional building for the Library of Congress.

SEC. 2. The Architect of the Capitol is authorized, under the direction of the Joint Committee on the Library, to make such expenditures as may be necessary to carry out the provisions of this resolution, and there is hereby authorized to be appropriated for such purpose the sum of $75,000.

The amendment was ordered to be engrossed, and the joint resolution to be a read a third time.

The joint resolution was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 97 will be indefinitely postponed.

## BILL PASSED OVER

The bill (S. 1511) to provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes, was announced as next in order.

Mr. PROUTY. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

## PARTICIPATION BY THE UNITED STATES IN PARLIAMENTARY CONFERENCES WITH MEXICO

The Senate proceeded to consider the joint resolution (H.J. Res. 283) to authorize participation by the United States in parliamentary conferences with Mexico, which had been reported from the Committee on Foreign Relations with an amendment, on page 1, line 6, after the word "apply", to strike out "during the first session of the Eighty-sixth Congress or."

The amendment was agreed to.

Mr. MORSE. Mr. President, on behalf of the Foreign Relations Committee, I wish to make a brief explanation and then offer an amendment on behalf of the committee.

Mr. President, this joint resolution would provide for annual meetings between Members of the U.S. Senate and House of Representatives, on the one hand, and members of the Mexican Chamber of Deputies and Chamber of Senators, on the other.

It is modeled on the joint resolution passed last year providing for such meetings with members of the Canadian Parliament. The parliamentary conferences with Canada have been extremely successful, and there is every reason to suppose that the proposed meetings with members of the Mexican Congress will be equally beneficial. I might add that the Mexican Congress has already passed similar legislation and has appointed delegates to participate in the meetings.

As House Joint Resolution 283 came over from the House, it provided that the meetings in Mexico should be held when Congress is not in session. In the meantime, the counterpart legislation in Mexico has been passed, and it provides that all of the meetings shall be held while the Mexican Congress is not in session. The Mexican Congress normally meets from the 1st of September until the 1st of January. And of course the U.S. Congress normally meets from early January until sometime in August or September. The difficulty thus presented is readily apparent. The easiest way to remove this difficulty is to delete the requirement in House Joint Resolution 283 that meetings in Mexico be held when the U.S. Congress is not in session, and I offer an amendment to that end.

Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The amendment offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 1, line 4, after the word "annually" it is proposed to strike out through "United States" in line 7, as amended.

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

Mr. KUCHEL. Mr. President. This is an excellent moment in the history of increasing friendship with our sister Republic of Mexico. I felt honored to be a coauthor of similar legislation introduced in the Senate on this subject. If, as now may be anticipated, annual meetings of representatives of the legislative branch of our good neighbor to the south, Mexico, and representatives of the Congress of the United States, take place, I think the amity, the friendship, and the great cooperation, defensive, economic, cultural, and otherwise, between those two great Republics in this hemisphere will reach a new and greater high.

There are many problems which remain unsolved today between the people of Mexico and the people of the United States. Based, as has just been suggested, upon the pattern of similar legislation with respect to Canada, and based also on what accomplishments have come to the fore by reason of similar legislation with respect to the communities in the Atlantic Alliance, I think it can truthfully be said that this sort of legislative action indeed charts a new day in this bright era of great relations between these two sister nations in the Western Hemisphere.

The PRESIDING OFFICER. The clerk will state the next business on the calendar.

---

## INCOME TAX TREATMENT OF NONREFUNDABLE CAPITAL CONTRIBUTIONS—BILL PASSED OVER

The Senate proceeded to consider the bill (H.R. 7947) relating to the income tax treatment of nonrefundable capital contributions to Federal National Mortgage Association, which had been reported from the Committee on Finance with amendments, on page 2, line 15, after "(12 U.S.C., sec.", to strike out "1716" and insert "1718"; and at the top of page 3, to strike out:

SEC. 3. The amendments made by the first section and section 2 of this Act shall apply with respect to taxable years beginning after December 31, 1958.

And, in lieu thereof, to insert:

SEC. 3. (a) The amendment made by the first section of this Act shall apply with respect to taxable years beginning after December 31, 1959. Under regulations prescribed by the Secretary or his delegate, such amendment shall also apply, in the case of any taxpayer, with respect to any taxable year beginning after December 31, 1953, and before January 1, 1960, and ending after August 16, 1954, if the taxpayer—

(1) in computing his taxable income for such taxable year (as shown on his return filed not later than the time prescribed by law, including any extension thereof)—

(A) claimed a deduction, with respect to the sale of a mortgage to the Federal National Mortgage Association, in respect of any amount of capital contributions evidenced by a share of stock issued pursuant to section 303(c) of the Federal National Mortgage Association Charter Act, or

(B) computed the proceeds from such a sale by treating the value of any such share received for any such capital contributions as an amount less than the issue price of such share, and

prior to the date of the enactment of this Act, such deduction or treatment has not been disallowed, or, if disallowed, the deficiency attributable thereto has not been paid and has not been used to reduce an overpayment the balance of which (if any) has been refunded or credited; or

(2) after the time prescribed by law for filing his return for such taxable year (including any extension thereof) and prior to the date of the enactment of this Act, claimed a deduction described in paragraph (1)(A) or the treatment described in paragraph (1)(B) (whether by filing a claim for refund or credit in respect of an overpayment, or otherwise), and such deduction or treatment has been allowed and—

(A) an overpayment resulting from such allowance has been refunded or credited, or

(B) a deficiency for such taxable year has been reduced as a result of such allowance and the balance of such deficiency (if any) has been paid.

(b) The amendment made by section 2 of this Act shall apply, in the case of any taxpayer, with respect to any taxable year (whether beginning before, on, or after December 31, 1959), in respect of any share of stock issued pursuant to section 303(c) of the Federal National Mortgage Association Charter Act, only if the amendment made by the first section of this Act applies with respect to the taxable year in which such share was issued.

The amendments were agreed to.

Mr. MORSE. Mr. President, may we now have an explanation of the bill?

Mr. BYRD of Virginia. Mr. President, under the act rechartering the Association in 1954, financial institutions selling mortgage paper to the Federal National Mortgage Association are required to subscribe to its common stock at par value. Although this stock is issued at a par value of $100, it has been selling on the market for considerably less.

Taxpayer-subscribers generally have treated the difference between issuance price and market price as an ordinary and necessary business expense since they acquired the stock in order to sell mortgage paper. In 1958, however, the Internal Revenue Service ruled that no part of the purchase price of this stock constituted a deductible business expense. Under the ruling, the entire amount paid for the stock must be treated as the cost of the stock. Thus, no tax effect occurs until the stock is sold by the taxpayer.

The bill, as passed by the House and approved by your committee—except for the effective date—permits a deduction, at the time the stock is issued, of the excess of the issue price of the stock over its fair market value. The bill also provides that the basis of the stock is to be reduced by the amount required to be deducted against ordinary income under the new provision. As a result the taxpayer cannot receive a second tax benefit for the amount previously deducted.

A new effective date has been provided by your committee. The bill as passed by the House was to be effective for taxable years beginning after December 31, 1958. Under your committee's bill, this new treatment will be fully available for taxable years beginning after December 31, 1959, and with respect to prior years to which the 1954 code applies, no deficiency will be assessed for any such year where the taxpayer has treated the amount in question either as a deduction or as an adjustment of income. Thus, the new treatment will be available for all transactions of this type since the rechartering of the Federal National Mortgage Association in 1954. Reduction in the basis of the stock issued in this past period will be required only if the amount was claimed by the taxpayer-subscriber as a deduction or as an adjustment of income.

Mr. MORSE. Mr. President, I have not had an opportunity to study the bill. Will the Senator tell me if this does not encourage the offering of stock to the public at a purchase price known to be in excess of its true value?

Mr. BYRD of Virginia. It is offered by the Federal National Mortgage Association.

Mr. MORSE. Whoever gets the offer, what bothers me, offhand, is whether or not we are apparently underwriting the offering of stock at a purchase price beyond what it is really worth, and, with our other hand, proceeding to give the purchaser some benefit from buying stock which is not worth what he has paid for it, by giving him a tax deduction. I wonder if we should encourage that kind of paper transaction. Should we not encourage them to sell their stock at its true value?

Mr. BYRD of Virginia. At the present time it is required to be valued at $100 par value, when it is frequently selling for less than par value.

Mr. MORSE. I should like to study the bill further. I ask that it be passed over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. SPARKMAN subsequently said: Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 1113, H.R. 7947.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill.

Mr. SPARKMAN. Mr. President, I understand that the Senator from Oregon [Mr. MORSE], with whom I have spoken regarding this bill, desired a fuller explanation of the measure.

The measure was initiated in the House of Representatives, of course, but really upon the request of the housing committees, in order to get relief for home builders who we believe are entitled to relief.

In 1954 the Federal National Mortgage Association was reorganized by act of Congress. Prior to that time, it had been a purely governmental operation, engaged in secondary marketing of mortgages. But in 1954 it was made into a semipublic and semiprivate organization. The requirement was added that a person who sold a mortgage to the Federal National Mortgage Association would be required to subscribe to 2 percent of the stock of the corporation. In other words, if a person sold a mortgage of $15,000, we will say, to the Federal National Mortgage Association, he would have to subscribe to $300 worth of stock. Actually that stock is not worth $100 a share. It is sellable in the market, but it has an actual market value measurable day by day. It is selling now at around $55.

When the operator buys that stock—and he must buy it; it is not a matter of choice; he must buy it—under the law now he must carry that stock as of the value of $100, although actually it is worth only $55 today.

It was felt in the beginning that he was entitled to charge this off as a business operation; in other words, to make a deduction of it for internal revenue tax purposes. However, the Internal Revenue Service had held differently.

The result is that he must now carry that dead weight on his books.

It is true that when he sells the stock in the open market and he takes a loss, he is entitled to take a capital loss, but it is necessary for him to hold it for such period of time as would make it possible for him to sell it under those circumstances.

The bill simply provides that when he buys it—being required to buy it, of course—he may treat it as a basis of expense for the excess value of it, knowing that he has been forced to carry it.

There is a second provision in the amendment, which the Senator from Oregon may have noticed, and that second part safeguards against his getting a capital gains benefit later on when he actually sells. There is no chance of the Government having a loss, and the seller would be given more flexibility in the operation of his business, and would be given what I consider to be absolutely fair and equitable treatment.

Mr. MORSE. Mr. President, in view of the explanation of the Senator from Alabama, which satisfies me, I withdraw the objection.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## MORE POLARIS SUBMARINES NOW

Mr. COTTON. Mr. President, the Navy Department this morning advised me and other Members of the Congress that it is speeding up the work on seven of the Polaris missile submarines now under construction.

The Navy announcement indicated that, of the nine Polaris submarines now being built, two are so far advanced that no greater speed in their construction is possible, but an additional $52 million will be used to hurry the work on the other seven, including the SSBN–602, the *Abraham Lincoln*, now being built at the Portsmouth Naval Shipyard.

I regard this speed-up as an important step in the right direction. I do not believe there is any other place where we can get as much additional defense, at a time when we need it, for only $52 million as we can get from the Polaris missile program.

At the same time, Mr. President, I wish the Defense Department and the administration would stop nibbling away at the edges and face the problem head on. We need a bold, direct program for increasing the number of Polaris submarines, not just a gesture in that direction.

Admiral Arleigh Burke, the Chief of Naval Operations, has testified that a tripling of the Polaris program for next year is possible and desirable. I believe we must build a full complement of nine Polaris submarines in the fiscal year 1961 shipbuilding program instead of only three, as proposed in the budget.

Such an expansion would cost an extra billion dollars, but it will give us more defense at a lower cost than any other step we could take.

I hope the Congress and the administration, together, will seize this opportunity to provide a defense that cannot be knocked out by one attack; a defense with terrific striking power at minimum cost.

## AFFIDAVITS OF DISBELIEF IN CONNECTION WITH THE NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. GREEN. Mr. President, on Wednesday, January 28, 1960, the junior Senator from Massachusetts [Mr. KENNEDY] introduced for himself and the senior Senator from New York [Mr. JAVITS] S. 2929, a bill to amend the National Defense Education Act of 1958 in order to repeal certain provisions requiring affidavits of disbelief.

On the following Tuesday, February 2, the Committee on Labor and Public Welfare took prompt action on S. 2929, and the measure has been ordered favorably reported to the Senate.

In this connection, I am in receipt of a communication from Mr. Robert E. Tracy, president of the Cammarian Club, the student governing body of Brown University, with a resolution adopted by the club concerning the loyalty oath and disclaimer affidavit provisions of the National Defense Education Act. I also have at hand petitions bearing the signatures of 732 students of Brown University urging the repeal of these provisions.

I ask unanimous consent to have inserted in the RECORD, as part of my remarks, the report of the Cammarian Club.

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

CAMMARIAN CLUB, MARCH 1, 1960, REPORT, AS AMENDED, ON THE NATIONAL DEFENSE EDUCATION ACT

The National Defense Education Act, passed in 1958, was the beginning of a Federal program to alleviate the increasing pressures on American education. The act has one part (title II, which is concerned with student loans) which is of direct concern to us as college undergraduates. The specific provisions of title II provide for loans of up to $1,000 a year over a 5-year period. Repayment begins 1 year after completion of full-time college study and continues over a 10-year period, with an interest rate of 3 percent per year. Those students entering the field of public school teaching are forgiven 10 percent of the loan for each year of service, up to a maximum of 50 percent of the total amount of the loan. Preference for loans is given to students of high academic caliber, who plan to enter the field of public education and those showing strong backgrounds in science, mathematics, engineering, or foreign languages. These provisions in themselves are not objectionable; they are commendable. However, there are two matters which warrant the consideration of the Cammarian Club and the student body of Brown University, because accompanying these provisions is a conditional two-part stipulation that:

"No part of any funds appropriated or otherwise made available for expenditure under authority of this act shall be used to make payments or loans to any individual unless such individual (1) has executed and filed with the Commissioner an affidavit that he 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, and (2) has taken and subscribed to an oath or affirmation in the following form: '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 against all its enemies, foreign and domestic.' "

The second stipulation, the oath of allegiance or loyalty oath, is simply an affirmation of the duties every citizen owes to his country. However, the Cammarian Club, as the student governing body of Brown University, challenges the necessity and appropriateness of such an oath as a condition to financial aid for college students, when other Government loans and similar Government transactions require no such oath. Since it appears that subversives would not hesitate to affirm allegiance, the resulting futility of this requirement as an attempt to distinguish loyalty tends to destroy the significance of the oath of allegiance. Moreover, this oath sets a precedent of Government control in connection with Government aid to education. This is of particular importance as Government aid increases, as it appears likely to do. Therefore, it becomes increasingly important that we be cautious in accepting controls and restrictions; and, for this reason, it is here, at the very beginning, that we also must be cautious about establishing a precedent for other controls.

The Cammarian Club feels that the first stipulation, the disclaimer affidavit of the National Defense Education Act of 1958, should be repealed for the following reasons:

1. It is discriminatory. The title of the act suggests that properly educated citizens are our country's first line of defense. However, by demanding the signing of such an affidavit, the Government suggests that well-educated people are also our country's poorest security risks. No other segment of the population is asked to sign such a statement when they apply for Federal aid.

2. The university, as the Government's agent in this matter, is forced to adopt a double standard of values, because only those students in need of financial aid are required to sign this affidavit. As President Keeney explained in his speech of November 20, 1959, to the New England Society of Newspaper Editors:

"Remember that this disclaimer is not extracted by the Government at the time the individual enters into a contract with the Government, but by the college at the time the student enters a loan contract with the college for which the funds are supplied by the Government."

Also since the participating school is required to invest 10 percent of its own funds in each loan and to administer the disclaimer affidavit to each recipient, it too becomes an agent of the discriminatory practice.

3. The wording of the affidavit is vague. What constitutes individual support of an organization? How does the individual know that an organization, with which he affiliates

himself, will not, at some future time, be judged to be one "that believes in or teaches the overthrow of the U.S. Government by force or violence or any illegal or unconstitutional methods?" And, indeed, what are illegal and unconstitutional methods?

4. The affidavit is inherently futile. In the past similar affidavits have led to some perjury convictions; but a person who was truly a subversive or treasonable would not hesitate to sign such an affidavit.

5. It is impossible for such an affidavit to instill loyalty. Loyalty cannot be forced upon anyone. If a system cannot stand the intellectual curiosity and criticism of a college education, such an affidavit will do nothing to cause anyone to remain loyal. True loyalty is based upon free examination of a cause and on the evidence thus obtained; and devotion to this cause is evinced by rational and intellectual affirmation of its ideals.

6. Colleges and universities have been striving for centuries to free themselves from effects of outside influences. This freedom should be equal to that granted to the press, religious groups, and those wanting freedom of assembly. Affidavits of this kind, in the past, have been means of gaining control of institutions and of forcing conformity and oppression upon them. This is not to say that, in this particular case, this is the purpose of the disclaimer affidavit; but the scope and the pioneering nature of the National Defense Education Act demand that no dangerous precedent for future Federal legislation be set forth in the provisions; and this disclaimer affidavit is, in our eyes, a dangerous step toward Federal control of education.

We fully agree with the final remarks of President Keeney in his speech of November 20, 1959:

"Education is supposed to make people clearer thinkers and wiser men. If this is so, and I think it is so, no one should be excluded from education because of an ill-formed belief he holds as a boy of 18."

We therefore believe that the university should not accept any further funds from this program until the loyalty oath and disclaimer affidavit provisions are repealed by Congress.

Respectfully submitted.

JOHN HOLBROOK
(And the executive committee).

## REDUCTION OF CABARET TAX—BILL PASSED OVER

The bill (H.R. 2164) to reduce the cabaret tax from 20 to 10 percent was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PROUTY. I ask that the bill go over.

Mr. ANDERSON. Mr. President, I ask unanimous consent that a brief analysis of H.R. 2164, Calendar No. 1114, be printed in the RECORD at this point.

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

STATEMENT OF SENATOR ANDERSON

H.R. 2164 reduces from 20 percent to 10 percent the tax imposed by section 4231 (6) with respect to roof gardens, cabarets, and similar establishments. This change in rates is to be effective as of 10 a.m. on the first day of the month beginning more than 10 days after the enactment of this bill.

Your committee is reporting this bill to reduce the cabaret tax for two principal reasons: First, the present 20-percent rate is discriminatory in that the rates of almost all of the other ad valorem excise taxes do not exceed 10 percent; second, the present high rate of this tax is believed to have been a substantial deterrent to the employment of musicians and other entertainers.

In the case of the cabaret tax, the 20-percent rate is particularly onerous because although this tax is classed as an admissions tax its base includes not only the price paid for any admissions but also amounts paid for refreshments, services, and merchandise. Moreover, the 20-percent rate applies only where there is a combination of entertainment and the serving of food or beverages. Where only entertainment is provided the 10-percent admissions tax usually applies; on the other hand, where there is only the serving of food and beverages, generally no tax is imposed. Thus the present 20-percent tax discriminates against the combination of food or beverages and entertainment since either, if provided separately, is taxed at a lesser rate or is not taxed at all.

It is believed that this discriminatory, high rate of the cabaret tax has had a serious adverse effect on the employment of musicians and other entertainers.

Mr. MORSE. Mr. President, I should like to add to the comment just made by the distinguished Senator from New Mexico a very brief observation. I sincerely hope that the bill, which would reduce the cabaret tax from 20 percent to 10 percent, will be brought before the Senate by motion, if necessary, at an early date.

I know that on its face it looks like a type of bill in connection with which it is easy to say that the 20 percent tax should be imposed upon the business involved; in other words, that the excise tax should remain at 20 percent. However, I consider it to be a very unfair tax in its present amount, and I believe it ought to be reduced to a reasonable amount. I believe 10 percent is a fair and reasonable amount and is in line with other excise taxes.

I hope that, merely because this involves a recognized luxury in the field of taxation, we do not continue to follow what amounts, in my judgment, to a punitive principle of taxation.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Objection is heard. The bill will go over.

## RESOLUTIONS PASSED OVER

The resolution (S. Res. 258) authorizing the printing of additional copies of hearings concerning unemployment problems in Indiana was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Over, by request.

The PRESIDING OFFICER. The resolution will go over.

The resolution (S. Res. 259) to print with illustrations a committee print entitled "Relative Water and Power Resource Development in the U.S.S.R. and U.S.A." was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Mr. President, over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

## PRINTING AS SENATE DOCUMENT REPORT ON COLD WEATHER AGRICULTURE

The resolution (S. Res. 262) authorizing the printing of the report on cold weather agriculture as a Senate document was considered and agreed to, as follows:

*Resolved*, That there be printed as a Senate document the report prepared by the Science and Technology Division of the Library of Congress on cold weather agriculture and that there be printed two thousand additional copies for the use of the Committee on Interior tnd Insular Affairs.

## PRINTING AS SENATE DOCUMENT REPORT OF THE ADVISORY COUNCIL ON PUBLIC ASSISTANCE

The resolution (S. Res. 269) to print as a Senate document with an illustration the report of the Advisory Council on Public Assistance, was considered and agreed to, as follows:

*Resolved*, That the report of the Advisory Council on Public Assistance be printed as a Senate document with an illustration.

## PRINTING AS SENATE DOCUMENT REPORT OF THE ADVISORY COUNCIL ON CHILD WELFARE SERVICES

The resolution (S. Res. 270) to print as a Senate document with an illustration the report of the Advisory Council on Child Welfare Services was considered and agreed to, as follows:

*Resolved*, That the report of the Advisory Council on Child Welfare Services be printed as a Senate document with an illustration.

## RESOLUTIONS PASSED OVER

The resolution (S. Res. 255) providing additional funds for the completion by the Committee on Government Operations of its study of worldwide health and medical research and authorizing the employment of additional personnel, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Mr. President, over by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 256) authorizing the printing of additional copies of the unemployment selected readings prepared by the Special Committee on Unemployment Problems was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 257) authorizing the printing of additional copies of the studies in unemployment prepared by the Special Committee on Unemployment Problems, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 260) to print with illustrations a committee print entitled "Relative Water and Power Resource Development in the U.S.S.R. and U.S.A." was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Over, by request.

Mr. MORSE. Mr. President, will the Senator from Vermont withhold his objection for a moment?

Mr. PROUTY. Yes.

Mr. MORSE. Mr. President, I believe this is a report which ought to be available in sufficient supply to be used by all Senators, particularly members of the Committee on Foreign Relations. It is an important report from the standpoint of helping to clarify the thinking of some of us on matters with regard to the challenge which Russia is presenting to us in the field of hydroelectric power development. The expenditure involved in connection with supplying the reprint called for is exceedingly nominal in relation to the great value that would flow from an educational standpoint in making the information available. I hope that at an early date we may get the approval of the Senate for the printing of these additional copies of the report.

I wish to say to the Senator from Utah [Mr. Moss] and the other Members of the Senate who went to Russia that they have given us a very valuable report and have performed a great service to the Senate. Not to make this report available in sufficient supply for use by Senators would clearly be penny wise and pound foolish.

The PRESIDING OFFICER. Objection is heard. The resolution will go over.

## PRINTING OF ADDITIONAL COPIES OF HEARINGS ON EMPLOYMENT, GROWTH, AND PRICE LEVELS

The concurrent resolution (S. Con. Res. 86) authorizing the printing of additional copies of the hearings on employment, growth, and price levels was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed for the use of the Joint Economic Committee one thousand additional copies of the hearings on employment, growth, and price levels held by that committee during the first session of the Eighty-sixth Congress.

## PRINTING OF ADDITIONAL COPIES OF REPORT ON EMPLOYMENT, GROWTH, AND PRICE LEVELS

The concurrent resolution (S. Con. Res. 87), authorizing the printing of additional copies of the report on employment, growth, and price levels was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed for the use of the Joint Economic Committee one thousand additional copies of the report on employment, growth, and price levels prepared by that committee during the first session of the Eighty-sixth Congress.

## PRINTING OF ADDITIONAL COPIES OF HEARINGS ON ENERGY RESOURCES AND TECHNOLOGY

The concurrent resolution (S. Con. Res. 88), authorizing the printing of additional copies of the hearings on energy resources and technology, was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed for the use of the Joint Economic Committee one thousand additional copies of the hearings on energy resources and technology, held by that committee during the first session of the Eighty-sixth Congress.

## PRINTING OF ADDITIONAL COPIES OF STUDIES ON COMPARISONS OF UNITED STATES AND SOVIET ECONOMIES

The concurrent resolution (S. Con. Res. 89), authorizing the printing of additional copies of the studies on comparisons of United States and Soviet economies, was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed for the use of the Joint Economic Committee one thousand additional copies of the studies on comparisons of the United States and Soviet economies, prepared by that committee during the first session of the Eighty-sixth Congress.

## MARKETING QUOTAS FOR RICE

The bill (H.R. 7889) to require marketing quotas for rice when the total supply exceeds the normal supply was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ELLENDER. Mr. President, I ask unanimous consent that a statement explaining the bill be printed in the RECORD at this point.

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

STATEMENT BY SENATOR ELLENDER

This bill provides for the proclamation of rice marketing quotas whenever the supply exceeds normal. Existing law requires that supply exceed normal by more than 10 percent before quotas are proclaimed.

Normal supply consists of domestic consumption and exports plus a 10-percent allowance for carryover. This allowance for carryover, which amounts to about 5 million hundredweight, is adequate. Marketing quotas have been in effect for rice since 1955. Their suspension for any year could be anticipated to result in considerable expansion of acreage for that year followed by a difficult readjustment to quotas in the following year. The bill is designed to prevent such a situation.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

## ACQUISITION OF CROPLAND BY EMINENT DOMAIN

The bill (H.R. 8343) relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with an amendment, on page 2, line 7, after the word "to," to strike out "one year" and insert "two years."

Mr. ELLENDER. Mr. President, I ask unanimous consent that a brief explanation of the bill be printed in the RECORD at this point.

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

STATEMENT BY SENATOR ELLENDER

This bill would continue acreage allotments on lands acquired by agencies having the right of eminent domain so long as they remain leased to their former owners. It would also permit Federal Government lands to be leased to their former owners for the production of price supported crops without regard to section 125 of the Soil Bank Act.

At present where farm lands are acquired by any agency having the right of eminent domain, the allotments on the farm are pooled for use in providing allotments for other farms owned by the former owner of the farm lands so acquired. This is so even though such former owner remains on the farm under lease from the acquiring agency, continues farming it, and operates no other farm. So long as the former owner is allowed to remain in possession, there would seem to be no reason for not permitting him to operate the farm as he has in the past, and the bill is designed to accomplish this purpose. This will minimize the adverse effect of the Government's land acquisition operations on the individual farmer and the community.

Section 125 of the Soil Bank Act prohibits the leasing of Federal Government lands for the production of price supported crops in surplus supply. The bill would exempt from this prohibition lands leased to their former owner.

The committee amendment gives a former owner who is not in possession of the land at the time the bill becomes effective 2 years, instead of 1, to obtain a lease from the Government and qualify for the continuation of allotments on the land.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (H.R. 4874) to amend section 334 of the Agricultural Adjustment Act of 1938, as amended, to provide that for certain purposes of this section, farms

on which the farm marketing excess of wheat is adjusted to zero because of underproduction shall be regarded as farms on which the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent that a short explanation of the bill be printed in the RECORD at this point.

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

STATEMENT BY SENATOR SCHOEPPEL

This bill provides for crediting a wheat farmer who exceeds his allotment, but fails to produce a marketing excess, with the same history he would have received if he had produced an excess and stored it to avoid penalty.

Wheat farmers who either keep within their allotments, or store any marketing excess produced by them, are credited for the purpose of future allotments with acreage history equal to their base acreage. Wheat farmers who exceed their allotments and do not store their marketing excess are credited only with history equal to their allotted acreage, and lose the difference between their allotted acreage and base acreage. Wheat farmers who exceed their allotments but suffer a crop failure so that they have no marketing excess should, of course, be in as good a position as farmers producing and storing an excess. However, the law is not now so construed and such farmers receive credit only for their allotted acreage. The bill would correct this situation by providing for their being credited with their full base acreage.

The committee amendment makes no change in substance, but does make it clear that exempt farms, which could not avoid a loss of acreage history by storing any excess they might produce, will similarly not be able to avoid such loss if they have a crop failure. The committee amendment also clarifies the effective date of the bill.

The committee amendment, except for its last two sentences, has been previously approved by the Senate when it agreed to the conference report last year on S. 1968.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That section 334 of the Agricultural Adjustment Act of 1938, as amended, is further amended by inserting a new subsection (d) between subsections (c) and (e) to read as follows:

"(d) For the purposes of subsections (a), (b), and (c) of this section, any farm—

"(1) to which a wheat marketing quota is applicable; and

"(2) on which the acreage planted to wheat exceeds the farm wheat acreage allotment; and

"(3) on which the marketing excess is zero shall be regarded as a farm on which the entire amount of the farm marketing excess has been delivered to the Secretary or stored in accordance with applicable regulations to avoid or postpone the payment of the penalty. This subsection shall be applicable in establishing the acreage seeded and diverted and the past acreage of wheat for 1959 and subsequent years in the apportionment of allotments beginning with the 1961 crop of wheat. For the purpose of clause (1) of this subsection, a farm with respect to which an exemption has been granted under section 335(f) for any year shall not be regarded as a farm to which a wheat marketing quota is applicable for such year, even though such exemption should become null and void because of a violation of the conditions of the exemption."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## INCREASE IN EXPENDITURE UNDER THE SPECIAL MILK PROGRAM FOR CHILDREN

The bill (H.R. 9331) to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PROUTY. Mr. President, while I personally favor the bill, I have been requested that it be held over.

Mr. MORSE. Mr. President, will the Senator withhold his objection for a moment?

Mr. PROUTY. Yes.

Mr. MORSE. Mr. President, if we do not get favorable action on the bill on the call of the calendar, I should like to say that it is certainly a bill that ought to be brought up by motion at an early date for consideration by the Senate. I say most respectfully that I do not see how there could be any possible justification for letting the bill die on the calendar. We cannot deny this assistance to the little boys and girls in the United States who need milk.

It is just as simple as that. It is a great humanitarian bill. We ought to act on it. We ought to provide whatever additional funds are needed to give the boys and girls milk when they need it. I make this statement not from the standpoint of the milk industry, but from the standpoint of the nutritional needs of a lot of little boys and girls in this country to whom we had better be giving some attention, because they happen to be the greatest wealth we have.

Mr. PROUTY. Mr. President, I find myself in perfect and complete agreement with the Senator from Oregon.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have a short explanation of the bill printed at this point in the RECORD.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

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

STATEMENT OF SENATOR ELLENDER

This bill would increase the funds available for the special milk program to $85 million for the current fiscal year and $95 million for each fiscal year thereafter. This would be an increase of $4 million from the $81 million now available for the current year and an increase of $11 million from the $84 million now available for fiscal 1961. Because of expanded participation in the program, these increases are necessary to maintain the current payment rates of 4 cents per half pint for schools participating in the school lunch program and 3 cents per half pint for schools not participating in the school lunch program.

The bill would also make the program permanent. The program was first authorized by the Agricultural Act of 1954 and has been expanded and continued from time to time through fiscal 1961. The program has proved very successful and should now be made permanent.

The committee amendments increase the amount of Commodity Credit Corporation funds authorized by the House bill for fiscal 1961 from $85 million to $95 million, make the program permanent, and strike out an authorization for the appropriation of an additional $15 million for fiscal 1961. Use of a combination of Commodity Credit Corporation funds and appropriated funds would result in unnecessary accounting and other fiscal problems.

The report states that because of the inadequacy of funds now authorized to cover expanded participation in the program a reduction of one-half cent per half pint in reimbursement rates has been announced effective April 1. Since the bill was reported the reduction has been deferred to May 1, but if additional funds should not be authorized by then, the reduction would be 1 cent per half pint.

## DEPARTMENT OF COMMERCE APPROPRIATIONS, 1961 — BILL PASSED OVER

The bill (H.R. 10234) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, and for other purposes, was announced as next in order.

Mr. BARTLETT. Over, Mr. President, because this bill is the pending business.

The PRESIDING OFFICER. The bill will be passed over.

## STAMATINA KALPAKA

The bill (S. 1752) for the relief of Stamatina Kalpaka was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Stamatina Kalpaka shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## TIMMY KIM SMITH

The bill (S. 1912) for the relief of Timmy Kim Smith was considered, or-

dered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Timmy Kim Smith, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Lloyd L. Smith, citizens of the United States.

## ERICA BARTH

The bill (S. 2165) for the relief of Erica Barth was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Erica Barth shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## PETER J. WATERTON

The bill (S. 2177) for the relief of Peter J. Waterton was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of paragraph (4) of section 212(a) of the Immigration and Nationality Act, Peter J. Waterton may be issued an immigrant visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

## WONG GIM CHUNG

The bill (S. 2247) for the relief of Wong Gim Chung was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Wong Gim Chung shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## CHAIM (HYMAN) EIDLISZ

The bill (S. 2352) for the relief of Chaim (Hyman) Eidlisz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Chaim (Hyman) Eidlisz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## ANDROS SZASZ

The bill (S. 2361) for the relief of Andros Szasz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Andros Szasz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in the Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## INEZ GONZALEZ ABILEZ

The bill (S. 2419) for the relief of Inez Gonzalez Abilez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Inez Gonzalez Abilez. From and after the date of enactment of this Act, the said Inez Gonzalez Abilez shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

## SHIN MORIYOSHI

The bill (S. 2520) for the relief of Shin Moriyoshi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Shin Moriyoshi, shall be held and considered to be the natural-born alien child of Francis W. McGrath and Margaret P. McGrath, citizens of the United States: *Provided,* That the natural parents of the said Shin Moriyoshi shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

## EMIL MILAN PRESEREN

The Senate proceeded to consider the bill (S. 247) for the relief of Emil Milan Preseren, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Emil Milan Preseren. From and after the date of enactment of this Act, the said Emil Milan Preseren shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JOHN P. VOURNAS AND OTHERS

The Senate proceeded to consider the bill (S. 382) for the relief of John P. Vournas, Gus E. Vournas, and John E. Vournas, which had been reported from the Committee on the Judiciary, with an amendment in line 8, after the word "States", to insert a colon and *"Provided,* That no natural parent of the beneficiaries, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, John P. Vournas, Gus E. Vournas, and John E. Vournas, shall be held and considered to be the natural-born alien children of Alex Vournas, a citizen of the United States: *Provided,* That no natural parent of the beneficiaries, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## ALAN JOHN COOMBS

The Senate proceeded to consider the bill (S. 1223) for the relief of Alan John Coombs, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "fee", to insert a colon and *"Provided,* That the natural mother of Alan John Coombs shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Alan John Coombs shall be

held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee: *Provided,* That the natural mother of Alan John Ccombs shall not, by virtue c such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## EVAGELOS MABLEKOS

The Senate proceeded to consider the bill (S. 1913) for the relief of Evagelos Mablekos, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds which may have issued in the case of Evagelos Mablekos. From and after the date of the enactment of this Act, the said Evagelos Mablekos shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## MAX KOTSCHA

The Senate proceeded to consider the bill (S. 2046) for the relief of Max Kotscha which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the word "be," to insert "issued a visa and be," so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Max Kotscha may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## GEORGE C. McKINNEY

The Senate proceeded to consider the bill (S. 2142) for the relief of George C. McKinney, which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the word "been," to strike out "residing" and insert "physically present," so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of section 301(a) (7) of the Immigration and Nationality Act, George C. McKinney shall be held and considered to have been physically present in the United States during all the time he was residing abroad with his parents when his father was serving on active duty in the Foreign Service of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## OSVALDO RIVA COOLIDGE

The Senate proceeded to consider the bill (S. 2164) for the relief of Osvaldo Riva Coolidge, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 1, after the word "available", to insert a colon and "*Provided,* That the natural mother of the beneficiary, by virtue of such parentage, shall not be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Osvaldo Riva Coolidge shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided,* That the natural mother of the beneficiary, by virtue of such parentage, shall not be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## TOMMY TADAYOSHI SHUTO (TADAYOSHI TAKEDA)

The Senate proceeded to consider the bill (S. 2384) for the relief of Tommy Tadayoshi Shuto (Tadayoshi Takeda), which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 1, after the word "available", to insert a colon and "*Provided,* That the natural father of Tommy Tadayoshi Shuto (Tadayoshi Takeda), by virtue of such parentage, shall not be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Tommy Tadayoshi Shuto (Tadayoshi Takeda) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided,* That the natural father of Tommy Tadayoshi Shuto (Tadayoshi Takeda), by virtue of such parentage, shall not be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JUNKO HOSAKA JORDAN

The Senate proceeded to consider the bill (S. 2418) for the relief of Junko Hosaka Jordan, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of", to strike out "Charles W. and Taeko Jordan, citizens of the United States," and insert "Charles W. Jordan, a citizen of the United States.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Junko Hosaka Jordan, shall be held and considered to be the natural-born alien child of Charles W. Jordan, a citizen of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## EDGAR HAROLD BRADLEY

The Senate proceeded to consider the bill (S. 2443) for the relief of Edgar Harold Bradley, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "fee", to strike out the period and "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert a colon and "*Provided,* That nothing in this Act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act."; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Edgar Harold Bradley shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee: *Provided,* That nothing in this Act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## PINELOPI YORGIADIS AND DIMITRI YORGIADIS

The Senate proceeded to consider the bill (S. 2271) for the relief of Pinelopi Yorgiadis and Dimitri Yorgiadis, which had been reported from the Committee on the Judiciary, with amendments on page 1, line 4, after the word "Act", to strike out "Pinelopi Yorgiadis and"; in line 7, after the word "visa", to strike out "fees" and insert "fee"; in line 8, after the word "such", to strike out "aliens"

and insert "alien"; in line 10, after the word "deduct", to strike out "the required numbers" and insert "one number"; in line 11, after the word "quota", to strike out "or quotas"; and on page 2, line 1, after the word "quota", to strike out "or quotas are" and insert "is"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Dimitri Yorgiadis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Dimitri Yorgiadis."

## NOBUKO STICKLES

The Senate proceeded to consider the bill (S. 2486) for the relief of Nobuko Stickles, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Nobuko Stickels, the widow of Charles F. Stickels, a deceased United States citizen who served honorably in the Armed Forces of the United States, shall be deemed to be a nonquota immigrant.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Nobuko Stickels."

## MARGHERITA PINO

The Senate proceeded to consider the bill (S. 2532) for the relief of Margherita Pino which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "child", to strike out "Margherita Pino" and insert "Margherita Pino Zordan"; at the beginning of line 7, to strike out "Mr. and Mrs. Attilio V. Zorcan" and insert "Mr. and Mrs. Vittorio Attilio Zordan", and in line 9, after the word "of", to strike out "Margherita Pino" and insert "Margherita Pino Zordan"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Margherita Pino Zordan, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Vittorio Attilio Zordan, citizens of the United States: *Provided,* That no natural parent of Margherita Pino Zordan, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Margherita Pino Zordan."

## BILL PASSED OVER

The bill (H.R. 9660) to amend section 6659(b) of the Internal Revenue Code of 1954 with respect to the procedure for assessing certain additions to tax, was announced as next in order.

Mr. PROUTY. Over.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have an explanation of the bill printed in the RECORD.

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

STATEMENT OF SENATOR BYRD OF VIRGINIA

Since 1926, additions to the tax for late filing of tax returns have been assessed without issuing a statutory notice of deficiency. Under the 1939 code, where the only amount assessed were additions to tax for failure to file a timely return or for underpayment of estimated tax, no statutory notice of deficiency was required, but if a deficiency in tax was also involved, a statutory notice was required prior to assessment. The 1954 code rules, which the Committee on Finance stated "conform to the rules under existing law," recently have been construed by three circuit courts of appeals in such a way no additions to tax can be assessed without issuance of a statutory notice which permits prepayment review in the Tax Court.

Generally, the purpose of sections 1 and 2 of the bill as passed the House and approved by your committee is to restore to the law these longstanding rules of procedure. However, if a taxpayer satisfies the Secretary or his delegate that his failure to file a timely return is due to reasonable cause, no assessment will be made. A taxpayer who is dissatisfied with the assessment may pay the amount and bring suit to recover it in a proper district court or Court of Claims.

The Committee on Finance has added two new sections to the bill.

Section 3 removes the 3-percent limit on medical expenses incurred by the taxpayer for the care of his or his spouse's dependent mother or dependent father, if such dependent has attained the age of 65 before the close of the taxable year.

Thus, all medical expenses (up to the maximum limitation) incurred for the care of such a dependent mother or father over 65 will be deductible, not merely the excess over 3 percent of the taxpayer's adjusted gross income.

Section 4 generally allows a $600 deduction to a taxpayer who maintains a foreign student in his home as a member of his household for a specified period, and permits the foreign student to be taken into account for withholding tax purposes. To qualify the taxpayer for this deduction, the foreign student must not be a citizen or resident of the United States; his presence in the United States must be solely for the purpose of pursuing his education, on a full-time basis, in the 9th, 10th, 11th, or 12th grade for a specified period of at least 7 calendar months at an educational institution. While this provision does not require the taxpayer to meet the support test to qualify for the $600 deduction, it will be denied if the taxpayer receives any money or other property as compensation or reimbursement for maintaining the foreign student in his home.

The PRESIDING OFFICER. The bill will be passed over.

Mr. PROUTY. Mr. President, what action was taken on Calendar No. 1161, S. 2532?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Calendar No. 1161, S. 2532, was passed. Calendar No. 1162, H.R. 9660, was passed over.

The clerk will call Calendar No. 1163, Senate Joint Resolution 170.

## JOINT RESOLUTION PASSED OVER

The joint resolution (S.J. Res. 170) to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such conventions, and for other purposes, was announced as next in order.

Mr. PROUTY. Over, Mr. President.

Mr. MORSE. Mr. President, will the Senator from Vermont withhold his request?

Mr. PROUTY. Yes.

Mr. MORSE. Mr. President, I did not think the joint resolution would be favorably acted on upon the call of the calendar. I think it probably is a measure which ought to be brought up by motion. I believe it is not calendar business, but motion business. I hope it will be called up on motion at an early date.

The Committee on Foreign Relations has worked very hard on this matter. The joint resolution as it is being submitted is quite different from the measure in its original form. Of those who worked hard on it and who are not members of the committee is the distinguished senior Senator from Kentucky [Mr. COOPER], whom I see on the floor. I am certain he shares my view that the Committee on Foreign Relations worked very cooperatively with the proponents of the joint resolution, of whom the Senator from Kentucky is one. I think the joint resolution is very much in the best interests of the foreign relations of the United States and ought to be acted on at an early date. I hope the leadership of the Senate, both the majority and the minority, will schedule the joint resolution for early consideration.

The PRESIDING OFFICER. The joint resolution will be passed over.

## REHABILITATION OF THE NAVAJO AND HOPI TRIBES OF INDIANS

The bill (S. 2456) to amend the act of April 19, 1950 (64 Stat. 44; 25 U.S.C. 635) to better promote the rehabilitation of the Navajo and Hopi Tribes of Indians, was announced as next in order.

Mr. MORSE. Mr. President, I understand the Senator from New Mexico [Mr. ANDERSON] wishes to come to the floor to discuss the bill. Therefore, I ask unanimous consent that the bill go to the foot of the calendar.

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

Mr. ANDERSON subsequently said: Mr. President, if there is no objection, I ask that the Senate revert to Calendar No. 1164 and Calendar No. 1165.

The PRESIDING OFFICER. Without objection, that will be done; and Calendar No. 1164 will be stated at this time.

The LEGISLATIVE CLERK. A bill (S. 2456) to amend the act of April 19, 1950 (64 Stat. 44; 25 U.S.C. 635), to better promote the rehabilitation of the Navajo and Hopi Tribes of Indians.

The PRESIDING OFFICER. Is there objection to the present consideration of Calendar No. 1164?

There being no objection, the Senate proceeded to consider the bill (S. 2456) to amend the act of April 19, 1950 (64 Stat. 44; 25 U.S.C. 635), to better promote the rehabilitation of the Navajo and Hopi Tribes of Indians, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 8, after the word "amended," to strike out "to read as follows:" and insert "by inserting "(a)" before the present text and by adding the following subsections (b) and (c):"; at the top of page 2 to strike out:

SEC. 5. (a) Any restricted Indian lands owned by the Navajo Tribe, members thereof, or associations of such members, or by the Hopi Tribe, members thereof, or associations of such members, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, residential, or business purposes, including the developmen or utilization of natural resources in connection with operations under such leases All leases so granted shall be for a term of not to exceed 25 years, but may include provisions authorizing their renewal for an additional term of not to exceed 25 years, and shall be made under such regulations as may be prescribed by the Secretary except that leases of Navajo tribal land may be for a term of not to exceed 99 years. Restricted allotments of deceased Indians may be leased under this section, for the benefit of their heirs or devisees, in the circumstances and by the persons prescribed in the act of July 8, 1940 (54 Stat. 745; 25 U.S.C. 380). Nothing contained in this section shall be construed to repeal or affect any authority to lease restricted Indian lands conferred by or pursuant to any other provision of law.

And, on page 3, after line 14, to insert a new section, as follows:

SEC. 2. The second sentence of section 1 of the act of August 9, 1955 (69 Stat. 539), as amended by the act of September 21, 1959 (73 Stat. 597), is amended by inserting after the words "Agua Caliente (Palm Springs) Reservation" the words "and on the Navajo Reservation."

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5 of the Act entitled "An Act to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and a better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes", approved April 19, 1950 (64 Stat. 46; 25 U.S.C. 635), is amended by inserting "(a)" before the present text and by adding the following subsections (b) and (c):

"(b) Notwithstanding any other provision of law, land owned in fee simple by the Navajo Tribe may be leased, sold, or otherwise disposed of by the sole authority of the Navajo Tribal Council, in any manner that similar land in the State in which such land is situated may be leased, sold, or otherwise disposed of by private landowners, and such disposition shall create no liability on the part of the United States.

"(c) The Secretary of the Interior is authorized to transfer, upon request of the Navajo Tribal Council, to any corporation owned by the tribe and organized pursuant to State law, or to any municipal corporation organized under State law, legal title to or a leasehold interest in any unallotted lands held for the Navajo Indian Tribe, and thereafter the United States shall have no responsibility or liability for, but on request of the tribe shall render advice and assistance in, the management, use, or disposition of such lands."

SEC. 2. The second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended by the Act of September 21, 1959 (73 Stat. 597), is amended by inserting after the words "Agua Caliente (Palm Springs) Reservation" the words "and on the Navajo Reservation".

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend the Act of April 19, 1950 (64 Stat. 44; 25 U.S.C. 635), to better promote the rehabilitation of the Navajo and Hopi Tribes of Indians, and for other purposes."

---

## PERMANENT USE OF CERTAIN LAND IN McKINLEY COUNTY, N. MEX., FOR THE NAVAJO TRIBE OF INDIANS

The bill (S. 2307) to set aside permanently certain land in McKinley County, N. Mex., for use of the Navajo Tribe of Indians, was announced as next in order.

Mr. MORSE. Mr. President, I have been advised by the assistant to the Senator from New Mexico that the Senator would like to have this bill also go to the bottom of the calendar.

The PRESIDING OFFICER. Without objection, the bill will go to the bottom of the calendar.

Mr. ANDERSON subsequently said: Mr. President, I ask that the Senate now revert to Senate bill 2307, Calendar No. 1165.

The PRESIDING OFFICER. Without objection, Calendar No. 1165 will now be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2307) to set aside permanently certain land in McKinley County, N. Mex., for use of the Navajo Tribe of Indians.

Mr. ANDERSON. Mr. President, in connection with Order No. 1165, S. 2307, "Setting aside permanently certain land in McKinley County, N. Mex., for use of the Navajo Tribe of Indians," an identical bill, H.R. 6329, was passed by the House of March 7, and was referred to the Committee on Interior and Insular Affairs on March 8.

I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of H.R. 6329, and that H.R. 6329 be considered in lieu of S. 2307.

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

The Senate proceeded to consider the bill (H.R. 6329) to set aside permanently certain land in McKinley County, N. Mex., for use of the Navajo Tribe of Indians.

The bill was ordered to a third reading, read the third time, and passed.

Mr. ANDERSON. Mr. President, I ask that the title of House bill 6329 be amended so as to read: "A bill to convey certain land in McKinley County, New Mexico, to the Navajo Tribe of Indians."

The PRESIDING OFFICER. Without objection, the title will be amended as requested by the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I ask that Senate bill 2307 be indefinitely postponed.

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

Mr. MORSE. Mr. President, prior to the taking of final action on Senate bill 2307 and the corresponding House bill, I sought recognition, in order to request the making of an insertion in the RECORD. I now ask unanimous consent to have inserted in the RECORD a statement which shows that Calendar No. 1165, Senate bill 2307, does not violate the Morse formula. This statement or memorandum is equally applicable to the House bill which the Senate has voted to pass in lieu of Senate bill 2307.

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

STATEMENT BY SENATOR MORSE

S. 2307 authorizes the conveyance, without monetary consideration, of 81.33 acres of federally owned land in New Mexico to the Navajo Tribe.

The 81.33 acres is located 10 miles away from the exterior boundaries of the reservation and has been used in connection with an Indian school. The lands are now surplus to the needs of the Bureau of Indian Affairs. Improvements, including a tribally owned community building valued at $20,000, a Government building converted by the tribe for living quarters at a cost of $3,800, and a Government-owned tool shed worth $125, are on the lands. The land is valued at $10 an acre.

The Navajo Tribe desires to obtain title to the 81-acre tract for the purpose of constructing additional improvements, including overnight accommodations, and recreational facilities, for the use of tribal members. The tribe does not want to undertake the improvements until the title issue is resolved. The tribe has agreed to accept this donation of land in taxable status and without restrictions as to use or management.

The federally owned land is located near Crownpoint, N. Mex., where the Indian Bureau subagency serves approximately 20,000 Navajos residing in an area of approximately 900 square miles. The community has experienced a problem of accommodating the Navajos who travel long distances to visit the subagency. The Navajo Tribe has appropriated approximately $40,000 for the construction of additional improvements such as a meeting place, laundry facilities, sewingroom, recreational area, and overnight accommodations to meet the shortage of accommodations in the Crownpoint community.

Because of the obvious Federal interest involved and the relationship to our guardianship responsibilities relative to the Indians, I approve of the passage of the bill.

The PRESIDING OFFICER. The Chair was under the mistaken impression that the Senator from Oregon had previously submitted the insertion he had in mind.

Mr. MORSE. That is perfectly all right, Mr. President.

## BILL PASSED OVER

The bill (S. 2878) to adjust Indian and non-Indian land use areas in the vicinity of the Navajo Indian Reservation in New Mexico, and for other purposes, was announced as next in order.

Mr. PROUTY. Over.

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

Mr. PROUTY. I yield.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which makes clear that the bill does not violate the Morse formula.

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

STATEMENT BY SENATOR MORSE

S. 2878 provides for the conveyance in fee simple certain federally owned lands in New Mexico, excluding mineral rights, to the Navajo Indians. In addition, the bill would adjust and simplify the administration of certain other federally owned lands located in the same area which is near Gallup, N. Mex.

Approximately 30 years ago the Federal Government purchased some 70,000 acres of so-called submarginal lands in the Gallup area and administered the land for the Navajo Indians. About 4 years later, 80,887 acres of railroad grant lands in the same area were reconveyed to the United States and were subsequently administered for the benefit of the Navajos. According to the committee report, the Government contemplated setting aside the lands for permanent use by the Navajos by legislation.

There are approximately 103,239 acres of public domain land in this same area presently used and occupied by the Navajos, that would be affected by the bill. The 103,239 acres are intermingled with Indianlands, being administered by the Bureau of Indian Affairs, or with submarginal and reconveyed railroad grant lands being administered by the Bureau of Land Management and the Forest Service for the benefit of the Indians. The bill seeks to eliminate the confusing and intermingled jurisdiction of these three agencies.

S. 2827 provides an opportunity for the administering agencies to initiate a program of sound land use management and stabilize the land use and security of tenure for resident users. In addition, the legislation would give tribal status to lands that have been held for that purpose.

These lands are presently being used by the Indians and the three Government agencies have no effective means to control the use. According to the Department of the Interior which requested this legislation, continued Federal ownership of these lands will serve no useful public purpose.

I think the committee report and the communications it contains from the Department of the Interior make clear that the public interest would be benefited by better conservation practices as the transfers would permit both the tribe and the Bureau of Land Management to institute a comprehensive management program for all the lands in the area.

Because of the Government's intention to set aside the lands for permanent use by the Navajos and because of the Federal interest involved, I have no objection to the passage of this bill.

The PRESIDING OFFICER. The bill will be passed over.

## GRANTING OF 81 ACRES OF PUBLIC DOMAIN TO THE COCOPAH INDIANS IN ARIZONA

The bill (S. 2962) to grant 81 acres of public domain to the Cocopah Indians in Arizona, was announced as next in order.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which shows that the bill conforms to the Morse formula.

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

STATEMENT BY SENATOR MORSE

The purpose of S. 2962 is to place in trust 81 acres of land in Arizona for the Cocopah Indians.

The Cocopah Tribe occupies land set aside for them by Executive order in 1917. They lived on the land in the belief it was included within the original reservation. Recently the Solicitor, Department of the Interior, concluded that the lands in question were not part of the reservation.

Since the Indians were using the land and living on it in the belief it was included in the original reservation set aside for them in 1917, I believe there is a Federal interest involved in making the acreage a part of the existing reservation, and that the proposed transfer has a close relationship to the Nation's guardianship responsibilities relative to the Indians.

I have no objection to the transfer.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2962) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of right, title, and interest in the following described public domain are hereby declared to be held by the United States in trust for the Cocopah Indians in Arizona, subject to any valid existing rights heretofore initiated under the public land laws: lots 14 and 15, section 30, township 9 south, range 24 west; and lots 3, 4, and 5, section 25, township 9 south, range 25 west, Gila and Salt River meridian, Arizona, containing 81.64 acres.

## DONATION OF CERTAIN LAND TO THE KEWEENAW BAY INDIAN TRIBE

The bill (S. 2804) to donate to the Keweenaw Bay Indian Tribe, L'Anse Reservation of Michigan, a certain tract of Federal land with improvements located thereon, was announced as next in order.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which shows that this bill does not violate the Morse formula.

While saying that, I wish to extend to the distinguished junior Senator from New Mexico [Mr. ANDERSON] my very deep appreciation for the wonderful cooperation he has always extended to the Senator from Oregon in respect to the proposition of requiring in the transfer of Federal lands a reasonable return to the Federal Government. The junior Senator from New Mexico is one of the most ardent supporters of this doctrine in the Senate.

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

STATEMENT BY SENATOR MORSE

S. 2804 would authorize the donation of 0.34 acre of land, together with the buildings and improvements thereon, to the Keweenaw Bay Indian Tribe, L'Anse Reservation, Mich. The land and buildings would be held in trust for the tribe.

The land was acquired by the United States for use in connection with the Indian CCC program on the reservation. Since 1942, the garage-office building on the land has been used by the Indians for storage purposes. According to the Committee report, the appraised value of the land and building is less than $1,000. The Indian Bureau has no plans for further use of the building. The tribe desires to improve the building which is adjacent to the land now owned by the tribe but does not desire to do so unless it can get title to the building and land.

Because of the Federal interest involved and the relationship to our guardianship responsibilities relative to the Indians I have no objection to the enactment of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2804) was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the right, title, and interest of the United States in the land described below, together with the buildings and improvements thereon, is hereby declared to be held in trust for the Keweenaw Bay Indian Tribe, L'Anse Reservation, Michigan: A tract of land in the northeast quarter southeast quarter of section 28, township 51 north, range 33 west, Michigan meridian, more particularly described as follows: Beginning at the quarter post between sections 27 and 28 thence west on quarter line a distance of 33 feet as the place of beginning; thence west on quarter line a distance of 100 feet; thence south 150 feet; thence east 100 feet; thence north a distance of 150 feet to the place of beginning, containing 15,000 square feet, or 0.34 acre more or less.

## SALE OF CERTAIN TRIBAL LAND OF THE LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS, WISCONSIN

The bill (H.R. 6136) to authorize the sale of certain tribal land of the Lac du Flambeau Band of Lake Superior Chippewa Indians, Wisconsin, was announced as next in order.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which shows that this bill, too, conforms to the Morse formula.

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

STATEMENT BY SENATOR MORSE

H.R. 6136 authorizes the Lac du Flambeau Band of Lake Superior Chippewa Indians to sell any tribal trust land or interest therein for the purpose of perfecting land titles and resolving conflicts or disputes in boundaries caused by erroneous surveys dating back to the 1860's. Approval of each transaction by the Secretary of the Interior will be required and sales must be at the fair market value.

The purpose of the bill is to provide the means of resolving ownership controversies between the band and individuals. Therefore, I have no objection to its enactment.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

## HOLDING IN TRUST OF CERTAIN REAL PROPERTY FOR MEMBERS OF THE FORT McDERMITT PAIUTE AND SHOSHONE TRIBE OF INDIANS

The bill (H.R. 24) to provide that certain real property of the United States situated in the State of Nevada shall be held in trust for members of the Fort McDermitt Paiute and Shoshone Tribe of Indians of the Fort McDermitt Indian Reservation, Nev., was announced as next in order.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared which shows that this bill, too, is not inconsistent with the Morse formula.

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

STATEMENT BY SENATOR MORSE

H.R. 24 provides that all right, title, and interest of the United States in 160 acres lying within the Fort McDermitt Indian Reservation, Nev., shall be held in trust by the Federal Government for the use and benefit of the Fort McDermitt Paiute and Shoshone Tribe of Indians of the Fort McDermitt Indian Reservation.

The land was originally set aside as the Fort McDermitt Military Reservation, and was later transferred to the Secretary of the Interior. For a period of 50 years the land in question was used in connection with an Indian boarding school. According to the committee report, the land and school building have an estimated value of $11,400, and have been declared surplus to the needs of the Bureau of Indian Affairs. It is anticipated that the Indians will use the land for grazing and ranching purposes and the improvements for a recreation center.

Since the proposed gift to the tribe would be in keeping with the earlier action in setting the land aside for the use of the Indians and because of the Federal interest involved, the bill conforms with the Morse formula.

The bill carries out one of the guardianship responsibilities of the Federal Government with respect to the Indians.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

## RECONVEYANCE OF CERTAIN TRIBAL LANDS TO ORIGINAL ALLOTTEES

The Senate proceeded to consider the bill (S. 2877) to authorize the reconveyance of tribally owned lands by the Muckleshoot Indian Tribe of the State of Washington to the original allottees, their heirs, devisees, or assigns.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD, prior to the passage of Senate bill 2877, a statement showing that the bill does not violate the Morse formula in regard to the transfer of Federal property.

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

STATEMENT OF SENATOR MORSE

S. 2877 authorizes the reconveyance of tribally owned lands by the Muckleshoot Indian Tribe of the State of Washington to the original allottees, their heirs, devisees, or assigns.

The Muckleshoot Tribe after accepting the Indian Reorganization Act of 1934 embarked on a land use and consolidation program. At the time the tribe owned no tribal lands. One of the basic features of the program was the conveyance of allotted lands to the United States in trust for the tribe, in exchange for land assignments by the tribe to the grantors of other members designated by the grantors.

In June 1958, the Muckleshoot Reservation consisted of 2,117.5 acres of Indian-owned land, approximately 344 acres of which were in tribal ownership. Title to all of these tribal lands was acquired by the tribe from original allottees, or their heirs, devisees, or assigns, in exchange for land assignments in connection with the use and consolidation program initiated by the tribe. These conveyances were made with the understanding that the remainder of the allotted lands would also be conveyed to the tribe as a part of the program. The consolidation program was abandoned after a few of the Indian landowners had actually made conveyances.

The grantors received assignments covering all or a portion of the lands which they conveyed to the tribe. Consequently, the rights they conveyed to the tribe were greater than the rights they received in exchange therefor. They gave up a fee title for a right to use and occupy.

The Muckleshoot Tribal Council makes no claim of ownership of these lands and permits the heirs or the assignees to have full leasing responsibilities. The Council also recommends that the tribal lands be reconveyed to the original allottees or heirs.

I have no objection to the passage of the bill.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2877) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of the constitution, bylaws, and corporate charter of the Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington, the Tribal Council of the Muckleshoot Indian Tribe may, with the approval of the Secretary of the Interior, reconvey to the former owners, or their heirs or devisees all of the right, title, and interest which the tribe and the United States acquired in restricted allotted lands in exchange for assignments of tribal lands. Each such conveyance shall have the same force and effect as the patent issued to the original allottee.

## DELIVERY OF WATER UNDER FEDERAL RECLAMATION LAWS

The Senate proceeded to consider the bill (S. 68) to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 2, line 3, after the word "spouse", to insert a colon and *"Provided,* That in the event of the remarriage of the surviving spouse, such lands shall be governed by applicable law without regard to the provisions of this Act.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That where the death of a husband or wife causes lands in private ownership to become excess lands, as that term is used in section 46 of the Act of May 25, 1926 (44 Stat. 636; 43 U.S.C. 423e), and those lands had theretofore been eligible to receive water from a project under the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereto) without execution of a recordable contract under section 46 of said Act of May 25, 1926, the Secretary of the Interior is authorized to furnish water to them, without requiring execution of such a contract, so long as they remain in the ownership of the surviving spouse: *Provided,* That in the event of the remarriage of the surviving spouse, such lands shall be governed by applicable law without regard to the provisions of this Act.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. ANDERSON. Mr. President, the report sets forth that if a family owns a certain piece of ground, the present situation is that not more than 160 acres of the land in a Federal irrigation project can be served with water. However, in a community-property State the ruling is that both the husband and the wife may each own 160 acres of such land.

This bill provides that in case either the husband or the wife dies, the surviving spouse will not be compelled to sell the additional 160 acres immediately, but may retain it for a suitable length of time.

The bill was carefully considered, because such problems frequently arise in community-property States which also are irrigation land States.

Mr. MORSE. In other words, under the policy now proposed, each spouse would be entitled to have water served to 160 acres; and if one of the spouses dies, this bill, if it is enacted, will permit the surviving spouse to continue to protect the land by continuing to obtain water for the total of 320 acres. What is the time provision, if any, in regard to when the additional 160 acres would have to be disposed of?

Mr. ANDERSON. At the time of remarriage. In case a widow who was in such a situation remarried, and if her second husband also had 160 acres, the total then under the control of the hus-

band and wife would be 480 acres. This bill would compel them to sell the extra 160 acres, in order to return to a total holding of 320 acres.

Mr. MORSE. I thank the Senator from New Mexico.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Interior and Insular Affairs.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## DELIVERY OF WATER TO LANDS IN THE THIRD DIVISION, RIVERTON FEDERAL RECLAMATION PROJECT, WYOMING

The joint resolution (S.J. Res. 150) permitting the Secretary of the Interior to continue to deliver water to lands in the third division, Riverton Federal reclamation project, Wyoming, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That pending completion of a repayment contract the Secretary of the Interior is authorized to continue to deliver water to the lands in the Third Division, Riverton Federal reclamation project, Wyoming, during the calendar years 1960 and 1961, as under the provisions of section 9, subsection (d)(1), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1195, 43 U.S.C. 485h(d)) but without regard to the time limitation therein specified.

## APPROVAL OF CONTRACT WITH THE CONEJOS WATER CONSERVANCY DISTRICT, COLORADO

The bill (H.R. 6516) to approve a contract with the Conejos Water Conservancy District, Colorado, to ratify its execution, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

## CONVEYANCE OF CERTAIN LANDS IN SALT LAKE COUNTY, UTAH

The bill (H.R. 5270) to authorize the Secretary of the Interior to convey to the Metropolitan Water District of Salt Lake City, Utah, all right, title, and interest of the United States in certain lands located in Salt Lake County, Utah, was announced as next in order.

Mr. MORSE. Mr. President, I ask unanimous consent to have inserted at this point in the RECORD a memorandum which shows that this bill does not violate the Morse formula.

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

STATEMENT BY SENATOR MORSE

H.R. 5270 authorizes the Secretary of the Interior to convey to the metropolitan water district of Salt Lake City, Utah, all right, title, and interest of the United States in a 7.7-acre tract of land which was originally donated by the district to the Federal Government for use in connection with construction of the Aqueduct Division of the Provo River Federal reclamation project.

The Federal Government later decided that it did not need the 7.7-acre tract of land in connection with the project. Since the land is not to be used for the specific purpose intended the metropolitan water district desires to have the tract reconveyed to it so that it can use it as an administrative headquarters site for the operation of the project.

The Department of the Interior and the Bureau of the Budget favor the enactment of this bill.

H.R. 5270 is in conformity with the Morse formula because it seeks to carry out the intention underlying the original conveyance by the water district to the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 5270) was considered, ordered to a third reading, read the third time, and passed.

## ACQUISITION OF LANDS FOR THE GEOLOGICAL SURVEY

The bill (H.R. 4483) to amend the act of December 24, 1942 (56 Stat. 1086, 43 U.S.C. 36b), entitled "An act to authorize the Secretary of the Interior to acquire lands or interest in lands for the Geological Survey was considered, ordered to a third reading, read the third time, and passed.

## EXEMPTION OF BICYCLE TIRES AND TUBES FROM THE MANUFACTURER'S EXCISE TAX

The bill (H.R. 8318) to amend the Internal Revenue Code of 1954 to exempt bicycle tires and tubes used in the manufacture of new bicycles from the manufacturer's excise tax on tires and tubes was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of House bill 8318, which has just been passed.

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

STATEMENT BY SENATOR BYRD OF VIRGINIA

House Bill 8318 relates to the excise tax on bicycle tires and tubes. Under present law, a tax of 5 cents a pound applies to bicycle tires and a tax of 9 cents a pound applies to inner tubes. These taxes apply to sales of tires and tubes by the manufacturers, producers or importers. Bicycle tires and tubes (whether manufactured here or imported) are subject to tax when sold in the United States to bicycle manufacturers or others for mounting on new bicycles. Similarly, they are subject to tax if the tire and tube manufacturer himself mounts a tire and tube on a bicycle, since such use is deemed to be a sale. However, in the case of bicycle tires and tubes mounted on bicycles outside the United States, where the bicycles are sold in the United States no U.S. excise tax is paid on the bicycle tires and tubes.

The House bill, approved without change by your committee, eliminates this discrimination by providing an exemption for bicycle tires and tubes sold for use in the manufacture, or production of new bicycles, or used by the tire and tube manufacturer for this purpose. The taxes will continue to apply, however, to tires and tubes sold, or used, as replacements.

The changes made by this bill are to be effective the first day of the first month beginning more than 10 days after the date of enactment of this bill.

## BILL PASSED OVER

The bill (H.R. 4251) to amend the Internal Revenue Code of 1954 with respect to the limitation on the deduction of exploration expenditures, was announced as next in order.

Mr. BARTLETT. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER (Mr. CARLSON in the chair). The bill will be passed over.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of H.R. 4251, which has just been passed over.

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

STATEMENT BY SENATOR BYRD OF VIRGINIA

House bill 4251 relates to the limitation on deduction of exploration expenditures.

Under present law an annual exploration expenditure deduction of up to $100,000 is allowed for no more than 4 years. Exploration expenditure deductions may be taken for expenditures made in exploring for ore or mineral deposits (but not for oil or gas).

This exploration expenditure deduction was added by the Revenue Act of 1951. The Finance Committee report indicates that the limitation was provided because of the desire to provide a "special incentive for increased exploration for mineral deposits * * * especially in the case of taxpayers with limited financial resources."

In actual operation, however, this provision has tended to discriminate against smaller producers. This results from the fact that although a taxpayer may claim deductions of up to $100,000 in any one year, he may not take such deductions for more than 4 years. Thus, a relatively large producer may obtain the full benefit of these deductions by claiming $100,000 in each of 4 years. However, a smaller producer whose annual exploration expenditures do not amount to as much as $100,000 will lose part of the benefit.

Your committee has approved the House bill without change. It removes the 4-year limitation, and provides an overall ceiling of $400,000 with an annual limitation on the deduction of $100,000. No taxpayer will be able to claim exploration expenditure deductions in excess of $100,000 for any year, but if his exploration expenditures are less than $100,000 per year, he will be able to deduct them over a longer period than 4 years so long as his total exploration expenditure deductions do not exceed $400,000.

This bill applies to taxable years beginning after the date of enactment.

## TRANSPORTATION OF CANADIAN VESSELS BETWEEN HYDER, ALASKA, AND OTHER POINTS IN ALASKA

The bill (S. 2773) to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in Alaska was announced as next in order.

Mr. BARTLETT. Mr. President, I ask that the Senate now proceed to the consideration of Calendar No. 1239.

The PRESIDING OFFICER. Is there objection?

There being no objection, 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 for other purposes, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2773 will be indefinitely postponed.

## TRANSFER OF THE DEVELOPMENT OPERATIONS DIVISION OF THE ARMY BALLISTIC MISSILE AGENCY

The joint resolution (H.J. Res. 567) to effect immediately the transfer of the Development Operations Division of the Army Ballistic Missile Agency to the National Aeronautics and Space Administration, was announced as next in order.

Mr. BARTLETT. Mr. President, on January 14, the President submitted to Congress a proposal designed to transfer the Army Ballistic Missile Agency's Development Operations Division—the Von Braun team—to the National Aeronautics and Space Administration. This proposal was submitted in accordance with provisions of the Space Act of 1958, which requires that any such transfer will become effective 60 days after its submission to Congress, unless Congress adopts a concurrent resolution opposing the transfer.

The House passed House Joint Resolution 567, designed to waive the 60-day waiting period.

The Senate Space Committee took testimony and reported a similar resolution.

Regardless of the resolution, the President received authority to make the transfer when the 60-day waiting period was up. Inasmuch as the original proposal was made on the 14th of January, the 60 days had elapsed by about the 14th of March. In view of the fact that the Senate had not acted, the resolution is no longer germane.

Therefore, Mr. President, I ask that House Joint Resolution 567 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the joint resolution will be indefinitely postponed.

## HOSPITALIZATION OF CERTAIN NATIONALS AT ST. ELIZABETHS HOSPITAL

The bill (S. 2331) to provide for the hospitalization, at St. Elizabeths Hospital in the District of Columbia or elsewhere, of certain nationals of the United States adjudged insane or otherwise found mentally ill in foreign countries, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purposes of this Act, except as the context may otherwise require—

(a) The term "Department" means the Department of Health, Education, and Welfare.

(b) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(c) The term "State" means a State or Territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.

(d) The term "eligible person" means an individual with respect to whom the following certificates are furnished to the Secretary:

(1) A certificate of the Secretary of State that such individual is a national of the United States; and

(2) Either (A) a certificate obtained or transmitted by the Secretary of State that such individual has been legally adjudged insane in a named foreign country, or (B) a certificate of an appropriate authority or person (as determined in accordance with regulations prescribed by the Secretary of Health, Education, and Welfare) stating that at the time of such certification such individual was in a named foreign country and was in need of care and treatment in a mental hospital.

(e) The term "residence" means residence as determined under the applicable law or regulations of a State or political subdivision for the purpose of determining the eligibility of an individual for hospitalization in a public mental hospital.

SEC. 2. (a) Upon request of the Secretary of State, the Secretary of Health, Education, and Welfare is authorized (directly or through arrangements under this subsection) to receive any eligible person at any port of entry or debarkation upon arrival from a foreign country, and to the extent he finds it necessary, to temporarily care for and treat at suitable facilities (including a hospital), and otherwise render assistance to, such person pending his transfer or hospitalization pursuant to other sections of this Act. For the purpose of providing such care and treatment and assistance, the Secretary is authorized to enter into suitable arrangements with appropriate State or other public or nonprofit agencies. Such arrangements shall be made without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), and may provide for payment by the Secretary either in advance or by way of reimbursement.

(b) The Secretary may, to the extent deemed appropriate, equitable, and practicable by him, (1) require any person receiving care and treatment or assistance pursuant to subsection (a) to pay, in advance or by way of reimbursement, for the cost thereof or (2) obtain reimbursement for such cost from any State or political subdivision responsible for the cost of his subsequent hospitalization.

SEC. 3. If, at the time of arrival in the United States, the residence or the legal domicile of an eligible person appearing to be in need of care and treatment in a mental hospital is known to be in a State, or whenever thereafter such a person's residence or legal domicile in a State is ascertained, the Secretary shall, if the person is then under his care (whether directly or pursuant to a contract or other arrangement under section 2 or 4), endeavor to arrange with the proper authorities of such State, or of a political subdivision thereof, for the assumption of responsibility for the care and treatment of such person by such authorities and shall, upon the making of such arrangement in writing, transfer and release such person to such authorities. In the event the State of the residence or legal domicile of an eligible person cannot be ascertained, or the Secretary is unable to arrange with the proper authorities of such State, or of a political subdivision thereof, for the assumption of responsibility for his care and treatment, the Secretary may, if he determines that the best interests of such person will be served thereby, transfer and release the eligible person to a relative who agrees in writing to assume responsibility for such person after having been fully informed as to his condition.

SEC. 4. (a) Until the transfer and release of an eligible person pursuant to section 3, the Secretary is authorized to provide care and treatment for such person at Saint Elizabeths Hospital, at any other Federal hospital within or (pursuant to agreement) outside of the Department, or (under contract or other arrangements made without regard to section 3709 of the Revised Statutes, as amended) at any other public or private hospital in any State and, for such purposes, to transfer such person to any such hospital from a place of temporary care provided pursuant to section 2. In determining the place of such hospitalization, the Secretary shall give due weight to the best interests of the patient.

(b) The authority of the Secretary to provide hospitalization for any person under this section shall not apply to any person for whose medical care and treatment any agency of the United States is responsible.

SEC. 5. (a) Any person admitted to any hospital pursuant to section 2 or section 4 shall, as soon as practicable, but in no event more than 5 days after the day of such admission, be examined by qualified members of the medical staff of the hospital and, unless found to be in need of hospitalization by reason of mental illness, shall be discharged Any person found upon such examination to be in need of such hospitalization shall thereafter, as frequently as practicable but not less often than every 6 months, be reexamined and shall, whenever it is determined that the conditions justifying such hospitalization no longer obtain, be discharged or, if found to be in the best interests of the patient, be conditionally released.

(b) Whenever any person is admitted to a hospital pursuant to this Act, his legal guardian, spouse, or next of kin shall, if known, be immediately notified.

SEC. 6. (a) If a person who is a patient hospitalized under section 2 or section 4, or his legal guardian, spouse, or adult next of kin, requests the release of such patient, the right of the Secretary, or the head of the hospital, to detain him for care and treatment shall be determined in accordance with such laws governing the detention, for care and treatment, of persons alleged to be mentally ill as may be in force and applicable generally in the State in which such hospital is located, but in no event shall the patient be detained more than 48 hours (excluding any period of time falling on a Sunday or legal holiday) after the receipt of such request unless within such time (1) judicial proceedings for such hospitalization are commenced or (2) a judicial extension of such time is obtained, for a period of not more than 5 days, for the commencement of such proceedings.

(b) The Secretary is authorized at any time, when he deems it to be in the interest of the person or of the institution affected, to transfer any person hospitalized under section 4 from one hospital to another, and to that end any judicial commitment of any person so hospitalized may be to the Secretary.

SEC. 7. In the case of any person hospitalized under section 4 who has been judicially committed to the Secretary's custody, the Secretary shall, upon the discharge or conditional release of such person, or upon such person's transfer and release

under section 3, notify the committing court of such discharge or conditional release or such transfer and release.

SEC. 8. (a) Any person hospitalized under section 4 or his estate, shall be liable to pay or contribute toward the payment of the costs or charges for his care and treatment to the same extent as such person would, if resident in the District of Columbia, be liable to pay, under the laws of the District of Columbia, for his care and maintenance in a hospital for the mentally ill in that jurisdiction. The Secretary may, in his discretion, where in his judgment substantial justice will be best served thereby or the probable recovery will not warrant the expense of collection, compromise or waive the whole or any portion of any claim under this section. In carrying out this section, the Secretary may make or cause to be made such investigations as may be necessary to determine the ability of any person hospitalized under section 4 to pay or contribute toward the cost of his hospitalization. All collections or reimbursement on account of the costs and charges for the care of the eligible person shall be deposited in the Treasury as miscellaneous receipts. Any judicial proceedings to recover such costs or charges shall be brought in the name of the United States in any court of competent jurisdiction.

(b) As used in this section, the term "costs or charges" means, in the case of hospitalization at a hospital under the jurisdiction of the Department of Health, Education, and Welfare, a per diem rate prescribed by the Secretary on a basis comparable to that charged for any other paying patients and, in the case of persons hospitalized elsewhere, the contract rate or a per diem rate fixed by the Secretary on the basis of the contract rate.

SEC. 9. Appropriations for carrying out this Act shall also be available for the transportation of any eligible person and necessary attendants to or from a hospital (including any hospital of a State or political subdivision to which an eligible person is released under section 3), to the place where a relative to whom any person is released under section 3 resides, or to a person's home upon his discharge from hospitalization under this Act.

SEC. 10. The following Acts are repealed, effective upon the date of enactment of legislation appropriating funds for carrying out this Act:

(a) The Act entitled "An Act to provide for the admission to Saint Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States", approved October 29, 1941 (24 U.S.C. 191a).

(b) The Act entitled "An Act to provide for the repatriation of certain insane American citizens", approved March 2, 1929 (24 U.S.C. 196a).

SEC. 11. This Act shall, except as otherwise specified, take effect on the date of its enactment.

## KIM YONG CHA

The bill (S. 2538) for the relief of Kim Yong Cha, fiance of Cpl. LeMaine Ellingson, RA55280245, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Kim Yong Cha, the fiance of Corporal LeMaine Ellingson, RA55280245, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided,* That the administrative authorities find that the said Kim Yong Cha is coming to the United States with a bona fide intention of being married to the said Corporal LeMaine Ellingson, RA55280245, and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Kim Yong Cha, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Kim Yong Cha, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kim Yong Cha as of the date of the payment by her of the required visa fee.

## MARIA VITTONE AND ROSA FOSTINA

The bill (S. 2541) for the relief of Maria Vittone and Rosa Fostina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, Maria Vittone and Rosa Fostina, shall be held and considered to be the natural-born alien children of Margaret (Maggie) Wesley, a citizen of the United States: *Provided,* That the natural parents of the said Maria Vittone and Rosa Fostina shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

## PIETRO CAPICI CONTI

The Senate proceeded to consider the bill (S. 2552) for the relief of Pietro Capici Conti, which had been reported from the Committee on the Judiciary, with amendments, in line 8, after the word "natural", to strike out "parents" and insert "mother", and in the same line, after the word "said", to strike out "Pietro Capici Conti" and insert "Pietro Capici Cordaro", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Pietro Capici Cordaro, shall be held and considered to be the natural-born alien child of Giovannina (Jennie) Conti, a citizen of the United States: *Provided,* That the natural mother of the said Pietro Capici Cordaro shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Pietro Capici Cordaro."

## ESTATE OF JOHN STEVE

The bill (H.R. 1540) for the relief of the estate of John Steve, was considered, ordered to a third reading, read the third time, and passed.

## EXTENSION OF STATUTE OF LIMITATIONS OF CERTAIN FOREIGN CLAIMS

The bill (H.R. 2740) to amend section 2734 of title 10, United States Code, to extend the statute of limitations in the case of certain foreign claims, was considered, ordered to a third reading, read the third time, and passed.

## TATSUMI AJISAKA AND OTHERS

The Senate proceeded to consider the bill (H.R. 8251) for the relief of Tatsumi Ajisaka and others, which had been reported from the Committee on the Judiciary, was an amendment, on page 2, line 10, after the figures "$73", to strike out "Civil Aero Club, $2,505.50;".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## HSIAO-LI LINDSAY (NEE LI-HSIAO-LI)

The Senate proceeded to consider the bill (H.R. 9444) for the relief of Hsiao-li Lindsay (nee Li-Hsiao-li), which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the name "Great Britain", to strike out "notwithstanding the provisions of section 202(a) and 202(b) of that Act," and insert "and the provisions of sections 201(a), 202(a)(5), and 202(b)(2) of that Act shall not be applicable in this case.".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## ARTHUR E. COLLINS

The Senate proceeded to consider the bill (H.R. 4826) for the relief of Arthur E. Collins, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the name "Collins", to strike out "Missouri," and insert "Casper, Wyoming,", and on page 2, line 6, after the word "Act", to strike out "in excess of 10 per centum thereof".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## PAINTING AND ILLUMINATION OF RADIO TOWERS

The bill (S. 2812) to amend the Communications Act of 1934 with respect to the painting and illumination of radio towers, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 303(q) of the Communications Act of

1934 (47 U.S.C. 303(q)) is amended by inserting after the period at the end thereof the following: "The permittee or licensee shall maintain the painting and/or illumination of the tower as prescribed by the Commission pursuant to this section. In the event that the tower ceases to be licensed by the Commission for the transmission of radio energy, the owner of the tower shall maintain the prescribed painting and/or illumination of such tower until it is dismantled."

## DETERMINATION OF ELIGIBILITY OF FEDERAL EMPLOYEES FOR UNEMPLOYMENT COMPENSATION

The Senate proceeded to consider the bill (H.R. 3472) to repeal section 1505 of the Social Security Act so that in determining eligibility of Federal employees for unemployment compensation their accrued annual leave shall be treated in accordance with State laws, and for other purposes, which had been reported from the Committee on Finance, with an amendment, on page 2, after line 2, to insert a new section, as follows:

SEC. 3. Section 213(a)2(B) of the Social Security Act is amended by adding at the end thereof the following language: "If, in the case of an individual who did not die prior to January 1, 1955, and who attained retirement age or died before July 1, 1957, the requirements for insured status in section 214(a)(3) are not met because of his having too few quarters of coverage but would be met if his quarters of coverage in the first calendar year in which he had any covered employment had been determined on the basis of the period during which wages were earned rather than on the basis of the period during which wages were paid (any such wages paid that are reallocated on an earned basis shall not be used in determining quarters of coverage for subsequent calendar years), then upon application filed by the individual or his survivors and satisfactory proof of his record of wages earned being furnished by such individual or his survivors, the quarters of coverage in such calendar year may be determined on the basis of the periods during which wages were earned."

This amendment shall be applicable in the case of monthly benefits under title II of the Social Security Act for months after June 1957, and in the case of the lump-sum death payments under such title, with respect to deaths occurring after such month; the requirements for filing applications for such benefits and payments within certain time limits, as prescribed in sections 202(i) and 202(j) of such title, shall not apply if an application is filed within the one-year period beginning with the first day of the month after the month in which this Act is enacted.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MORSE. Mr. President, I was giving heed to another matter when Calendar No. 1193, House bill 3472, was passed. I should like to have the Senate return to it for the purpose of receiving an explanation of it, and possibly so that I may ask some questions with respect to it. I am concerned with one problem which may be connected with it, which an explanation may remove.

Mr. President, I ask unanimous consent that the Senate reconsider the vote by which it passed Calendar No. 1193, House bill 3472.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the bill was passed is reconsidered.

Mr. BYRD of Virginia. Mr. President, the purpose of H.R. 3472 is to repeal section 1505 of the Social Security Act so that, in determining eligibility of Federal civilian employees for unemployment compensation, their accrued annual leave shall be treated in accordance with State laws.

The Federal employees' unemployment insurance program is administered by the States under agreements with the Federal Government. However, under section 1505 of the Social Security Act no compensation may be paid to a Federal employee during a period subsequent to separation from Federal service when he is being paid for accrued annual leave. The committee's bill, by repealing section 1505, would make the award of unemployment compensation to a separated Federal civilian employee while he has accrued annual leave depend upon the provisions of the appropriate State unemployment compensation law.

COMMITTEE AMENDMENT

Section 3 of the bill, which was added by the committee, is intended to make a technical correction necessary to prevent undue hardship and injustice.

The present law provides that a quarter of coverage under OASI is based on the quarter in which wages are paid. Originally Congress provided that coverage should be based on the period when the covered work was performed, and the retirement test is still based on this concept.

The purpose of this amendment is to qualify for social security benefits certain workers who have worked in covered employment for the required number of quarters, but who are unable to establish such eligibility due to this method now being used by the Social Security Administration in determining the insured status on the basis of the periods in which the wages were paid, instead of the periods during which the wages were earned.

May I state a hypothetical case to illustrate a resultant hardship: A claimant who attained age 65 on January 31, 1955, had worked in covered employment for the minimum requirement of six quarters—ending March 31, 1956, June 30, 1956, September 30, 1956, December 31, 1956, March 31, 1957, and June 30, 1957. His employer paid his wages for the quarter ending September 30, 1956, on October 2, 1956; so they were credited in the next quarter, leaving him with no credit for the quarter in question. This claimant is physically unable to perform any further work and should not be deprived of his earned benefits because of this technicality.

As recommended by the Secretary of Health, Education, and Welfare, the amendment is limited in scope to individuals who did not die prior to January 1, 1955, and who attained retirement age or died before January 1, 1957, so as to give protection to the large group of individuals who were covered by the program for the first time in 1955. It is also limited to coverage acquired in the first year that the individual was in covered employment, since in such periods there is often a lag involved between when actual employment occurs and when wages are actually paid, thus possibly resulting in the loss of a needed quarter of coverage. The amendment would be effective for monthly benefits in respect to months after June 1957, if application therefor is filed within about 1 year after the month of enactment.

It was approved by the Department of Health, Education, and Welfare.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. BYRD of Virginia. I yield.

Mr. MORSE. This is obviously a very complicated bill, when we start considering it in connection with specific cases.

It may be that the hypothetical question I am now going to state to the Senator, for an answer, is not at all applicable, but I am worried about this hypothetical situation. Let us consider a Federal employee who is separated from the Federal service. Because the employee is separated from the Federal service he is entitled to certain accrued benefits which flow to him after separation from the service, which he in fact has earned under our annuity system.

Would this bill provide that because the person is getting those benefits he cannot be considered for unemployment insurance benefits in accordance with some State law, on the ground that he is getting some income from the Federal Government?

Mr. BYRD of Virginia. The State laws would govern that matter. In other words, in determining the eligibility of Federal employees for unemployment compensation their accrued annual leave shall be treated in accordance with State law, as is true with respect to other matters relating to this.

Mr. MORSE. If that means anything it means, I suppose, that under the present situation the accrued annual benefits are not now so treated. In other words, is the bill an amendment which makes a concession to the States, so that the States can, in effect, use the payments from the Federal Government as the basis for making an employee ineligible for unemployment insurance benefits under the State law?

Mr. BYRD of Virginia. By repealing section 1505 the bill would make the award of unemployment compensation to a separated Federal civilian employee while he has accrued annual leave depend upon the provisions of the appropriate State unemployment compensation law. As the Senator well knows, the benefits are fixed by the States, in respect to unemployment compensation.

Mr. MORSE. If it is true that the bill would not make any difference at all, then why is it necessary?

I should like to find out what I shall be doing if I vote for the bill. Will I be putting the separated Federal employee in a position where he would be

less protected than he is now? I know that some of our State unemployment insurance benefit laws are shockingly inadequate. We are dealing with this very problem in the Committee on the District of Columbia now, in respect to unemployment insurance benefits in the District of Columbia. This has caused me to make a rather thorough study of the unemployment insurance benefits in our several States. They are pretty sad. I do not want to vote this afternoon for some bill which is going to make them worse.

Let me put it this way: I do not want to vote for a bill which is going to put the States in a position to take further advantage of unemployed Federal employees who have been separated from the Federal service than they now do.

Mr. BYRD of Virginia. I think the intention of the committee was to liberalize the provisions to a certain extent.

Under section 1505, which would be repealed by the bill, it is provided that no compensation may be paid to a Federal employee during a period subsequent to separation from Federal service when he is being paid for accrued annual leave.

Mr. MORSE. I do not know why he should be.

Mr. BYRD of Virginia. That is the law.

Mr. MORSE. That is income. That is as much income as he would get from a stock dividend.

I am sure the Senator from Virginia will not take any offense if I ask for time to study the bill.

Mr. BYRD of Virginia. The Senator from Oregon did not understand me. The bill would repeal that section and provide that the separated Federal employee could get unemployment insurance while receiving accrued annual leave.

Mr. MORSE. He could get it?

Mr. BYRD of Virginia. He could get it.

Mr. MORSE. Then there is no question, under the amendment.

Mr. BYRD of Virginia. The committee bill, by repealing section 1505, would make possible the award of unemployment compensation to a separated Federal civilian employee while he has accrued annual leave coming to him.

Mr. MORSE. Then we are of one mind. I am glad I asked the question. I thank the Senator. I misunderstood the import of the bill.

With that understanding, I have no objection.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H.R. 3472) was passed.

## DOCUMENTATION OF VESSEL "EDITH Q." AS A VESSEL OF THE UNITED STATES

The Senate proceeded to consider the bill (S. 1765) to authorize and direct the Treasury to cause the vessel *Edith Q.*, owned by James O. Quinn, of Sunset, Maine, to be documented as a vessel of the United States with full coastwise privileges, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, on page 1, line 5, after "(46 U.S.C. 11)," to insert "and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883)," so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), the Secretary of the Treasury is authorized and directed to cause that certain vessel now known as the Edith Q. (formerly the Miss Paul), built in 1950, in Nova Scotia, and now owned by James O. Quinn, of Sunset, Maine, to be documented as a vessel of the United States with full coastwise privileges, upon compliance with the usual requirements, so long as the vessel is owned and shall continue to be owned by a citizen of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## SALE OF FOUR C1–SAY–1 TYPE VESSELS TO THE GOVERNMENT OF THE REPUBLIC OF CHINA

The Senate proceeded to consider the bill (H.R. 8042) to authorize the Secretary of Commerce to resell four C1–SAY–1 type vessels to the Government of the Republic of China for use in Chinese trade in Far East and Near East waters exclusively, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, on page 3, line 9, after the word "named", to strike out "vessels" and insert "vessels, and less depreciation computed at the rate of 3½ per centum per annum from the date of default under the original contract to the date of sale under this act."

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, if the depreciation is to be computed under a formula in accordance with my understanding of the bill I would have no objection.

Mr. MAGNUSON. Mr. President, I cannot hear the Senator.

Mr. WILLIAMS of Delaware. Mr. President, I should like to ask the Senator from Washington a question.

Under the committee bill, as amended, if the bill is passed, would the depreciation be computed on the statutory sales price as reduced by the payments made under the original contract?

Mr. MAGNUSON. I wonder if the Senator from Delaware would repeat the question. I was getting the report.

Mr. WILLIAMS of Delaware. If the bill is passed as it is presently amended, would the depreciation be computed on the statutory sales price as reduced by the payments which were made under the original contract?

Mr. MAGNUSON. The answer is "Yes," according to the staff.

Mr. WILLIAMS of Delaware. With that clear understanding, Mr. President, I have no objection to the bill.

Mr. MAGNUSON. I also wish to say for the RECORD, Mr. President, this is a bill which has passed the House.

Mr. WILLIAMS of Delaware. Mr. President, the reason I asked the question is that I was talking with the Maritime Commission representatives, and they wanted to be sure as to what the committee intended. With the interpretation just given the net sales price will be $292,410 each, whereas had it been intended that the depreciation was to be computed on the old statutory price with depreciation taken to the present time the sales price would have been only $61,375 each.

I wanted to be sure that there was no misunderstanding as to what we are doing.

Mr. MAGNUSON. The staff understands it as such.

The PRESIDING OFFICER. If there is no further amendments to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to authorize the Secretary of Commerce to resell any two of four C1–SAY–1 type vessels to the Government of the Republic of China for use in Chinese trade in Far East and Near East waters exclusively."

## BILL PASSED OVER

The bill (S. 2850) to provide for the appointment of one circuit judge for the 7th judicial circuit was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

## REGULATION OF DISTRIBUTION AND SALE OF PACKAGES OF HAZARDOUS SUBSTANCES

The Senate proceeded to consider the bill (S. 1283) to regulate the interstate distribution and sale of packages of hazardous substances intended or suitable for household use, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Hazardous Substances Labeling Act".

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "territory" means any territory or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico but excluding the Canal Zone.

(b) The term "interstate commerce" means (1) commerce between any State or territory and any place outside thereof, and (2) commerce within the District of Columbia or within any territory not organized with a legislative body.

(c) The term "Department" means the Department of Health, Education, and Welfare.

(d) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(e) The term "person" includes an individual, partnership, corporation, and association.

(f) The term "hazardous substance" means:

1. (A) Any substance or mixture of substances which (i) is toxic, (ii) is corrosive, (iii) is an irritant, (iv) is a strong sensitizer, (v) is flammable, or (vi) generates pressure through decomposition, heat, or other means, if such substance or mixture of substances may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children.

(B) Any substances which the Secretary by regulation finds, pursuant to the provisions of section 3(a), meet the requirements of subparagraph 1(A) of this paragraph.

(c) Any radioactive substance, if, with respect to such substance as used in a particular class of article or as packaged, the Secretary determines by regulation that the substance is sufficiently hazardous to require labeling in accordance with this Act in order to protect the public health.

2. The term "hazardous substance" shall not apply to economic poisons subject to the Federal Insecticide, Fungicide, and Rodenticide Act, nor to foods, drugs and cosmetics subject to the Federal Food, Drug, and Cosmetic Act, nor to substances intended for use as fuels when stored in bulk containers and used in the heating, cooking, or refrigeration system of a house.

3. The term "hazardous substance" shall not include any source material, special nuclear material, or by-product material as defined in the Atomic Energy Act of 1954, as amended, and regulations issued pursuant thereto by the Atomic Energy Commission.

(g) The term "toxic" shall apply to any substance (other than a radioactive substance) which has the capacity to produce personal injury or illness to man through ingestion, inhalation, or absorption through any body surface.

(h)(1) The term "highly toxic" means any substance which falls within any of the following categories: (a) Produces death within fourteen days in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, at a single dose of 50 milligrams or less per kilogram of body weight when orally administered; or (b) produces death within fourteen days in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, when inhaled continuously for a period of one hour or less at an atmospheric concentration of two hundred parts per million by volume or less of gas or vapor or two milligrams per liter by volume or less of mist or dust, provided such concentration is likely to be encountered by man when the substance is used in any reasonably forseeable manner; or (c) produces death within fourteen days in half or more than half of a group of ten or more rabbits tested in a dosage of two hundred milligrams or less per kilogram of body weight, when administered by continuous contact with the bare skin for twenty-four hours or less.

(2) If the Secretary finds that available data on human experience with any substance indicate results different from those obtained on animals in the above-named dosages or concentrations, the human data shall take precedence.

(i) The term "corrosive" means any substance which in contact with living tissue will cause destruction of tissue by chemical action; but shall not refer to action on inanimate surfaces.

(j) The term "irritant" means any substance not corrosive within the meaning of subparagraph (i) which on immediate, prolonged, or repeated contact with normal living tissue will induce a local inflammatory reaction.

(k) The term "strong sensitizer" means a substance which will cause on normal living tissue through an allergic or photodynamic process a hypersensitivity which becomes evident on reapplication of the same substance and which is designated as such by the Secretary. Before designating any substance as a strong sensitizer, the Secretary, upon consideration of the frequency of occurrence and severity of the reaction, shall find that the substance has a significant potential for causing hypersensitivity.

(l) The term "extremely flammable" shall apply to any substance which has a flash point at or below twenty degrees Fahrenheit as determined by the Tagliabue Open Cup Tester, and the term "flammable" shall apply to any substance which has a flash point of above twenty degrees to and including eighty degrees Fahrenheit, as determined by the Tagliabue Open Cup Tester; except that the flammability of solids, and of the contents of self-pressurized containers shall be determined by methods found by the Secretary to be generally applicable to such materials or containers, respectively, and established by regulations issued by him, which regulations shall also define the terms "flammable" and "extremely flammable" in accord with such methods.

(m) The term "radioactive substance" means a substance which emits ionizing radiation.

(n) The term "label" means a display of written, printed, or graphic matter upon the immediate container of any substance; and a requirement made by or under authority of this Act that any word, statement, or other information appearing on the label shall not be considered to be complied with unless such word, statement, or other information also appears (1) on the outside container or wrapper, if any there be, unless it is easily legible through the outside container or wrapper and (2) on all accompanying literature where there are directions for use, written or otherwise.

(o) The term "immediate container" does not include package liners.

(p) The term "misbranded package" or "misbranded package of a hazardous substance" means a hazardous substance in a container intended or suitable for household use which, except as otherwise provided by or pursuant to section 3, fails to bear a label—

(1) which states conspicuously (A) the name and place of business of the manufacturer, packer, distributor, or seller; (B) the common or usual name or the chemical name (if there be no common or usual name) of the hazardous substance or of each component which contributes substantially to its hazard, unless the Secretary by regulation permits or requires the use of a recognized generic name; (C) the signal word "DANGER" on substances which are extremely flammable, corrosive, or highly toxic; (D) the signal word "WARNING" or "CAUTION" on all other hazardous substances; (E) an affirmative statement of the principal hazard or hazards, such as "Flammable", "Vapor Harmful", "Causes Burns", "Absorbed Through Skin", or similar wording descriptive of the hazard; (F) precautionary measures describing the action to be followed or avoided, except when modified by regulation of the Secretary pursuant to section 3; (G) instruction, when necessary or appropriate, for first-aid treatment; (H) the word "poison" for any hazardous substance which is defined as "highly toxic" by subsection (h); (I) instructions for handling and storage of packages which require special care in handling or storage; and (J) the statement "Keep out of the reach of children", or its practical equivalent, and

(2) on which any statements required under subparagraph (1) of this paragraph are located prominently and are in the English language in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the label.

REGULATIONS DECLARING HAZARDOUS SUBSTANCES AND ESTABLISHING VARIATIONS AND EXEMPTIONS

SEC. 3. (a) 1. Whenever in the judgment of the Secretary such action will promote the objectives of this Act by avoiding or resolving uncertainty as to its application, the Secretary may by regulation declare to be a hazardous substance, for the purposes of this Act, any substance or mixture of substances which he finds meets the requirements of subparagraph (1)(A) of section 2(f).

2. Proceedings for the issuance, amendment, or repeal of regulations under this subsection and the admissibility of the record of such proceedings in other proceedings, shall in all respects be governed by the provisions of section 701 (e), (f), and (g) of the Federal Food, Drug, and Cosmetic Act, except that—

(A) the Secretary's order after public hearing (acting upon objections filed to an order made prior to hearing) shall be subject to the requirements of section 409(f)(2) of the Federal Food, Drug, and Cosmetic Act; and

(B) the scope of judicial review of such order shall be in accordance with the third sentence of paragraph (2), and with the provisions of paragraph (3), of section 409(g) of the Federal Food, Drug, and Cosmetic Act.

(b) If the Secretary finds that the requirements of section 2(p)(1) are not adequate for the protection of the public health and safety in view of the special hazard presented by any particular hazardous substance, he may by regulation establish such reasonable variations or additional label requirements as he finds necessary for the protection of the public health and safety; and any container of such hazardous substance, intended or suitable for household use, which fails to bear a label in accordance with such regulations shall be deemed to be a misbranded package of a hazardous substance.

(c) If the Secretary finds that, because of the size of the package involved or because of the minor hazard presented by the substance contained therein, or for other good and sufficient reasons full compliance with the labeling requirements otherwise applicable under this Act is impracticable or is not necessary for the adequate protection of the public health and safety, the Secretary shall promulgate regulations exempting such substance from these requirements to the extent he determines to be consistent with adequate protection of the public health and safety.

(d) The Secretary may exempt from the requirements established by or pursuant to this Act any container of a hazardous substance with respect to which he finds that adequate requirements satisfying the purposes of this Act have been established by or pursuant to any other Act of Congress.

PROHIBITED ACTS

SEC. 4. The following acts and the causing thereof are hereby prohibited:

(a) The introduction or delivery for introduction into interstate commerce of any misbranded package of a hazardous substance.

(b) The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the label of, or the doing of any other act with respect to, a hazardous substance, if such act is done while the substance is in interstate commerce, or while

the substance is held for sale (whether or not the first sale) after shipment in interstate commerce, and results in the hazardous substance being in a misbranded package.

(c) The receipt in interstate commerce of any misbranded package of a hazardous substance and the delivery or proffered delivery thereof for pay or otherwise.

(d) The giving of a guarantee or undertaking referred to in section 5(b)(2) which guarantee or undertaking is false, except by a person who relied upon a guarantee or undertaking to the same effect signed by, and containing the name and address of, the person residing in the United States from whom he received in good faith the hazardous substance.

(e) The failure to permit entry or inspection as authorized by section 11(b) or to permit access to and copying of any record as authorized by section 12.

(f) The introduction or delivery for introduction into interstate commerce, or the receipt in interstate commerce and subsequent delivery or proffered delivery for pay or otherwise, of a hazardous substance in a reused food, drug, or cosmetic container or in a container which, though not a reused container, is identifiable as a food, drug, or cosmetic container by its labeling or by other identification. The reuse of a food, drug, or cosmetic container as a container for a hazardous substance shall be deemed to be an act which results in the hazardous substance being in a misbranded package. As used in this paragraph, the terms "food", "drug", and "cosmetic" shall have the same meanings as in the Federal Food, Drug, and Cosmetic Act.

(g) The manufacture within any territory, of any hazardous substance that is misbranded.

(h) The use by any person to his own advantage, or revealing other than to the Secretary or officers or employees of the Department, or to the courts when relevant in any judicial proceeding under this Act, of any information acquired under authority of section 11 concerning any method of process which as a trade secret is entitled to protection.

PENALTIES

SEC. 5. (a) Any person who violates any of the provisions of section 4 shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than $500 or to imprisonment for not more than ninety days, or both; but for offenses committed with intent to defraud or mislead, or for second and subsequent offense, the penalty shall be imprisonment for not more than one year, or a fine of not more than $3,000, or both such imprisonment and fine.

(b) No person shall be subject to the penalties of subsection (a) of this section, (1) for having violated section 4(c), if the receipt, delivery, or proffered delivery of the hazardous substance was made in good faith, unless he refuses to furnish on request of an officer or employee duly designated by the Secretary, the name and address of the person from whom he purchased or received such hazardous substance, and copies of all documents, if any there be, pertaining to the delivery of the hazardous substance to him; or (2) for having violated section 4(a), if he establishes a guarantee or undertaking signed by, and containing the name and address of, the person residing in the United States from whom he received in good faith the hazardous substance, to the effect that the hazardous substance is not in misbranded packages within the meaning of that term in this Act; or (3) for having violated subsection (a) or (c) of section 4 in respect of any hazardous substance shipped or delivered for shipment for export to any foreign country, in a package marked for export on the outside of the shipping container and labeled in accordance with the specifications of the foreign purchaser and in accordance with the laws of the foreign country.

SEIZURES

SEC. 6. (a) Any hazardous substances that is in a misbranded package when introduced into or while in interstate commerce or while held for sale (whether or not the first sale) after shipment in interstate commerce, or which may not, under the provisions of section 4(f), be introduced into interstate commerce, or which has been manufactured in violation of section 4(g), shall be liable to be proceeded against while in interstate commerce or at any time thereafter, on libel of information and condemned in any district court in the United States within the jurisdiction of which the hazardous substance is found: *Provided*, That this section shall not apply to a hazardous substance intended for export to any foreign country if it (1) is in a package branded in accordance with the specifications of the foreign purchaser, (2) is labeled in accordance with the laws of the foreign country, and (3) is labeled on the outside of the shipping package to show that it is intended for export, and (4) is so exported.

(b) Such hazardous substance shall be liable to seizure by process pursuant to the libel, and the procedure in cases under this section shall conform, as nearly as may be to the procedure in admiralty; except that on demand of either party any issue of fact joined in any such case shall be tried by jury When libel for condemnation proceedings under this section, involving the same claimant and the same issues of misbranding, are pending in two or more jurisdictions, such pending proceedings, upon application of the United States or the claimant seasonably made to the court of one such jurisdiction shall be consolidated for trial by order of such court, and tried in (1) any district selected by the applicant where one of such proceedings is pending; or (2) a district agreed upon by stipulation between the parties. If no order for consolidation is so made within a reasonable time, the United States or the claimant may apply to the court of one such jurisdiction, and such court (after giving the other party, the claimant, or the United States attorney for such district, reasonable notice and opportunity to be heard) shall by order, unless good cause to the contrary is shown, specify a district of reasonable proximity to the claimant's principal place of business, in which all such pending proceedings shall be consolidated for trial and tried. Such order of consolidation shall not apply so as to require the removal of any case the date for trial of which has been fixed. The court granting such order shall give prompt notification thereof to the other courts having jurisdiction of the cases covered thereby.

(c) Any hazardous substance condemned under this section shall, after entry of the decree, be disposed of by destruction or sale as the court may, in accordance with the provisions of this section, direct and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States; but such hazardous substance shall not be sold under such decree contrary to the provisions of this Act or the laws of the jurisdiction in which sold: *Provided*, That, after entry of the decree and upon the payment of the costs of such proceedings and the execution of a good and sufficient bond conditioned that such hazardous substance shall not be sold or disposed of contrary to the provisions of this Act or the laws of any State or Territory in which sold, the court may by order direct that such hazardous substance be delivered to the owner thereof to be destroyed or brought into compliance with the provisions of this Act under the supervision of an officer or employee duly designated by the Secretary, and the expenses of such supervision shall be paid by the person obtaining release of the hazardous substance under bond.

(d) When a decree of condemnation is entered against the hazardous substance, court costs and fees, and storage and other proper expenses, shall be awarded against the person, if any, intervening as claimant of the hazardous substance.

(e) In the case of removal for trial of any case as provided by subsection (b)—

(1) the clerk of the court from which removal is made shall promptly transmit to the court in which the case is to be tried all records in the case necessary in order that such court may exercise jurisdiction;

(2) the court to which such case is removed shall have the powers and be subject to the duties, for purposes of such case, which the court from which removal was made would have had, or to which such court would have been subject, if such case had not been removed.

HEARING BEFORE REPORT OF CRIMINAL VIOLATION

SEC. 7. Before any violation of this Act is reported by the Secretary to any United States attorney for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given appropriate notice and an opportunity to present his views, either orally or in writing, with regard to such contemplated proceeding.

INJUNCTIONS

SEC. 8. (a) The United States district courts and the United States courts of the territories shall have jurisdiction, for cause shown and subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

STYLE OF ENFORCEMENT PROCEEDINGS—SUBPENAS

SEC. 9. All criminal proceedings and all libel or injunction proceedings for the enforcement, or to restrain violations, of this Act shall be by and in the name of the United States. Subpenas for witnesses who are required to attend a court of the United States in any district may run into any other district in any such proceeding.

REGULATIONS

SEC. 10. (a) The authority to promulgate regulations for the efficient enforcement of this Act, except as otherwise provided in this section, is hereby vested in the Secretary.

(b) The Secretary of the Treasury and the Secretary of Health, Education, and Welfare shall jointly prescribe regulations for the efficient enforcement of the provisions of section 14, except as otherwise provided therein. Such regulations shall be promulgated in such manner and take effect at such time, after due notice, as the Secretary of Health, Education, and Welfare shall determine.

EXAMINATIONS AND INVESTIGATIONS

SEC. 11. (a) The Secretary is authorized to conduct examinations, inspections, and investigations for the purposes of this Act through officers and employees of the Department or through any health officer or employee of any State, territory, or political subdivision thereof, duly commissioned by the Secretary as an officer of the Department.

(b) For purposes of enforcement of this Act, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) to enter, at reasonable times, any factory, warehouse, or establishment in which hazardous substances are manufactured, processed, packed, or held for introduction into interstate commerce or are held after such introduction, or to enter any vehicle being used to transport or hold such hazardous substances in interstate commerce; (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or vehicle, and all pertinent equipment, finished and unfinished materials, and labeling therein; and (3) to obtain samples of such materials or packages thereof, or of such labeling. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness.

(c) If the officer or employee obtains any sample, prior to leaving the premises, he shall give to the owner, operator, or agent in charge a receipt describing the samples obtained. If an analysis is made of such sample, a copy of the results of such analysis shall be furnished promptly to the owner, operator, or agent in charge.

RECORDS OF INTERSTATE SHIPMENT

SEC. 12. For the purpose of enforcing the provisions of this Act, carriers engaged in interstate commerce, and persons receiving hazardous substances in interstate commerce or holding such hazardous substances so received shall, upon the request of an officer or employee duly designated by the Secretary, permit such officer or employee, at reasonable times, to have access to and to copy all records showing the movement in interstate commerce of any such hazardous substance, or the holding thereof during or after such movement, and the quantity, shipper, and consignee thereof; and it shall be unlawful for any such carrier or person to fail to permit such access to and copying of any record so requested when such request is accompanied by a statement in writing specifying the nature or kind of such hazardous substance to which such request relates: *Provided,* That evidence obtained under this section shall not be used in a criminal prosecution of the person from whom obtained: *Provided, further,* That carriers shall not be subject to the other provisions of this Act by reason of their receipt, carriage, holding, or delivery of hazardous substances in the usual course of business as carriers.

PUBLICITY

SEC. 13. (a) The Secretary may cause to be published from time to time reports summarizing any judgments, decrees, or court orders which have been rendered under this Act, including the nature of the charge and the disposition thereof.

(b) The Secretary may also cause to be disseminated information regarding hazardous substances in situations involving, in the opinion of the Secretary, imminent danger to health. Nothing in this section shall be construed to prohibit the Secretary from collecting, reporting, and illustrating the results of the investigations of the Department.

IMPORTS

SEC. 14. (a) The Secretary of the Treasury shall deliver to the Secretary of Health, Education, and Welfare, upon his request, samples of hazardous substances which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may appear before the Secretary of Health, Education, and Welfare and have the right to introduce testimony. If it appears from the examination of such samples or otherwise that such hazardous substance is in misbranded packages or in violation of section 4(f), then such hazardous substance shall be refused admission, except as provided in subsection (b) of this section. The Secretary of the Treasury shall cause the destruction of any such hazardous substance refused admission unless such hazardous substance is exported, under regulations prescribed by the Secretary of the Treasury, within ninety days of the date of notice of such refusal or within such additional time as may be permitted pursuant to such regulations.

(b) Pending decision as to the admission of a hazardous substance being imported or offered for import, the Secretary of the Treasury may authorize delivery of such hazardous substance to the owner or consignee upon the execution by him of a good and sufficient bond providing for the payment of such liquidated damages in the event of default as may be required pursuant to regulations of the Secretary of the Treasury. If it appears to the Secretary of Health, Education, and Welfare that the hazardous substance can, by relabeling or other action, be brought into compliance with this Act, final determination as to admission of such hazardous substance may be deferred and, upon filing of timely written application by the owner or consignee and the execution by him of a bond as provided in the preceding provisions of this subsection, the Secretary may, in accordance with regulations, authorize the applicant to perform such relabeling or other action specified in such authorization (including destruction or export of rejected hazardous substances or portions thereof, as may be specified in the Secretary's authorization). All such relabeling or other action pursuant to such authorization shall, in accordance with regulations, be under the supervision of an officer or employee of the Department of Health, Education, and Welfare designated by the Secretary, or an officer or employee of the Department of the Treasury designated by the Secretary of the Treasury.

(c) All expenses (including travel, per diem, or subsistence, and salaries of officers or employees of the United States) in connection with the destruction provided for in subsection (a) of this section and the supervision of the relabeling or other action authorized under the provisions of subsection (b) of this section, the amount of such expenses to be determined in accordance with regulations, and all expenses in connection with the storage, cartage, or labor with respect to any hazardous substance refused admission under subsection (a) of this section, shall be paid by the owner or consignee and, in default of such payment, shall constitute a lien against any future importations made by such owner or consignee.

SEC. 15. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the Act and the applicability thereof to other persons and circumstances shall not be affected thereby.

TIME OF TAKING EFFECT

SEC. 16. This Act shall take effect upon the date of its enactment; but no penalty or condemnation shall be enforced for any violation of this Act which occurs—

(a) prior to the expiration of the sixth calendar month after the month in which this Act is enacted, or

(b) prior to the expiration of such additional period or periods, ending not more than eighteen months after the month of enactment of this Act, as the Secretary may prescribe on the basis of a finding that conditions exist which necessitate the prescribing of such additional period or periods: *Provided,* That the Secretary may limit the application of such additional period or periods to violations related to specified provisions of this Act, or to specified kinds of hazardous substances or packages thereof.

APPLICATION TO EXISTING LAW

SEC. 17. Nothing in this Act shall be construed to modify or affect the provisions of chapter 39, title 18, United States Code, as amended (18 U.S.C. 831 et seq.), or any regulations promulgated thereunder, or under sections 204(a)(2) and 204(a)(3) of the Interstate Commerce Act, as amended (relating to the transportation of dangerous substances and explosives by surface carriers); or of section 1716, title 18, United States Code, or any regulations promulgated thereunder (relating to mailing of dangerous substances); or of section 902 or regulations promulgated under section 601 of the Federal Aviation Act of 1958 (relating to transportation of dangerous substances and explosives in aircraft); or of the Federal Food, Drug, and Cosmetic Act; or of the Public Health Service Act; or of the Federal Insecticide, Fungicide, and Rodenticide Act; or of the Dangerous Drug Act for the District of Columbia (70 Stat. 612), or the Act entitled "An Act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes", approved May 7, 1906 (34 Stat. 175), as amended; or of any other Act of Congress, except as specified in section 18.

REPEAL OF FEDERAL CAUSTIC POISON ACT

SEC. 18. The Federal Caustic Poison Act (44 Stat. 1406) is repealed effective at the close of the sixth calendar month after the month of enactment of this Act: *Provided,* That, if the Secretary, pursuant to section 16(b) of this Act, prescribes an additional period or periods during which violations of this Act shall not be enforceable and if such additional period or periods are applicable to violations of this Act involving one or more substances defined as "dangerous caustic or corrosive substances" by the Federal Caustic Poison Act, that Act shall, with respect to such substance or substances, remains in full force and effect during such additional period or periods: *Provided further,* That, with respect to violations, liabilities incurred or appeals taken prior to the close of said sixth month or, if applicable, prior to the expiration of the additional period or periods referred to in the preceding proviso, all provisions of the Federal Caustic Poison Act shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violations, liabilities, and appeals.

Mr. MAGNUSON. Mr. President, reserving the right to object—and I shall not object—I ask unanimous consent that the Senator from Connecticut [Mr. BUSH] and I may be permitted to have printed in the RECORD at this point two letters and an explanation of the bill relating to distribution and sale of packages of hazardous substances.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

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

THE DALLES CLINIC,
*The Dalles, Oreg., March 7, 1960.*

SENATOR WARREN G. MAGNUSON,
*Senate Building,*
*Washington, D.C.*

DEAR SENATOR MAGNUSON: I noticed in an Associated Press news release in the Portland Morning Oregonian that you are cosponsoring a bill in the Senate concerning the packaging and labeling of potentially dangerous household products.

I am the physician, who with my associates, cared for Kay Williams, the child who ingested the dishwashing soap, the case that you have probably had called to your attention. I am taking the liberty of enclosing a copy of a letter written to Dr. Ashley, of Portland, for your information and use.

I can speak for myself, and I believe all other physicians who are called upon to serve in these cases, in expressing our appreciation for your efforts to produce legislation which will help to prevent tragedies of this type.

Respectfully yours,

MARTIN D. MERRISS, M.D.

---

THE DALLES CLINIC,
*The Dalles, Oreg., March 5, 1960.*

CARL G. ASHLEY, M.D.,
*Director, Oregon Poison Control Registry, Portland, Oreg.*

DEAR DR. ASHLEY: The following is a résumé of Kay William's clinical course and autopsy.

The child was seen initially about 1½ hours after the ingestion of an electric dishwashing machine soap powder. The parents were under the impression the child had simply gotten some of this powder to its lips and perhaps a small amount in the mouth, but they did not believe it had swallowed any of the granules. The child, when seen, was salivating excessively with a tremendous amount of mucous being lost from the nose and throat, quantity sufficient to saturate several towels in a very short time.

A tracheotomy was performed in order to establish an airway because of laryngeal and epiglottic obstruction. The child did well for the first 24 hours and then began a rapid downhill course and expired at the end of the second day.

Autopsy revealed almost complete destruction of the stomach with the presence of food and a large quantity of blood in the peritoneal cavity. What portion remained of the stomach was so friable that it could be very easily picked apart with the fingers in simply attempting to lift it from the abdomen. The lower portion of the esophagus exhibited the same general condition.

In the course of our investigation of this, we examined the boxes of seven types of electric dishwashing soaps and found only one of the seven contained any listing of ingredients and none of the seven had a label of caution or warning displayed anywhere on the package. Suit is being instituted by the parents of this child in an attempt to force this company to put on such a label.

Respectfully yours,

MARTIN D. MERRISS, M.D.

---

PORTLAND, OREG., *March 10, 1960.*

Mr. WARREN MAGNUSON.

DEAR SIR: After reading about your pending bill to require labeling of packages of hazardous substances for household use, I feel compelled to write you.

Without knowing the dangers of dishwater detergents, for some time I have been mixing equal parts with water to make a solution for blowing bubbles in the bubble pipes for the children. I am sure that many thousands of other mothers are innocently practicing this same method, endangering their children, too.

Could there perhaps be a special warning to the paper about this danger?

Sincerely,

Mrs. CLINTON HESS.

---

PARTS 1, 2, 6, AND 7 OF THE COMMITTEE REPORT ON S. 1283 (REPT. NO. 1158, 86TH CONG., 2D SESS.)

1. THE PROBLEM

In a single year, your committee was informed, there are more than 200,000 poisonings in the United States, resulting in approximately 5,000 deaths, and the loss of over 89,000 man-years. Your committee was told there are over 300,000 common household products, such as furniture polish, bleaches, detergents, cleaners, etc., containing poisonous or dangerous substances that lack adequate warning labels, and adequate identification of the dangerous substances, information so necessary to the attending doctor in his efforts to aid his patient.

Further, we have been informed by the Public Health Service, that as the result of the recent national health survey, the Service estimates that 600,000 children under the age of 15 will swallow a poisonous or potentially poisonous substance each year.

The Federal Caustic Poison Act of 1927 (15 U.S.C. 401 et seq.) lists 12 chemical substances required to be labeled. It is outdated, and your committee hopes the Congress, by approving this bill, will modernize the protection given the public by the 1927 act.

2. IN GENERAL

In 1927 when Congress first required labels on caustic or corrosive substances conditions were considerably different than they are today. At that time there were only a few hazardous substances used to any extent in and about the household. The development and introduction of many new substances during the postwar years for household use has created a public health problem. These substances are widely used and many are essential to the public. At the same time, the nature of a number of these new products, and the frequent introduction of new ones, has focused attention upon the need for warning the user, whenever the hazards in their use are significant. It is no longer possible to list, as did the Caustic Poison Act, chemical substances by name which should have precautionary labeling. At the same time, to be meaningful and to accomplish the purpose of this bill it is equally important that substances which, as packaged, present only a minor hazard not be required to display a series of precautionary statements, since the public might quickly learn to disregard the importance and significance of precautionary labeling.

The standards established in this bill for determining whether a substance is or is not a hazardous substance are those which are generally recognized at common law in civil liability cases relating to the seller's duty to warn users of the hazards of his products. Thus, substances to be regulated under this bill are carefully defined in the bill. These definitions are the result of meetings between industry groups, the Committee on Toxicology of the American Medical Association, representatives of the Department of Health, Education, and Welfare, and State public health officials who have recognized the need for and have supported legislation on this subject at the State level. In addition to those States having legislation, other States and some cities have adopted regulations to meet the same problem. The first States to adopt comprehensive legislation on this subject were the States of Texas, Kansas, Indiana, and Connecticut which enacted laws in 1957. The definitions in these State laws, which have had the benefit of 2 years of enforcement, are generally consistent with the definitions in this bill.

The testimony of the witnesses at the hearing on August 13, 1959, and letters and statements filed by various interested persons and groups, show a remarkable unanimity of support for the principle of this legislation. There appears to be no objection to this legislation and all suggestions and recommendations for amendments to S. 1283 have been considered by your committee.

6. SUMMARY OF THE AMENDED BILL

This bill first defines a hazardous substance and would provide that any hazardous substance in a container, intended or suitable for household use, which is not labeled in accordance with the requirements of the bill, would be deemed to be a misbranded package. Misbranded packages would be subject to seizure and condemnation and criminal penalties are provided for failure to comply with such labeling requirements.

Provision is made for the Secretary of Health, Education, and Welfare to adopt regulations for the efficient enforcement of the act, including the authority to declare a substance to be a hazardous substance if the Secretary finds that such substance would meet the definition of a hazardous substance in the bill, and if such action would promote the objectives of the legislation by avoiding or resolving uncertainty as to its application. The Secretary would also be authorized to establish reasonable variations, or additional or less stringent labeling requirements, if he found them necessary for the protection of the public health and safety.

Economic poisons subject to the Federal Insecticide, Fungicide and Rodenticide Act, and foods, drugs, and cosmetics subject to the Federal Food, Drug and Cosmetic Act would be exempt from the definition of hazardous substance, since these substances are already regulated by existing legislation.

This bill would require that the label of any hazardous substance in a container intended or suitable for household use show the name and address of the manufacturer, packer, or seller; the name of the hazardous ingredient; a signal word, "Danger," "Warning," or "Caution"; a statement of the hazard; a statement of the precautionary measures; when necessary or appropriate instructions for first-aid treatment; the word "poison" on any substance defined as "highly toxic"; instructions for handling or storage of packages which require special care in handling or storage and the statement "Keep out of the reach of children" or its practical equivalent.

Since many of the reported cases of injury or illness from the use of hazardous substances involve young children, a statement, such as "Keep out of the reach of children," or its practical equivalent in light of the nature of the particular hazard, is an important requirement of this bill.

7. EXPLANATION OF THE AMENDED BILL BY SECTIONS

Section 1: This section contains the title of the bill which will be cited as the "Federal Hazardous Substances Labeling Act."

Section 2: This section defines "hazardous substance" and the terms which are used in this definition; "toxic," "corrosive," "irritant," "strong sensitizer," and "flammable." An additional category of hazard, "generates pressure through decomposition, heat, or other means" is not further defined since its essential meaning is clear. The term "highly toxic" is also defined and will determine those substances on which the word "Poison" must be used.

It is intended by the definition of a hazardous substance to bring within the scope of this bill those substances which, as packaged, may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use. This includes ingestion by children whenever such is reasonably foreseeable (and the bill recognizes that it is often reasonably foreseeable). It is also intended by these definitions to draw as clear a line of distinction as possible between the substances covered by this bill and the substances which are unaffected by it, employing the language of the common law of civil liability in drawing such a line. In order to insure that the definitions will include all substances which should be within the scope of the bill, these definitions are broad in scope. They are not intended, however, to include substances where the hazard is minor taking into account on the

one hand the risk or chance of injury and on the other hand the degree of injury probable or possible in case of accidental or intentional misuse.

It is recognized that any substance used in or about the household can cause some degree of injury or illness if accidentally or intentionally misused. It is the purpose of this bill to require precautionary labeling which is meaningful and will be observed by the user, but not to require labeling on so many of the things that go into a household as to invite carelessness and the ignoring of precautionary statements on substances which present substantial hazards.

The term "highly toxic" is defined in terms of specific laboratory tests with a provision that the Secretary should give precedence to any data on the use of these substances from human experience, if such experience indicates results different from those obtained on animals in these tests. The term "irritant" is defined as one which will induce a local inflammatory reaction on the skin. It is recognized that immersing the hands in water and other mild liquids for extended periods of time will cause irritation of the skin. Precautionary labeling, however, would be required only on those substances which under conditions of customary or reasonably anticipated handling or use will induce a substantial "local inflammatory reaction" as that term is defined and used by the medical profession.

The term "strong sensitizer" is defined and would require a finding by the Secretary that a substance is a strong sensitizer within the meaning of the bill before such substances would be subject to the law. Some portion of the population is sensitive in one way or another to almost every article that enters the household, including foods and household soap. To require precautionary labeling on all such products is not intended. Precautionary labeling would be required under this bill on any substance which affects a significant portion of the population and which may cause a strong or severe reaction, if after a finding by the Secretary that the substance had a significant potential for causing hypersensitivity.

The term "misbranded package" would be defined as one containing a hazardous substance, as that term is defined, in a container intended or suitable for household use, unless the container bears a label stating (1) the name and place of business of the manufacturer, packer, distributor, or seller; (2) the name of the hazardous ingredient; (3) the signal word "Danger" on substances which are extremely flammable, corrosive, or highly toxic; (4) the signal word "Warning" or "Caution" on all other hazardous substances subject to the bill; (5) an affirmative statement of the principal hazard, such as "Flammable, Vapor Harmful"; (6) precautionary measures to be taken except when modified by regulation of the Secretary; (7) instructions for first aid treatment, when necessary or appropriate; (8) the word "Poison" for substances defined as "highly toxic"; (9) instructions for handling and storage of packages which require special care in handling or storage; and (10) the statement "Keep out of the reach of children" or its practical equivalent; for example, "Keep out of the reach of infants," where the products can be properly used by older children. These statements would be located prominently on the label and must be in the English language in conspicuous and legible type, and in contrast by typography, layout, or color with other printed matter on the label.

Section 3: This section would authorize the Secretary to issue regulations for the enforcement of the legislation. The Secretary would be authorized, when in his judgment such action would promote the objectives of the act by avoiding or resolving uncertainty as to its application, to declare substances to be subject to the act if he found that such substance meets the definitions in section 2. It is intended in making such a finding that he will be guided by principles of the common law with respect to the duty owed by a seller to warn of the hazards of his products. The Secretary would be also authorized to establish reasonable variations or additional labeling requirements, in view of the special hazard presented by any particular hazardous substance, as he finds necessary for the protection of the public health and safety. The Secretary would also be authorized to permit less than full compliance with the labeling requirements of this bill when such is not necessary for the adequate protection of the public health and safety. The section would also provide that proceedings for issuing, amending, or repealing regulations shall be covered by pertinent procedural sections in the Food, Drug, and Cosmetic Act.

Section 4: This section specifies the prohibited acts, which include the introduction and delivery into interstate commerce of any misbranded package of a hazardous substance; the alteration, mutilation, destruction, or removal of any part of a label of a hazardous substance; and would make unlawful the failure to permit entry or inspection of a factory or plant in which hazardous substances are manufactured or stored. This section would also prohibit the giving of a false guarantee that the label of any substance is in compliance with this legislation, and would prohibit the use of any container labeled or identified as a food, drug, or cosmetic container or the reuse of a food, drug, or cosmetic container still identifiable as such.

Section 5: This section specifies the penalties for violation of any of the prohibited acts set forth in section 4, and would provide a punishment of a fine of not more than $500 or imprisonment of not more than 90 days for each offense, but for second and subsequent offenses or for an offense committed with an attempt to defraud or mislead, a penalty of imprisonment of not more than 1 year or a fine of not more than $3,000 or both is provided.

Section 6: This section sets forth the procedure for the seizure and condemnation of any hazardous substance subject to this bill which is not labeled in compliance therewith.

Section 7: This section requires the Secretary to give any person an opportunity to be heard prior to the institution of a criminal proceeding for failing to comply with the prohibited acts set forth in the bill.

Section 8: This section would authorize the U.S. district courts and the courts of the territories to issue injunctions to restrain violations of this act.

Section 9: This section specifies the style of enforcement proceedings and would authorize subpenas for witnesses to be served in any district in the United States.

Section 10: This section would authorize the Secretary of the Treasury and the Secretary of Health, Education, and Welfare to prescribe regulations with respect to imports of hazardous substances, and would authorize the Secretary of Health, Education, and Welfare to promulgate regulations for the efficient enforcement of this act. This bill contemplates that such regulations would be made in the manner prescribed in section 4 of the Administrative Procedure Act. It is intended that public hearings should be held on important regulations and that a minimum of 60 days should be allowed for the submission of views by interested persons before the adoption of a proposed regulation as final.

Section 11: This section would authorize entry and inspection of any factory, warehouse, establishment, or vehicle, and of pertinent finished and unfinished hazardous substances and labeling therein. Inspection of unfinished hazardous substances would ordinarily be limited to those few cases where the needed information was not readily available from inspection of the finished hazardous substance. The inspection must be conducted at reasonable times and within reasonable limits and in a reasonable manner, and must be commenced and completed with reasonable promptness.

The section would also authorize the obtaining of samples of the hazardous substance or of the labeling or packages thereof and would require that a receipt be given for the samples obtained. In addition, if an analysis is made, a copy of the results must be furnished promptly to the owner, operator, or agent in charge.

Section 12: This section would require carriers and others receiving hazardous substances to permit access to and copying of any record of a shipment of hazardous substances, would provide that any evidence obtained under this section shall not be used in a criminal prosecution of the person from whom the evidence is obtained, and exempt carriers from the act if they were handling the hazardous substance in the usual course of business as carriers.

Section 13: This section would authorize the Secretary to publish any judgments, decrees, or court orders rendered under this act and to disseminate information regarding hazardous substances in situations involving imminent danger to health.

Section 14: This section would regulate the importation of hazardous substances and require that such substances be labeled in compliance with this act.

Section 15: This section would provide for the separability of any provision of this bill which may be declared unconstitutional or invalid.

Section 16: This section would provide that this bill shall take effect upon its enactment, but provides that no penalty shall be enforced for a period of 6 months after enactment. It would authorize the Secretary to extend the effective date for penalties for a period of not more than 18 months upon a finding that conditions exist which necessitate prescribing of such additional period or periods of time.

Section 17: This section specifies the application of this bill to existing law.

Section 18: This section provides for the repeal of the Federal Caustic Poison Act but preserves any proceedings for violation of the Federal Caustic Poison Act committed prior to the effective date of this bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

---

## SUSPENSION OF TARIFF SCHEDULES

The bill (S. 3005) to amend the act of March 3, 1933 (47 Stat. 1426), relating to the length of time by which the Federal Maritime Board may suspend tariff schedules was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "The Intercoastal Shipping Act, 1933", approved March 3, 1933 (47 Stat. 1426), as amended by the Act of June 23, 1938 (52 Stat. 965) and the Act of August 4, 1939 (53 Stat. 1182), is amended by striking out "four" where it appears in the third section and by inserting "seven" in lieu thereof.

## BILL AND RESOLUTION PASSED OVER

The bill (S. 2669) to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted small vessels carrying freight to and from places in the inland waters of southeastern Alaska was announced as next in order.

Mr. FONG. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 285) to authorize an investigation of certain election charges was announced as next in order.

Mr. FONG. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

## JOHN B. MANTHEY

The bill (S. 2330) for the relief of John B. Manthey was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That John B. Manthey is hereby relieved of all liability to refund to the United States the sum of $7,377.00 representing payments of death compensation received by him subsequent to his marriage on September 7, 1947, the said John B. Manthey being permanently incapable of self-support.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John B. Manthey, the sum of any amounts withheld from him on account of the payments referred to in the first section of this Act.

## ARISTOGITON ZAHARIADIS

The bill (S. 111) for the relief of Aristogiton Zahariadis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Aristogiton Zahariadis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## JOHN GELBERT (ALIAS MAX THEODORE GELBERT)

The bill (S. 1909) for the relief of John Gelbert (alias Max Theodore Gelbert) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, John Gelbert (alias Max Theodore Gelbert) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

## MATIAS T. FALCASANTOS

The bill (S. 2406) for the relief of Matias T. Falcasantos was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Matias T. Falcasantos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

## JOSEPH J. O'LOUGHLIN

The bill (H.R. 6027) for the relief of Joseph J. O'Loughlin was considered, ordered to a third reading, read the third time, and passed.

## MRS. NELL C. PLAYER

The bill (H.R. 7365) for the relief of Mrs. Nell C. Player was considered, ordered to a third reading, read the third time, and passed.

## MRS. VIRGINIA BOND

The bill (H.R. 7933) for the relief of Mrs. Virginia Bond was considered, ordered to a third reading, read the third time, and passed.

## RELIEF OF CERTAIN MEMBERS OF THE DEPARTMENT OF THE NAVY

The bill (H.R. 8106) to provide for the relief of certain members and former members of the Department of the Navy for the expenses of storage of household effects was considered, ordered to a third reading, read the third time, and passed.

## PERRY LEE GORMAN

The Senate proceeded to consider the bill (S. 1720) for the relief of Perry Lee Gorman, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (5 U.S.C. §§ 765–769), are hereby waived in favor of Perry Lee Gorman, of Cortaro, Arizona, for compensation for disability caused by an injury allegedly sustained by him during the year 1944 while performing services as an employee of the Department of the Navy at the Pearl Harbor Navy Yard, and his claim is authorized and directed to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the Bureau of Employees' Compensation of the Department of Labor not later than six months after the date of enactment of this Act: *Provided,* That no benefits shall accrue by reason of the enactment of this Act for any period prior to the date of its enactment, except in the case of such medical or hospitalization expenditures which may be deemed reimbursable.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## LEILA FINLAY BOHIN

The Senate proceeded to consider the bill (S. 2554) for the relief of Leila Finlay Bohin, which had been reported from the Committee on the Judiciary with an amendment, in line 6, after the word "States", to strike out "during all the time she was residing abroad with her parents while her father, Luke Finlay, was stationed abroad as an employee of the United States" and insert "for a period of 5 years after attaining the age of 14 years", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of section 301(a)(7) of the Immigration and Nationality Act, Leila Finlay Bohin shall be held and considered to have been physically present in the United States for a period of 5 years after attaining the age of 14 years.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## PETER LEO BAHR

The Senate proceeded to consider the bill (S. 2566) for the relief of Peter Leo Bahr, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, the provisions of sections 201(a), 202(a)(5), and 202(b) of that Act shall not be applicable in the case of Peter Leo Bahr.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## KRSTE ANGELOFF

The Senate proceeded to consider the bill (S. 2607) for the relief of Krste Angeloff, which had been reported from the Committee on the Judiciary with an amendment, in line 6, after the word "of", where it appears the first time, to insert "Mrs.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Krste Angeloff, shall be held and considered to be the natural-born alien child of Mrs. Mile Angeloff, a citizen of the United States: *Provided,* That the natural parents of the said Krste Angeloff shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## MARIA CRITELLI VENTURA

The Senate proceeded to consider the bill (S. 2619) for the relief of Maria Critelli Ventura, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "natural", to strike out "parents" and insert "mother", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Maria Critelli Ventura, shall be held and considered to be the natural-born alien child of Rose C. Saluri, a citizen of the United States: *Provided*, That the natural mother of the said Maria Critelli Ventura shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## GERALD DEGNAN AND OTHERS

The Senate proceeded to consider the bill (S. 684) for the relief of Gerald Degnan and others, which had been reported from the Committee on the Judiciary with an amendment, on page 2, at the beginning of line 2, to strike out "$389.71; William C. William, $1,050.27; Herry Eakon, $428; Jacob Beebe, $922.05; Thorval Ohnstad, $1,931.13; Evan S. Henry, $199.68; Henry Pitmatalik, $624.63; D. LeRoy Kotila, $290.32; Bernard Rock, $903.87; Bud J. Carlson, $480.06; Charles F. Curtis, $1,452.25; and A. N. Dake, $130.05." and insert "$286.63; William C. Williams, $755.92; Harry Eakon, $342.49; Jacob Beebe, $743.85; Thorwald Ohnstad, $1,556.32; Evan S. Henry, $199.68; Henry Pitmatalik, $472.22; D. LeRoy Kotila, $217.70; Bernard Rock, $729.79; Bud J. Carlson, $313.05; Charles F. Curtis, $1,111.69; and A. N. Dake, $93.40.", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the persons enumerated below the sums specified, in full settlement of all claims against the Government of the United States as reimbursement for personal effects destroyed as a result of the fire which occurred on October 2, 1958, at Sherman, Alaska, when the claimants were employed by The Alaska Railroad: Gerald Degnan, $286.83; William C. Williams, $755.92; Harry Eakon, $342.49; Jacob Beebe, $743.85; Thorwald Ohnstad, $1,556.32; Evan S. Henry, $199.68; Henry Pitmatalik, $472.22; D. LeRoy Kotila, $217.70; Bernard Rock, $729.79; Bud J. Carlson, $313.05; Charles F. Curtis, $1,111.69; and A. N. Dake, $93.40.

SEC. 2. No part of the amounts appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, 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.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Gerald Degnan, William C. Williams, Harry Eakon, Jacob Beebe, Thorvald Ohnstad, Evan S. Henry, Henry Pitmatalik, D. LeRoy Kotila, Bernard Rock, Bud J. Carlson, Charles F. Curtis, and A. N. Dake."

## HEIRS OF CAROLINE HENKEL AND GEORGE HENKEL

The Senate proceeded to consider the bill (S. 2333) for the relief of the heirs of Caroline Henkel and George Henkel, and for other purposes, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 3, after the word "flooding", to insert "due to percolation", and in line 11 after the word "flooding", to insert "due to percolation", so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the rightful heirs of Carolina and William Henkel, now deceased, and to George Henkel presently residing at Babb, Montana, the sum of $16,000. The payment of such sum shall be in full settlement of all claims against the United States for any damage to the lands allotted to Caroline, William, and George Henkel in townships 36 and 37 north, range 14 west, Montana principal meridian, on the Blackfeet Indian Reservation, Montana, or to the crops of said lands, caused by seepage or flooding due to percolation from the Saint Mary's Canal of the Milk River reclamation project, and for any other alleged injuries to said lands or the crops thereon caused by the construction, operation, or maintenance of works of the Milk River reclamation project.

The payment of such sum shall also be in consideration of the granting of a permanent easement for seepage and flooding due to percolation through and over such lands from Saint Mary's Canal or other works of the Milk River reclamation project. The release of such claims and the granting of such easement in a form and manner satisfactory to the Secretary of the Interior shall be a condition precedent to the making of any payment under this Act: *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.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of the heirs of Caroline Henkel, William Henkel (now deceased), and George Henkel (presently residing at Babb, Montana), and for other purposes."

## MARY ALICE CLEMENTS

The bill (S. 2317) for the relief of Mary Alice Clements was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the provisions of the War Claims Act of 1948, as amended, limiting the period of time within which claims may be filed thereunder, the Foreign Claims Settlement Commission of the United States shall have jurisdiction to receive and to determine the validity and amount of the claim of Mary Alice Clements, of Washington, District of Columbia, for civilian detention benefits under subsections (a) through (e) of section 5 of such Act, and shall certify to the Secretary of the Treasury for payment out of the War Claims Fund any award made thereunder. The Secretary of the Treasury shall pay, out of such Fund, to the said Mary Alice Clements the amount of any such award so certified by the Commission.

## CAPT. CARL J. FISHER

The bill (S. 1154) for the relief of Carl J. Fisher, captain, U.S. Army, retired, was announced as next in order.

The PRESIDING OFFICER. There is an identical bill, House bill 7037, before the Committee on the Judiciary.

Is there objection to discharging the Committee on the Judiciary from the further consideration of House bill 7037?

The Chair hears none, and it is so ordered.

Is there objection to the present consideration of the House bill?

There being no objection, the bill (H.R. 7037) for the relief of Carl J. Fisher, captain, U.S. Army, retired, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1154 will be indefinitely postponed.

## PARKER E. DRAGOO

The bill (S. 1328) for the relief of Parker E. Dragoo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Parker E. Dragoo, Supervisory Park Ranger, Department of the Interior, Death Valley, California, is hereby relieved of liability to the United States in the amount of $370.34, representing the amount charged him due to the excess weight of household effects shipped to a new duty station, such excess weight resulting from special packing and crating designed to insure the safe arrival of said effects in a newly developed area not served by common carrier.

## RONALD R. DAGON AND RICHARD J. HENSEL

The bill (S. 1408) for the relief of Ronald R. Dagon and Richard J. Hensel

was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the persons enumerated below the sums specified, in full settlement of all claims against the Government of the United States as reimbursement for personal effects lost as a result of a boating accident on July 11, 1957, on the Susitna River, Alaska, while on official business of the Fish and Wildlife Service, Department of the Interior: Ronald R. Dagon, $121; and Richard J. Hensel, $118: *Provided,* That no part of the amounts appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, 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.

## JAY R. MELVILLE AND PETER E. K. SHEPHERD

The bill (S. 1410) for the relief of Jay R. Melville and Peter E. K. Shepherd was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the persons enumerated below the sums specified, in full settlement of all claims against the Government of the United States as reimbursement for personal effects lost as a result of a boating accident on June 14, 1958, on the Bremner River, Alaska, while on official business of the Fish and Wildlife Service, Department of the Interior: Jay R. Melville, $208; and Peter E. K. Shepherd, $306.65: *Provided,* That no part of the amounts appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, 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.

## MRS. JOHN SLINGSBY AND OTHERS

The bill (S. 2173) for the relief of Mrs. John Slingsby, Lena Slingsby, Alice V. Slingsby, and Harry Slingsby was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to (1) Mrs. John Slingsby, the sum of $250; (2) Lena Slingsby, the sum of $750; (3) Alice V. Slingsby, the sum of $350; and (4) Harry Slingsby, the sum of $50; all of Fargo, North Dakota. The payment of such sums shall be in full settlement of all their claims against the United States for compensation for personal injuries, pain and suffering, loss of earnings, and property damages, and for reimbursement of medical expenses incurred by them, as the result of an accident which occurred near Cle Elum, Washington, on August 14, 1953, when an automobile owned by the said Harry Slingsby and operated by the said Alice V. Slingsby was struck by a United States Army vehicle: *Provided,* That no part of the amounts 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 these claims, 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.

## ESTATE OF HILMA CLAXTON

The bill (S. 2234) for the relief of the estate of Hilma Claxton was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles L. Claxton, of Saint Paul, Minnesota, in his capacity as administrator of the estate of Hilma Claxton, the sum of $696.43. The payment of such sum shall be in full satisfaction of all claims of such estate against the United States for payment of certain money orders payable to Hilma Claxton (deceased), which were issued in Huron, South Dakota, during the period from May 8, 1929, through December 28, 1929, but which were not presented for payment within the period in which they could have been received by the Post Office Department: *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.

## RELIEF OF CERTAIN EMPLOYEES OF THE GENERAL SERVICES ADMINISTRATION

The bill (S. 2430) for the relief of certain employees of the General Services Administration was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Carol S. Stake, William Lockwood, Laura J. Fromm, William Baxter, Selma M. Cohen, Anna Gerlach, Frank J. Frericks, Milton J. Rosasco, Margaret Baird, Margaret Klein, Thomas S. Cunerd, and John G. Arendes are hereby relieved of all liability to the United States arising out of the granting to such persons, as employees of the General Services Administration, of compensatory time off during the leave year 1957 in lieu of annual leave for which such persons had applied, but which had been denied, during the leave year 1956. The Administrator of General Services is authorized and directed (1) to restore to the credit of any such persons whose annual leave was thereafter charged in satisfaction of such liability the amount of leave so charged, including any reduction in the maximum amount of accumulated leave permitted in the case of such person, and (2) to pay, out of any money available for the payment of salaries of employees of the General Services Administration, to any such person who thereafter refunded to the General Services Administration the value of such leave in satisfaction of such liability, an amount equal to the amount so refunded.

## JOE KELLER AND H. E. PIPER

The bill (S. 2507) for the relief of Joe Keller and H. E. Piper from 1958 wheat marketing penalties and loss of soil-bank benefits was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any other provision of law, the 1958 wheat acreage on farm numbered 4–259 in Saline County, Marshall, Missouri, operated by Joe Keller and owned by H. E. Piper shall not be considered to have exceeded fifteen acres by reason of the failure to destroy the wheat acreage which was left standing, but not harvested, in an attempt to comply with instructions received from the county committee. No marketing penalties shall be assessed and no soil bank benefits shall be denied or required to be refunded, on account of such failure.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Joe Keller and H. E. Piper, or either of them, the sum of any amounts received or withheld from them, or either of them, on account of the failure referred to in the first section of this Act.

## HARRY L. ARKIN

The bill (S. 2523) for the relief of Harry L. Arkin was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry L. Arkin of Denver, Colorado, the sum of $270.90. The payment of such sum shall be in full satisfaction of all claims of the said Harry L. Arkin against the United States for (1) reimbursement for expenses, including insurance costs, incurred by him in having his automobile transported from Germany to the United States upon termination of his duty overseas with the Air Force, the said Harry L. Arkin having been denied shipment of his automobile at Government expense because of a change in Air Force policy which occurred after approval had been given by the transportation officer of the Seventeenth Air Force for the shipment of his automobile by such means, and (2) per diem allowance for the period (March 1 to March 6, 1959) he was permitted to remain in Germany, beyond his scheduled departure date, to await an official decision with regard to the shipment of his automobile: *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.

OSCAR A. LABRANCHE

The bill (H.R. 2849) for the relief of Oscar A. LaBranche was considered, ordered to a third reading, read the third time, and passed.

HARRY E. NELSON

The bill (H.R. 5301) for the relief of Harry E. Nelson was considered, ordered to a third reading, read the third time, and passed.

WILLIAM J. KAISER

The bill (H.R. 6023) for the relief of William J. Kaiser was considered, ordered to a third reading, read the third time, and passed.

VICTOR STIGLIC

The bill (H.R. 6402) for the relief of Victor Stiglic was considered, ordered to a third reading, read the third time, and passed.

NEAL E. ANDERSON

The bill (H.R. 6885) for the relief of Neal E. Anderson was considered, ordered to a third reading, read the third time, and passed.

MISS MARION A. CRAMER

The bill (H.R. 6948) for the relief of Miss Marion A. Cramer was considered, ordered to a third reading, read the third time, and passed.

DON L. HERRING

The bill (H.R. 7079) for the relief of Don L. Herring was considered, ordered to a third reading, read the third time, and passed.

GEORGE W. GIBSON

The bill (H.R. 7116) for the relief of George W. Gibson was considered, ordered to a third reading, read the third time, and passed.

PAUL LEVITT

The bill (H.R. 7447) for the relief of Paul Levitt was considered, ordered to a third reading, read the third time, and passed.

MRS. VIOLA H. ROOKS

The bill (H.R. 7636) for the relief of Mrs. Viola H. Rooks was considered, ordered to a third reading, read the third time, and passed.

MACO WAREHOUSE CO.

The bill (H.R. 8801) for the relief of the Maco Warehouse Co. was considered, ordered to a third reading, read the third time, and passed.

HOO W. YUEY

The Senate proceeded to consider the bill (H.R. 2310) for the relief of Hoo W. Yuey, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That the Comptroller General of the United States is hereby authorized and directed, notwithstanding the provisions of an Act providing for the barring of claims against the United States (54 Stat. 1061), to accept and consider any claim filed on his own behalf by Hoo W. Yuey for the return of $704 which was deducted from his Army pay as his contribution to a family allowance payable to his dependents but which was not in fact paid to such dependents and also any claim filed on behalf of his dependent children for the portions of the family allowance contributed by the Government which would have been payable on their behalf but which was not in fact paid, such claim or claims to be filed within one year after the enactment of this Act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An Act for the relief of Hoo W. Yuey and his dependent children."

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1961

The bill (H.R. 10401) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1961, and for other purposes was announced as next in order.

Mr. BARTLETT. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

TRANSFER AND EXCHANGE OF CERTAIN LANDS TO MASSACHUSETTS PORT AUTHORITY

The PRESIDING OFFICER. The clerk will state the first bill passed to the foot of the calendar.

The CHIEF CLERK. A bill (H.R. 5888) to authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority, an instrumentality of the Commonwealth of Massachusetts, certain lands and improvements thereon comprising a portion of the so-called E Street Annex, South Boston Annex, Boston Naval Shipyard, in South Boston, Mass., in exchange for certain other lands.

Mr. SALTONSTALL. Mr. President, since I talked to the Senator from Oregon [Mr. MORSE] I have studied his amendment, and I have talked also with the authorities in Boston, who are familiar with the subject. I will accept the amendment of the Senator from Oregon in order that the bill may be passed at this time, if there is no other objection.

Mr. MORSE. Mr. President, I wish to say to the Senator from Massachusetts that I appreciate very much the position he has taken in regard to this matter. I wish to make this additional statement about the bill. I fully realize that the adoption of my amendment by the Senate may not necessarily mean that it will be included in the bill when it comes back to the Senate from conference. I have had the Morse formula defeated in that way on some occasions, when we adopted an amendment to a House bill, only to find that when the bill returned from conference the Morse formula amendment had been eliminated. I wish to make the record today for the benefit of our Senate conferees. If the bill goes to conference I believe that the Senate conferees are under a great obligation to the Senate, if we are to apply the Morse formula to transfers of Federal property, not to surrender on this point in conference.

If the Boston authorities are willing to accept the amendment—and the Senator from Massachusetts reports that they are—then I say with all due respect that it carries along with it the obligation that the amendment remain in the bill in conference.

If the Senator from Pennsylvania were here I would ask for his attention. We had a similar situation involving the Port Authority of Philadelphia, and it ran into the same situation as the bill involving the Massachusetts Port Authority. Both involve a great sum of money. The people of Philadelphia, after due consideration of my amendment, reached the conclusion that the amendment ought to be adopted, or at least raised no objection to it, and the result is that Philadelphia has applied the Morse formula.

I want to point out that in regard to the particular situation confronting us now, involving the port of Boston, I have no criticism to make of what Boston is seeking to do. It is perfectly understandable that they would attempt to do it if they could. Naturally, I shall do everything I can to prevent their doing it. They wish to get credit for rent-free property that they made available to the Navy for many years, and have it apply under this transfer. As I said before—and I am not going to go through the whole argument again, but will insert it in the RECORD—we should not establish that precedent, because we know how great Government installations are sometimes granted to one community instead of another community. We know that a community will come in, anxious to get a Government installation, because it brings into the community a considerable payroll and brings into a municipality a great addition to the tax base, and say to Uncle Sam, "Come on in. We will give you the property rent free."

I do not have any objection to that. It is a pretty good arrangement sometimes. However, I do not think that we ought to underwrite the policy of

Indian giver on the floor of the Senate in connection with the pending bill. I believe that the Boston authorities should live up to their gift and should not come back now and say, "We want credit for the gift we gave to Uncle Sam." When we reduce this matter to its simplest terms, that is what it amounts to.

Boston now comes in and says, "We want to get credit on this transfer for this naval property, for a gift that we made to Uncle Sam over the years."

That is a bad precedent to establish. If we start carrying that out in the country it will run into many millions of dollars.

I wish to point out the position which the Navy takes on the matter. In a speech I made on this subject, when it was before the Senate previously, on August 19, 1959, I read into the RECORD a letter which I wish to read into the RECORD again. The letter is dated June 18, 1959, which is addressed to the Honorable CARL VINSON, chairman of the Committee on Armed Services of the House of Representatives. In that letter the Navy Department said:

> Staff appraisals have indicated a difference in valuation of the properties to be exchanged in favor of the Navy. It is therefore recommended that the bill be amended to provide for payment of an amount equal to the difference in value of the properties as determined by the Secretary of the Navy after fair market value appraisals.

In other words, the Navy says, in effect, in that letter that the Morse formula should apply. I may say, in defense of the Department of Defense, that time and time again they have underwritten the merits of the Morse formula. They have recognized that, by and large, it takes a great burden off their back, as some of the officials of that Department have pointed out to me when we have discussed the application of the transfers of Federal property to various State subdivisions. The Department of Defense recognizes the merits of the fight I have been putting up since 1946. Since that time, the record shows that by my stubborn insistence that the Morse formula be applied to the transfers of surplus Federal property the taxpayers of the United States have been saved many hundreds of millions of dollars.

We are dealing here with a property transfer which, in my judgment, is of such an economic nature that it ought not to be given any exemption from the Morse formula. This is exceedingly valuable naval property. The Boston authorities should pay the difference in value between the Port Authority property and the U.S. Navy property. The Boston authorities should not ask for a setoff of the rent-free property values they have given the Navy over the years in order to get naval installations in Boston.

I shall take judicial notice, as I believe every other Senator has the right to take judicial notice, that the naval installations in Boston—and we are indebted to Massachusetts for the great assistance it has been to Uncle Sam in respect to our naval installations—I shall take judicial notice that Boston and Massachusetts never lost a cent by way of the so-called rent-free property which they have made available to the U.S. Navy. I say that because the use of that property and the payrolls which have resulted from the use of that property have returned great economic benefits to Boston and Massachusetts. I am happy about it, too. I simply say now that we should not pass the bill without the Morse amendment in it.

I appreciate the willingness of the distinguished Senator from Massachusetts [Mr. SALTONSTALL] to accept my amendment on the floor of the Senate.

But I want to make this statement: I will be watching to see if the amendment is in the bill when it comes back from conference. If it is not, then this very short speech of mine today will be but a short speech of introduction to the next one I shall make on the bill.

Mr. President, I offer my amendment.

The PRESIDING OFFICER. The committee amendment was agreed to on August 19, 1959.

Mr. SALTONSTALL. Mr. President, before action is taken on the bill, I call attention to page 2 of the committee report, submitted by the distinguished Senator from Washington [Mr. JACKSON]. I read one line:

> The value of these parcels of land is subject to question.

As provided in the committee amendment, the final conclusion of the value will be made by the Secretary of the Navy. I am confident that he will be fair in working out a basis to determine any difference of opinion.

Mr. MORSE. I am not speaking to impose any particular value on the property. Of course, the value is in question. That is what the Morse formula seeks to settle. My amendment provides for an appraisement policy. It requires that the property be appraised. That is the legal process which ought to be followed. Then the Federal Government will get its 50 percent of the fair appraised market value of the property in respect to whatever amount of value is over and above the value of the Boston Harbor property. That is all I have ever asked for. After that appraisement has been made by legal proceedings, to determine the fair market value of the property, the taxpayers of the country will then see to it that they get 50 percent of the appraised fair market value of the excess value of the Navy property over the value of the Boston Harbor Authority property. I want to make sure that they are not cut out of it by any conference report which may be submitted which does not have my amendment in it.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be stated.

The CHIEF CLERK. On page 4, line 19, it is proposed to strike out "(a)."

On page 5, beginning with line 1, strike out all through line 7.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I made on August 19, 1959, which will make it unnecessary for me to repeat my position in detail.

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

[From the CONGRESSIONAL RECORD, Aug. 19, 1959]

TRANSFER OF CERTAIN LANDS TO THE MASSACHUSETTS PORT AUTHORITY IN EXCHANGE FOR OTHER LANDS—BILL PASSED OVER

The Senate proceeded to consider the bill (H.R. 5888) to authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority certain lands in South Boston, Mass., in exchange for other lands, which had been reported from the Committee on Armed Services, with an amendment, on page 4, after line 18, to insert a new section, as follows:

"SEC. 3 (a) As a condition of the exchange of land authorized by this Act the Secretary of the Navy shall require the Massachusetts Port Authority to pay an amount of money equal to the amount, if any, by which the fair market value of the property conveyed by the United States exceeds the fair market value of the property conveyed to the United States, as determined by the Secretary of the Navy.

"(b) The Secretary of the Navy is authorized, with respect to any amount determined by him to be payable to the United States pursuant to the provisions of subsection (a), to waive such portion thereof as he deems equitable in consideration of the rent free use by the Department of the Navy in past years of the land conveyed hereunder by the Massachusetts Port Authority."

The amendment was agreed to.

Mr. MORSE. Mr. President, reserving the right to object to the further consideration of the bill, let me say that House bill 5888 would authorize the Secretary of the Navy to transfer certain Boston Naval Shipyard real estate and improvements to the Massachusetts Port Authority in exchange for certain lands owned by the Massachusetts Port Authority.

The property belonging to the United States has been declared excess to the needs of the Navy. The Massachusetts Port Authority desires to obtain the Federal property for future port development.

The Navy would like to acquire the land belonging to the Massachusetts Port Authority for parking, recreational, and other uses.

According to Senate Report No. 714, the Federal property has been appraised by the Navy at $210,000. The port authority property has been appraised at $127,000. The Federal property consists of 15.9 acres; the port authority property, 3.88 acres.

A letter dated June 18, 1959, addressed to Chairman VINSON, of the House Committee on Armed Services, states in part:

"Staff appraisals have indicated a difference in valuation of the properties to be exchanged in favor of the Navy. It is therefore recommended that the bill be amended to provide for payment of an amount equal to the difference in value of the properties

as determined by the Secretary of the Navy after fair market value appraisals" (Rept. 714, p. 3).

Let me say, Mr. President, incidentally, that I thought that would have been a very sound and very fair way to dispose of the matter, and I am sorry that recommendation was not followed.

Nevertheless, H.R. 5888, as it passed the House, contained no provision requiring the Massachusetts Port Authority to pay "an amount equal to the difference in value of the properties as determined by the Secretary of the Navy after fair market value appraisals."

Mr. President, if the Federal property in question were to be exchanged for port authority property of equal value or if the House bill had provided for payment of the differential in value, as suggested by the Navy Department, no violation of the Morse formula would have been involved. Section 3(a) of the bill, as reported by the Senate committee, would correct this defect.

Section 3(b) of H.R. 5888, as reported by the Senate Armed Services Committee, involves a violation of the Morse formula, because it would allow a deduction of some unknown amount—to be determined in the future by the Secretary of the Navy—in determining the amount payable by the port authority. According to section 3(b), the Secretary, in determining the amount payable to the United States, would deduct the amount "he deems equitable in consideration of the rent-free use by the Department of the Navy in past years of the land conveyed hereunder by the Massachusetts Port Authority."

Mr. President, let me say that if that precedent were to be established by us, it would be very unfair as regards some transactions which already have taken place, as a result of the passage of certain bills during the call of the calendar. For instance, it was not so long ago that the city of Philadelphia was perfectly willing to pay for port facilities, in accordance with the Morse formula, in the case of property there which had been used for a long time by the Government. If we ever start to make any such arrangement when a city or a State had been giving the Federal Government rent-free use of such property, in order to induce the Government to establish there a Federal project which would bring many employees to that area, then we might just as well forget about trying to get the fair market value for the property; and I believe we should then face the fact that if the Federal Government had established in such a community a Federal project which brought great benefits to the community, and if, years later, the community wished to obtain that piece of property, we would have established a precedent which would permit the community to say, "We have been giving the Federal Government the use of the property, rent-free, for many years; and now we should be allowed to deduct that amount, in the nature of free rent, from the purchase price of the property which we now want." Of course, it is perfectly obvious that if the community had wanted to charge such rent in the first place, the Federal Government would not have established the project there.

So that was an independent and separate transaction.

I do not think we should permit the people of Massachusetts, in this case to proceed, after the fact—as they are attempting to do in this instance—to collect for such rent, which they never had any intention of collecting, in the first instance, inasmuch as if they had had declared such an intention, we have no way of knowing that the Federal Government would not have determined to develop the project in some other community.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The 5 minutes available to the Senator from Oregon, under the rule applicable during the call of the calendar, have expired.

Mr. MORSE. Mr. President, unless I am allowed to proceed further, I shall have to object to consideration of the bill at this time.

Mr. HOLLAND. Mr. President, I ask unanimous consent that at this time the Senator from Oregon may be recognized for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the Senator from Oregon may proceed.

Mr. MORSE. I thank the Senator from Florida.

Mr. President, Senate Report No. 714 includes these comments concerning the deduction just mentioned:

"For the past 17 years the Navy has enjoyed free use of the port authority property. While this does not constitute consideration from a legal standpoint, it should be pointed out that had the Navy been required to pay rent it is estimated that the fair rental during this period of time would have amounted to between $75,000 to $90,000."

Senate Report No. 714 fails to indicate that there was any arrangement between the Navy Department and the port authority that the Navy at some future time would reimburse the port authority for the free use of the land in question. Therefore, it is only fair to assume that the free use arrangement was perfectly satisfactory to both parties, and that mutual benefits were involved.

In fact, Mr. President, knowing how these things usually take place, I am willing—in the absence of evidence to the contrary—to take judicial notice that Massachusetts was very desirous, in the first instance, of having this Navy project established in Massachusetts, and was perfectly willing to provide the use of the property, rent free, in order that Massachusetts might have the benefit of the employment of personnel and the payroll and the business which would flow from the establishment of that Federal activity.

Mr. President, in these land transfer cases if we were to permit deductions based upon considerations comparable to those involved in the proposed free land use arrangement, we might just as well forget the Morse formula requirement that the taxpayers of the United States are entitled to fair appraised market values of Federal lands to be sold or exchanged.

I am very desirous of going into the merits of this case with its sponsors and trying to see if there is any justification for passing this bill in violation of the Morse formula on the unanimous-consent calendar call; but there has been no showing, so far as the senior Senator from Oregon is concerned, up to this hour, that would justify the passage of this bill on the unanimous-consent call of the calendar, if I am going to follow—and I assure my colleagues I am going to follow—a consistent course in the application of the Morse formula on a unanimous-consent call of the calendar.

I remember in the last session of Congress the Senators from Pennsylvania had a somewhat similar problem, and after they went into the merits of the question, although they, too, would have liked to have port facilities which ran into the thousands of dollars turned over to the city of Philadelphia without cost, they recognized the merits of the position I had taken.

So, Mr. President, in view of the points I have made, I object to the consideration of the bill on this call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE. Mr. President, I submit amendments, intended to be proposed by me to this bill. I ask unanimous consent that the amendments be received, printed, and printed in the RECORD as a part of my remarks, so that they may be available for discussion the next time the bill is under discussion. I think the amendments ought to be accepted by the sponsor.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table; and without objection, the amendments will be printed in the RECORD.

The amendments submitted by Mr. MORSE are as follows:

"On page 4, line 19, strike out '(a).'

"On page 5, beginning with line 1, strike out all through line 7."

## SUSPENSION OF DUTY ON IMPORTS OF CASEIN

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1060, H.R. 7456.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H.R. 7456) to extend for 3 years the suspension of duty on imports of casein.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I offer an amendment to strike out "1963," as it appears in the bill, and insert in lieu thereof "July 1, 1960."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, line 7, it is proposed to strike out "1963" and insert in lieu thereof "July 1, 1960."

Mr. JOHNSON of Texas. Mr. President, the bill extends an act which was originally passed, I am informed, in 1955, and which was extended in 1958. The bill was reported by the House Committee on Ways and Means, then passed the House unanimously, and was referred to the Senate Committee on Finance.

Early in January, I believe—I am speaking from memory—the Committee on Finance reported the bill to the Senate. It affects those who produce casein and who sell commodities in competition with casein. Those who sell or plan to sell commodities in competition with casein inform me that they have not had what they consider to be adequate hearings in the matter. I have spoken with the able Senator from Indiana [Mr. HARTKE] many times about the measure. There are a number of other Senators, including the distinguished Senator from Minnesota [Mr. MCCARTHY], who are interested in having all viewpoints presented and considered.

The distinguished Chairman of the Committee on Finance, the Senator from Virginia [Mr. BYRD], is not on the floor, but I am informed that he has stated he would be willing to review with his committee the possibility of scheduling hearings, so that all persons interested may be heard.

In view of the fact that the present extension will expire at the end of this month, it is thought that by providing

for a 90-day extension to enable hearings to be held, and by being further assured by the proponents of the measure that they will attempt to make certain that the agreement we are now seeking will be carried out in good faith by having the House concur in the amendment to postpone the extension of the act for 90 days, an opportunity will be afforded interested persons to be heard and to enable the committee to make whatever recommendations it desires to make to the Senate prior to July 1, 1960.

I favor the measure as originally reported. The Bureau of the Budget has no objection to the enactment of the bill. The Secretary of the Treasury has advised the Bureau that the Treasury Department has no objection to its enactment. The Secretary of State has informed the Bureau of the Budget that the State Department has no objection to the proposed legislation from the standpoint of foreign economic policy objectives. I am informed that the Department of Agriculture feels the same way. There is considerable sentiment in favor of the extension.

The bill involves a product which is produced by our good neighbors to the South; but because those who oppose the 3-year extension have not had a chance to be heard, I think it is the better part of wisdom to strike out "1963" and insert in lieu thereof "July 1, 1960," with the understanding that hearings will be held promptly, that the committee will make its recommendations, and that we will try to act in the light of its recommendations prior to the adjournment of this session of Congress. All Senators have been very cooperative. I am hopeful that the amendment will be agreed to.

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

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. Mr. President, there is a distinct cleavage in this matter between industry, on the one side, and agriculture, on the other. When the representations were first made to me, I expressed the hope to the chairman of the House Committee on Ways and Means that perhaps the bill could be called back from the calendar, or, at least, that action might be deferred until those who have an interest from the farm side might be heard.

I believe the majority leader has put his finger on the real controversy, because the complaint was that they had had no opportunity to present their case.

There has been considerable discussion about the expenditure of millions of dollars for research and for new facilities in this field, which involves inedible casein, as distinguished from the edible variety which is produced mainly in this country.

Therefore, I believe this compromise solution—to extend the matter for 90 days—will leave the matter where it now stands. The suspension of the duty will not cease. Yet all parties in interest will have full opportunity to present their cases to the Senate Finance Committee.

Mr. HARTKE. Mr. President——

The PRESIDING OFFICER (Mr. BRUNSDALE in the chair). Does the Senator from Texas yield?

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Indiana, who has been very cooperative in connection with this matter.

Mr. HARTKE. I thank the Senator from Texas.

Mr. President, regarding the extension to July 1, 1960, I should like to point out to the Senate that the present situation is such that the extension was scheduled for 3 years. I suggested the possibility of making the extension for 30 days or 60 days; and the distinguished majority leader suggested 90 days, with the understanding that hearings would be held promptly.

There is some dispute as to certain facts. There is a question with respect to the attitude of the Department of Agriculture, particularly in the case of those directly concerned with other competitive items in the agricultural field.

Therefore, I believe it just that all persons and groups concerned have an opportunity to present their cases fully; and I hope that will be possible.

Mr. JOHNSON of Texas. We plan to bring up the bill by motion, and I believe a majority of the Senate will vote in favor of passage of the bill.

The Senator from Indiana has appealed to the leadership on both sides of the aisle, and I think his appeal has merit. He is always just with us, and I believe in the doctrine of reciprocity.

Mr. HARTKE. I thank the Senator from Texas.

Mr. AIKEN. Mr. President——

Mr. JOHNSON of Texas. I yield to the distinguished Senator from Vermont.

Mr. AIKEN. I thank the Senator from Texas.

I wish to say that I have not the slightest objection to having the suspension of the duty on imports of casein continued, so long as the casein that is imported is used for industrial purposes only.

However, we receive many complaints to the effect that casein imported for industrial purposes had been used for food purposes, in competition with the American dairy industry. In view of that situation, I had intended to offer to the bill an amendment to correct that situation.

Inasmuch as the majority leader has proposed an amendment to the bill, so as simply to continue the present status of these imports for 90 days, during which time a hearing can be held and all interested parties can be given an opportunity to appear before the Senate Finance Committee, I have no objection at all to enactment of the bill on those terms, and I do not intend to offer an amendment, provided the amendment offered by the Senator from Texas is agreed to.

However, I wish to state that the junior Senator from New York [Mr. KEATING] could not be present at this time. He has asked to have printed in the RECORD a statement on this bill. On his behalf, I request that the statement be printed at this point in the RECORD.

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

STATEMENT BY SENATOR KEATING

Many people in my State are very much interested in H.R. 7456, to suspend for 3 more years the duty on imported casein.

I sincerely hope that we will be able to act on this bill in the near future and that at that time the Senate will fully consider all of the points which have been raised relevant to this legislation.

For the edification of the Senate, I submit a brief statement by the American Paper and Pulp Association supporting H.R. 7456, as follows:

"STATEMENT OF THE PAPER INDUSTRY IN SUPPORT OF H.R. 7456, BY ROBERT E. CANFIELD, PRESIDENT, PRINTING PAPER MANUFACTURERS ASSOCIATION, INC.

"Prior to April 1957, casein was dutiable at 2¾ cents a pound. Public Law 85–257 suspended the duty for 3 years until March 31, 1960. H.R. 7456 would extend the suspension of duty on casein for an additional three year period. The bill was passed in the House and has been reported upon favorably by the Finance Committee (Rept. No. 1022, Jan. 13, 1960). Reports favoring passage have been given by Departments of Agriculture, Labor, and Commerce and it is understood also by the Tariff Commission.

"Casein is a product of skimmed milk. It is an adhesive. It is not made in any appreciable amounts in the United States largley because the milk price support program makes production of other skimmed milk products more profitable. It is used by the coated paper industry as an adhesive which holds coating to the paper base stock. Other adhesives made from soya bean are similarly used by the paper industry. Casein is the best adhesive and for certain types of coated paper is the only suitable adhesive. The soya bean adhesives are more easily handled in certain types of coated paper manufacture and, therefore, are used where possible. Determination of which adhesive to use is a manufacturing and technical decision not a financial decision. Reimposition of the duty on casein would not increase the consumption of soya bean adhesives, but would merely impose very substantial extra expense on industry without benefit to American producers of other adhesives.

"There is no substantial objection to the bill, although we understand some soya bean processors have raised some question about it. It is vitally important to the coated paper industry that H.R. 7456 be passed as soon as possible. We urgently request that there be a calendar call so that this bill can be voted upon at the earliest possible time."

Mr. JOHNSON of Texas. Mr. President, I wish to observe that the Senator from Vermont [Mr. AIKEN], in his characteristic fashion of always being fair with his colleagues, has made the kind of statement which I would expect from him. I urge him to submit his well-reasoned views to the Finance Committee, because I know they will be treated with the great respect with which the views of the Senator from Vermont are always treated.

Mr. AIKEN. I thank the Senator from Texas.

Let me say that the amendment I proposed to offer was as follows: In

line 17, after the figure "1963", add "*Provided, however*, That temporary free importation of casein shall not apply to casein intended for human food use."

Mr. JOHNSON of Texas. Mr. President, I may say that I have before me a letter, dated July 22, 1959, from the Department of Agriculture, addressed to the chairman of the House Ways and Means Committee. I shall not take time to read all the letter to the Senate; but part of the letter reads as follows:

In the early part of 1957, the Department carefully studied developments in the production and trade in casein and concluded that the tariff duty on casein imports at the time was not a substantive factor in the import situation and would not be in the foreseeable future. On that basis, on August 27, 1957, the Department recommended that the President approve passage of H.R. 38 which provided that imports of casein be free of duty from the date of enactment through March 31, 1960. It was felt then that the proposed legislation would afford a 3-year testing period in which to observe the effects of duty-free entry of casein.

In recent years, imports of casein have shown a substantial increase. Little casein has been produced domestically because of the low market prices of casein as compared with prices of other dairy products. It appears that, under present conditions, the restoration of the import duty would not raise the market price of casein enough to encourage the use of more domestically produced milk in the production of casein.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Mr. President, I ask unanimous consent that a letter from the Assistant Secretary of State be printed at this point in the RECORD. In the letter it is stated that there is no objection from the foreign policy objective viewpoint to this proposed legislation.

I also ask unanimous consent to have printed in the RECORD a letter from the Office of the Secretary of the Treasury, in which it is stated that the Treasury Department has no objection; and I also ask unanimous consent to have printed in the RECORD a letter from the Acting Assistant Director for Legislative Reference, in which it is stated that the Bureau of the Budget has no objection to enactment of the proposed legislation. I also ask unanimous consent to have printed at this point in the RECORD the letter from the Department of Agriculture to the chairman of the House Ways and Means Committee, dated July 22, 1959.

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

OFFICE OF THE SECRETARY
OF THE TREASURY,
*Washington, D.C., August 27, 1959.*

Hon. HARRY F. BYRD,
*Chairman, Committee on Finance,*
*U.S. Senate, Washington, D.C.*

MY DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on H.R. 7456, "To extend for 3 years the suspension of duty on imports of casein."

The proposed legislation would extend for 3 years, that is, until March 31, 1963, the suspension of import duties imposed on casein under paragraph 19 of the Tariff Act of 1930, as amended. The present suspension will expire on March 31, 1960.

Since the commercial aspects of the proposed legislation would be of concern primarily to the Departments of Agriculture and Commerce, the Treasury Department has no substantive comments on them. Should the bill be enacted, the estimated loss of customs revenue will be about $2 million per year.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this report to your committee.

Very truly yours,
A. GILMORE FLUES,
*Acting Secretary of the Treasury.*

---

SEPTEMBER 4, 1959.

The Honorable HARRY F. BYRD,
*Chairman, Committee on Finance,*
*U.S. Senate.*

DEAR MR. CHAIRMAN: I refer to your communication of August 22, 1959 acknowledged on August 26, requesting the views of the Department of State on H.R. 7456, "To extend for 3 years the suspension of duty on imports of casein."

The Department has examined H.R. 7456 from the standpoint of foreign economic policy objectives and has no objection to its enactment.

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).

---

SEPTEMBER 28, 1959.

Hon. HARRY F. BYRD,
*Chairman, Committee on Finance,*
*U.S. Senate, Washington, D.C.*

MY DEAR MR. CHAIRMAN: This is in reply to your letter of August 22, 1959, requesting a report on H.R. 7456, a bill to extend for 3 years the suspension of duty on imports of casein.

We understand the purpose of the bill is to extend through March 31, 1963, the temporary free importation of casein provided by Public Law 85-257.

The Bureau of the Budget has no objection to the enactment of legislation to accomplish the purpose of this bill.

Sincerely yours,
WILFRED H. ROMMEL,
*Acting Assistant Director for Legislative Reference.*

---

DEPARTMENT OF AGRICULTURE,
*Washington, D.C., July 22, 1959.*

Hon. WILBUR D. MILLS,
*Chairman, Committee on Ways and Means,*
*House of Representatives.*

DEAR CONGRESSMAN MILLS: This is in reply to your request of June 8, 1959, for a report on H.R. 7456, a bill to extend for 3 years the suspension of duty on imports of casein.

The Department does not oppose enactment of the bill.

In the early part of 1957, the Department carefully studied developments in the production and trade in casein and concluded that the tariff duty on casein imports at the time was not a substantive factor in the import situation and would not be in the foreseeable future. On that basis, on August 27, 1957, the Department recommended that the President approve passage of H.R. 38 which provided that imports of casein be free of duty from the date of enactment through March 31, 1960. It was felt then that the proposed legislation would afford a 3-year testing period in which to observe the effects of duty-free entry of casein.

In recent years, imports of casein have shown a substantial increase. Little casein has been produced domestically because of the low market prices of casein as compared with prices of other dairy products. It appears that, under present conditions, the restoration of the import duty would not raise the market price of casein enough to encourage the use of more domestically produced milk in the production of casein.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

---

Mr. JAVITS. Mr. President——

Mr. JOHNSON of Texas. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, a great deal of interest has been expressed in this bill by a number of industries, particularly the paper industry. I have before me a statement by the American Pulp & Paper Association. Years ago, I had the privilege of being counsel for the National Paper Trade Association, the wholesalers in this field; and I know a little about this business. I no longer represent them, but I did so for many years.

The American Paper & Pulp Association states:

It is vitally important to the paper industry that House bill 7456 be passed as soon as possible. It ties the interest of the industry in this matter to the interest of the consumer.

It—

In other words, casein—

is not produced in any appreciable amounts in the United States largely because the milk price support program makes the production of other skim milk products more profitable.

Mr. President, I have not had an opportunity to ascertain the views, on a 90-day extension, of the industries which are interested in this matter; but it seems to me, just as a matter of common sense, that if the 90-day extension will keep the situation as it now is, and will provide an opportunity—and let me say that in New York State, as well as in the State of Vermont, very large dairy interests are in operation—for inquiry to be made, in order to ascertain the proper balancing of the interests involved, as between the manufacturing industries, the consumers, and the milk producers, that is desirable.

I believe the majority leader has suggested a course which—especially in view of the fact that it meets the views of the Senator from Vermont [Mr. AIKEN], who has dug into the matter—would seem to be the prudent and the wise one; and I am grateful to the majority leader for yielding to me.

Mr. BYRD of Virginia. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. BYRD of Virginia. I wish to say that we have called a meeting of the Senate Finance Committee for next Monday, in order to have a hearing for both sides.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it may be in order for the Finance Committee to meet next Monday, in connection with its hearing on Calendar No. 1060, House bill 7456.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I wish to make it abundantly clear that I do not yield any of my views in favor of the enactment of this proposed legislation. I think the bill should be passed by the Senate today, and I think the bill is meritorious.

I believe the chairman of the Finance Committee acted wisely when he reported the bill. But in view of the fact that certain Senators have requested the holding of hearings, and have demonstrated good faith, and are ready to proceed promptly with the hearings, I think the Finance Committee should give to the bill whatever attention it needs, on Monday, and then report the bill, so the Senate can pass the bill before the 90-day period expires.

Furthermore, the opponents of the bill assured us that they were acting in good faith, and that they would not interpose objection to having the House concur in the Senate amendment. I believe that very important, because if the bill is not finally passed by the Congress by March 31, the existing law will then expire. So I want the RECORD to show that if the House does not agree to the March 31 deadline, I would be disposed to bring up the bill by motion, and to have it passed for the 3-year period.

Mr. AIKEN. Let me say that I would be disposed to go along with that course, under the circumstances.

Mr. JOHNSON of Texas. Certainly.

Mr. AIKEN. So far as I know, there is no objection by the dairy industry to the taking of such action if the casein that is imported is used only for industrial purposes. However, there is objection when the casein is imported for industrial purposes, but then, instead of being used in the paint and paper industries, is used for the manufacture of food, in competition with the manufacturers of foods of which we already have adequate supplies or surpluses in this country.

Mr. JOHNSON of Texas. Mr. President, it may very well be that the Senator's suggestion will be the vehicle by means of which all parties concerned can be brought together in regard to the proposed legislation.

Mr. AIKEN. There is no objection whatever to the avowed purpose, insofar as such importations of casein for industrial purposes only do not infringe on other fields.

Mr. HICKENLOOPER. Mr. President——

Mr. JOHNSON of Texas. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. As I understand, the Senator is asking that this matter be put over for a period of time. I just came to the Chamber. Is that correct?

Mr. JOHNSON of Texas. Yes. I struck out the 3-year provision and inserted a provision of 90 days, in order that hearings could be held. The people involved said they had not been notified. They wanted to propose something along the line suggested by the Senator from Vermont [Mr. AIKEN]. In view of the fact that no hearings have been held, I thought that was a reasonable request.

Mr. HICKENLOOPER. I understand the Finance Committee has agreed to hold hearings. Is that correct?

Mr. JOHNSON of Texas. Beginning next Monday.

Mr. HICKENLOOPER. From what the Senator from Texas, the majority leader, said a moment ago, I got the impression that he thought these hearings would be concluded Monday.

Mr. JOHNSON of Texas. I had the impression there were two or three groups that had amendments to present along the line of the suggestion of the Senator from Vermont. It was suggested first they would be considered Wednesday. They said it would take a little time. I think they said two groups desired to be heard.

Mr. HICKENLOOPER. I hope hearings will be held as expeditiously as possible, but I would hope they would not necessarily be limited to Monday if it were desirable to have the hearings go over a day or two. From what our soybean people have said, there is much more to this bill than what it appeared to be a few months ago.

I know of three little soybean processing plants in my immediate area, two in my State and one in southern Minnesota, that are beginning to process this so-called competitive product. So manufactured casein is a growing industry in this country. I am sure the soybean people will greatly appreciate the attention of the Senate Finance Committee to this subject, in order to ascertain really what the facts are. These people have told me repeatedly they do not want to be arbitrary, but, by the same token, they do not want preferential tariff treatment to choke off development of this new industry, which is growing at the present time, and which in years past has not been very great.

I may go further, with respect to the comments made by the Senator from Vermont, and say that this product of soybeans will be a competitor in industrial uses as well as in food. I get that information from the soybean people. Basically, that opens the product to wide usage. I think we should be very careful in approaching this matter. There has been little objection to it up to the present time.

Mr. JOHNSON of Texas. Mr. President, in light of what the Senator from Iowa has said, I want to amend my request and get permission for the Finance Committee to meet on Tuesday, and even Wednesday, if necessary, in order to conclude this matter.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HICKENLOOPER. The Senator does not mean tomorrow, does he?

Mr. JOHNSON of Texas. Next week.

Mr. AIKEN. Mr. President, I was referring to the dairy industry. I did not have reference to the soybean people. I know they are interested in it. The dairy industry is particularly interested in seeing that casein is not imported and used as a substitute for powdered milk, which has been the practice. I think the procedure we are agreeing to is fair to all persons and industries involved. This measure was reported from the committee without a request from any of those groups for hearings on the bill.

Mr. JOHNSON of Texas. It was reported unanimously by the House committee. Requests have been coming in. The only way to be fair to all parties is to work out a procedure so that hearings can be held. I understand there is no opposition on the part of the opponents to the 90-day period.

They are anxious to have a hearing on it and have their views considered by the Senate. I think they are entitled to that. For that reason I have agreed with the minority leader, the very able Senator from Indiana, and other Senators, that a 90-day period would be reasonable. I hope the House can act on this matter within 90 days, because, if not, the extension period will run out, and then we shall be forced to take up the bill as originally reported.

Mr. HICKENLOOPER. If the Senator will yield, I do not want to prolong this discussion. I think the Senator is being very fair about this. I think what he has proposed will amply solve the problem which immediately confronts us. But this bill was reported by the committee, without any particular consideration one way or the other, sometime in the fore part of January.

Mr. JOHNSON of Texas. January 13th; but it had consideration. Nobody had asked for hearings on it.

Mr. HICKENLOOPER. I was told, very shortly after that, as one person expressed it to me, "It caught us on the blind side." It came so rapidly from committee that they had no notice. They are not criticizing anybody for that situation, but, the first thing they knew, it was put on the Senate Calendar almost immediately after Congress convened.

Mr. JOHNSON of Texas. I would object to that conclusion, because it had been in the committee several months. It had passed the House in July. There was notice of it when it was taken up in the House Ways and Means Committee. No request was made to any member of the committee or any Senator for hearings on it. Such a request would have received the attention of the Senator from Virginia. Now they have made a request. We want to give them an opportunity to have a hearing.

Mr. HICKENLOOPER. I understand, but that was done only 10 days from the time Congress convened in January. I presume everyone is human. I think it is perfectly understandable that they did not know what was happening. In fact, they did not anticipate what happened. As some of the leaders told me, they were "caught on the blind side." They do not say unfair tactics were being used. They merely said they did not know this matter would be reported out of committee as precipitously as it was. They will get their people here and a proper hearing will be had, I am sure, and that is all I am interested in.

Mr. JOHNSON of Texas. That is what the Senator will get. I saw the Senator's request on the calendar. I conferred with his distinguished leader earlier in the day. We thought this procedure would meet the wishes of all Senators.

Mr. HICKENLOOPER. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 7456) was read the third time and passed.

The title was amended, so as to read: "An act to extend until July 1, 1960, the suspension of duty on imports of casein."

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. JOHNSON of Texas. Mr. President, I want to point out that, in the event we are unable to get action on this measure before the expiration date, we may return to action on the original bill. We are hoping this will be agreeable to our colleagues in the House.

Mr. President, I am speaking of Calendar No. 1060, H.R. 7456, to extend for 3 years the suspension of duty on imports of casein.

Mr. HICKENLOOPER subsequently said: Mr. President, reserving the right to object, I do not want to discuss the particular bill before the Senate. I was chatting with the Senator from Indiana about the casein bill. Did I correctly understand the majority leader to say that if the House would not accept at this time the 3-month extension, he would seek to take up by motion the bill for the 3-year extension?

Mr. JOHNSON of Texas. Or for some other length of time. I have stated that 2 or 3 times during the debate. We are going to try to get the 90-day extension through the House of Representatives. We do not want the whole thing to expire. We must have some kind of legislation.

Mr. HICKENLOOPER. I think the important thing about the entire matter is that we have a hearing. The Finance Committee should give us a hearing on the facts involved. I may object to an extension of the act for 3 years after the hearing, but I would think it would be in perfectly good order for the Senator to ask for anything he wants to ask after the hearing.

Mr. JOHNSON of Texas. I assure the Senator I understand his position. I hope the hearings will be held next Wednesday. I understand that the distinguished Senator from Indiana agreed with the chairman of the Committee on Finance to hold hearings after the extension.

When does the legislation expire? I am willing that a hearing be provided, but I am not willing to bury the bill.

Mr. HARTKE. Mr. President, my understanding with the chairman of the Committee on Finance is that the hearing will be scheduled for Monday.

Mr. JOHNSON of Texas. When does the legislation expire?

Mr. KUCHEL. The legislation expires on the 31st of this month, I will say to my friend.

Mr. JOHNSON of Texas. What day is that?

Mr. KUCHEL. This Thursday.

Mr. HICKENLOOPER. I presume that some resolution extending the legislation for 30 days would be sufficient.

Mr. JOHNSON of Texas. I was trying to give notice.

Mr. HICKENLOOPER. The important thing is that we have a reasonable opportunity to be heard. Regardless of what has gone on in the past, we should have a reasonable hearing before the Committee on Finance.

Mr. JOHNSON of Texas. I have spent all morning trying to work that out.

Mr. HICKENLOOPER. That is the important thing.

Mr. JOHNSON of Texas. I understand.

Mr. HICKENLOOPER. Simply because the House might not agree to a third 90-day extension, I would not want to have the matter brought back here, so that the Senate could pass a 3-year extension.

Mr. JOHNSON of Texas. I do not know whether we will have a 3-year extension. We might have a 3-day extension. I do not know what we can get the House to agree to.

Mr. HICKENLOOPER. I am sympathetic with the Senator's position.

Mr. JOHNSON of Texas. The Senator realizes that we have a problem in the House. I do not want the authority to expire.

Mr. HICKENLOOPER. Yes.

Mr. JOHNSON of Texas. The Senator has one viewpoint, and I have another. I am trying to be fair to the Senator's viewpoint.

Mr. HICKENLOOPER. The Senator is fair.

Mr. JOHNSON of Texas. I thought it would be better if the committee would have a hearing on Wednesday or Thursday, before the authority expires. I thought I had an agreement with the Senator that Wednesday would be satisfactory. What would the Senator say about Thursday?

Mr. BYRD of Virginia. Any day will be all right with me. I thought Wednesday was a little soon, because the witnesses have to come from a distance.

Mr. JOHNSON of Texas. March 31 will arrive a little soon, also. March 31 is next Thursday.

Mr. BYRD of Virginia. The Senate Committee on Finance can have the hearing at any time this week, or on any day next week.

Mr. HICKENLOOPER. Mr. President, I was perfectly satisfied about a hearing beginning next Monday. I certainly have no objection to a device, if the majority leader wants to get some device worked out, so that the legislation will not necessarily lapse on the 31st of the month. That is not the important point. I am perfectly satisfied that the Committee on Finance will have a hearing on Monday.

Mr. BYRD of Virginia. It is the understanding, is it not, that we are to pass the 90-day extension? That would make the legislation expire on July 31.

Mr. JOHNSON of Texas. The House has to agree to that. If there is not a rule and if the House does not agree the whole thing will expire.

Mr. BYRD of Virginia. What is the earliest date the witnesses can get to Washington, D.C.?

Mr. JOHNSON of Texas. Can the witnesses come by Thursday?

Mr. HARTKE. I do not know. This is Monday afternoon. Some people do not like to fly as much as they used to. I do not like to fly these days. Some of these witnesses would like to come on the train.

Mr. JOHNSON of Texas. How long would it take them, by train?

Mr. HARTKE. If the witnesses got started tonight they could not possibly arrive in Washington, D.C., before tomorrow morning. If they started tomorrow night they could not arrive until the next morning.

Mr. JOHNSON of Texas. Would it be reasonable to say the hearing could be held on Thursday and Friday?

Mr. BYRD of Virginia. That could be done.

Mr. JOHNSON of Texas. Mr. President, I modify my request, that the committee be permitted to hold hearings on Thursday and Friday.

Mr. HICKENLOOPER. Mr. President, if the Senator will yield, that is a very short time. These people have to come from the Soybean Belt to Washington, D.C., and they will be asked to testify on Thursday. I think Monday will be satisfactory.

Certainly I would have no objection, if the Senator wants to have a concurrent resolution of some kind passed to extend the legislation for 30 days, to having the hearing after that, to see whether it ought to be put upon a 3-year basis or some other basis. I have no objection to that. It is not a question of trying to see that this is all stopped on the 31st. It is simply a question of a reasonable time for a hearing, before the Senate finally acts on any longtime continuation of the program.

Mr. JOHNSON of Texas. Does the Senator feel there are some witnesses who could not be present Thursday or Friday?

Mr. HICKENLOOPER. I think some of them could be here on Thursday. Some of them could be here tomorrow morning at 9 o'clock.

Mr. JOHNSON of Texas. I think they are here now. [Laughter.]

Mr. HICKENLOOPER. No, they are not.

Mr. JOHNSON of Texas. I have talked to some.

Mr. HICKENLOOPER. There may be a number of people in Washington, D.C., but the people who represent the great segment of the soybean industry have

talked to me on the telephone today, from out in the Middle West. I know they are not in Washington, D.C.

I have no objection. I do not want to delay the matter. It is simply a question of an adequate hearing. These people do not know when we are going to have a hearing. They have to get their statements ready. They have to get their facts in order, and so on, for the hearing. That is not quite as simple as to have a Member of the Senate go before a committee to testify. The Senator is always somewhat familiar with the subject. Many of these people are familiar with the facts, but they still have to get their statements in order, because they are speaking for the record, for their industry and for their businesses.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee be given authority to meet on Thursday and Friday. If the chairman of the committee, after conferring with the respective Senators, after they confer with their constituents, feels the hearing cannot be held at that time, the committee already has authority to meet on Monday.

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

---

## TRANSITIONAL PROVISIONS FOR INCOME-TAX TREATMENT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1073, H.R. 8684.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8684) to provide transitional provisions for the income-tax treatment of dealer reserve income.

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

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 8684) to provide transitional provisions for the income-tax treatment of dealer reserve income, which had been reported from the Committee on Finance, with amendments, on page 1, line 5, after the word "of", to strike out "1959" and insert "1960"; in line 9, after "(1)" to strike out "computed" and insert "computed, or was required to compute"; on page 3, line 7, to change the subparagraph number from "(1)" to "(i)"; in line 16, after the word "applicable," to strike out "is not" and insert "was not, on June 21, 1959"; on page 4, line 11, after the word "applicable," to strike out "is not" and insert "was not, on June 21, 1959"; in line 20, after the word "exceed", to strike out "10" and insert "5"; on page 8, line 9, after the word "in", where it occurs the first time, to strike out "the trade or business in respect of which the election under subsection (b) applies" and insert "a trade or business"; in line 14, after the word "partnership", to strike out "ceases to engage in the trade or business in respect of which the election under subsection (b) applies" and insert "terminates"; in line 18, after the word "in", where it occurs the first time, to strike out "the trade or business in respect of which the election under subsection (b) applies" and insert "a trade or business"; on page 9, after line 12, to strike out:

(a) DEALER RESERVE INCOME.—For purposes of this Act, the term "dealer reserve income" means that part of the consideration derived by any person from the sale or other disposition of customers' sales contracts, notes, and other evidences of indebtedness (or derived from customers' finance charges connected with such sales or other dispositions) which is—

(1) attributable to the sale by such person to such customers, in the ordinary course of his trade or business, of real property or tangible personal property, and

(2) held in a reserve account, by the financial institution to which such person disposed of such evidences of indebtedness, for the purpose of securing obligations of such person, obligations under such evidences of indebtedness, or both.

And in lieu thereof to insert:

(a) DEALER RESERVE INCOME.—For purposes of this Act, the term "dealer reserve income" means—

(1) that part of the consideration derived by any person from the sale or other disposition of customers' sales contracts, notes, and other evidences of indebtedness (or derived from cutomers' finance charges connected with such sales or other dispositions) which is—

(A) attributable to the sale by such person to such customers, in the ordinary course of his trade or business, of real property or tangible personal property, and

(B) held in a reserve account, by the financial institution to which such person disposed of such evidences of indebtedness, for the purpose of securing obligations of such person or of such customers, or both; and

(2) that part of the consideration—

(A) derived by any person from a sale described in paragraph (1)(A) in respect of which part or all of the purchase price of the property sold is provided by a financial institution to or for the customer to whom such property is sold, or

(B) derived by such person from finance charges connected with the financing of such sale, which is held in a reserve account by such financial institution for the purpose of securing obligations of such person or of such customer, or both.

On page 11, line 8, after the word "in", to strike out "subsection (a)" and insert "subsection (a)(1), or of financing sales of the kind described in subsection (a)(2), or both"; after line 22, to insert:

(e) STATUTES OF LIMITATIONS.—For purposes of applying sections 3 and 4 of this Act, if the assessment of any deficiency, or the refund or credit of any overpayment, for any taxable year was not prevented on June 21, 1959, by the operation of any law or rule of law (other than the provisions of chapter 74 of the Internal Revenue Code of 1954, relating to compromises or closing agreements, or the corresponding provisions of prior revenue laws), the period within which such assessment, or such refund or credit, may be made shall not expire prior to July 1, 1961.

And on page 12, at the beginning of line 8, to change the subsection letter from "(e)" to "(f)".

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none; and, without objection, the committee amendments are agreed to en bloc.

Mr. BYRD of Virginia. Mr. President, I offer some amendments which are technical amendments.

The PRESIDING OFFICER. The amendments will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 5, after the word "before", it is proposed to strike out "July", and insert "September".

On page 12, line 7, after the word "to", it is proposed to strike out "July", and insert "September".

On page 11, beginning with line 23, it is proposed to strike out all through line 7 on page 12 and in lieu thereof insert the following:

(e) Statutes of Limitations.—

(1) Extension of period for assessment and refund or credit: For purposes of applying sections 3 and 4 of this Act, if the assessment of any deficiency, or the refund or credit of any overpayment, for any taxable year was not prevented on June 21, 1959, by the operation of any law or rule of law, but would be so prevented prior to September 1, 1961, the period within which such assessment, or such refund or credit, may be made shall not expire prior to September 1, 1961. An election by a taxpayer under section 3 or 4 of this Act shall be considered as a consent to the application of the provisions of this subsection.

(2) Years closed by closing agreement or compromise: For purposes of this Act, if the assessment of any deficiency, or the refund or credit of any overpayment, for any taxable year is prevented on the date of an election under section 3 or 4 of this Act by the operation of the provisions of chapter 74 of the Internal Revenue Code of 1954 (relating to closing agreements and compromises) or by the corresponding provisions of the Internal Revenue Code of 1939, such assessment, or such refund or credit, shall be considered as having been prevented on June 21, 1959.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an explanation of the bill.

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

H.R. 8684 relates to tax treatment of certain dealer reserves.

The usual dealers' reserve arises from the sale of customers' installment paper to finance companies. The way in which these reserves arise can be illustrated by an example of an automobile dealer, a business where dealer reserves have been used quite widely. Initially the dealer sells a car to a customer, accepting his note together with a cash downpayment and trade-in as the selling price of the car. The customer then executes a note, usually on forms supplied by a finance company, and the dealer then sells the installment paper to the finance company in return for a partial payment to him by the finance company of the face

amount of the paper. The finance company, however, reserves, or holds back, a portion of the balance due the dealer and in addition may set aside a portion of the finance charge on the paper otherwise due the dealer. Losses incurred by the finance company may be charged against these dealers' reserves.

In transactions of this general type the question is whether this reserve is income to the dealer in the year of the sale of the article and the sale of the installment paper to the finance company or, on the other hand, is income to the dealer only when he actually receives the reserved amount in cash from the finance company.

The Supreme Court on June 22, 1959, in *Commissioner* v. *Hansen, Commissioner* v. *Glover,* and *Baird* v. *Commissioner,* held in these cases that the specific reserves involved were properly reportable as income when "the dealers acquired a fixed right to receive the amounts so retained by the finance companies." These cases held that dealer reserve income is to be reported at the time it is properly accruable, or in general at the time of the sale of the installment paper where this immediately follows the sale of the property. However, many dealers following any of the numerous circuit court decisions to the contrary, have not reported this income until the reserves were withdrawn by the dealers from the finance companies.

In view of this, H.R. 8684 provides two alternative methods for paying the tax due on the income which has not previously been reported. First, it provides that such amounts can be treated as required changes in methods of accounting. In general, this means that the reserves built up prior to 1954 need not be reported for tax purposes, and that only the excess of the current balance over the 1954 balance in the reserve is to be reported. A second alternative provided permits the computation of the deficiencies—or overassessments—which would arise if the income had been reported in the proper years, and then the sum of these amounts—plus interest up to the time of selecting this alternative—may be paid in 10 annual installments, generally beginning in 1961.

Your committee has made the following amendments to the House bill:

(1) Under a committee amendment the taxpayer will be entitled to the benefits of the bill if he is forced by the Commissioner to change to an accrual method of accounting. There was some doubt whether he would be entitled to the benefits of the House bill in such a case.

(2) At the suggestion of the Treasury your committee has reduced the period for electing to pay the deficiencies for the years involved in installments from 10 years to 5 years. The Treasury was of the opinion that a 5-year extension would amply cover the situation.

(3) Your committee has provided that the privilege of paying the deficiencies in installments shall not terminate unless the individual or corporation involved ceases to engage in any business or unless a partnership, of which the taxpayer is a member, terminates. Under the House bill, the privilege was terminated where the individual, the partnership of which he is a member, or the corporation, as the case may be, ceases to engage in the business out of which the dealer reserve arose.

(4) Your committee has applied the benefits of the bill to taxable years which were open for assessment or refund on June 21, 1959, the date of the Supreme Court decisions relating to dealers' reserves. This amendment would permit a taxpayer to make an election under the bill for a year which was closed before he had an opportunity to make such election. The House bill did not provide relief in such cases.

(5) Your committee has also amended the House bill to apply to situations where the customer gave the note or mortgage directly to the finance company under an arrangement whereby the selling price, a part of the finance charge, or both, was retained by the finance company in a reserve account to be ultimately paid to the dealer. The House bill limited the relief to situations where the dealer sells the installment paper to the finance company.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. BARTLETT. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Alaska to reconsider.

The motion was agreed to.

## EXEMPTION FROM INSPECTION OF SMALL VESSELS CARRYING FREIGHT IN INLAND WATERS, ALASKA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1199, Senate bill 2669.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2669) to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted small vessels carrying freight to and from places in the inland waters of southeastern Alaska.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. BARTLETT. Mr. President, I know of no objection to this bill on the part of any Senator. It was reported unanimously from the Committee on Interstate and Foreign Commerce. It simply seeks to extend for a 4-year period a desirable and even essential maritime arrangement in southeastern Alaska.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of the Act entitled "An Act to amend section 4426 of the Revised Statutes, as amended, with respect to certain small vessels operated by cooperatives or associations in transporting merchandise of members on a nonprofit basis to or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or to or from places within said inland waters and places within the inland waters of the State of Washington", approved August 23, 1958 (72 Stat. 833), is amended by striking out "1960" and inserting in lieu thereof "1964".

## DEPARTMENT OF COMMERCE AND RELATED AGENCIES APPROPRIATIONS, 1961

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of House bill 10234, Calendar No. 1139.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 10234) making appropriations for the Department of Commerce and Related Agencies for the fiscal year ending June 30, 1961, and for other purposes.

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

The motion was agreed to; and the Senate resumed the consideration of the bill.

Mr. JOHNSON of Texas. Mr. President, the pending bill is the Commerce Department appropriation bill. The distinguished Senator from Florida [Mr. HOLLAND], as chairman of the subcommittee, reported the bill. I understand that certain amendments are to be offered.

Mr. President, I give notice that it is expected that the Senate will remain in session late this evening. If possible, we would like to have the proposed amendments acted on today. If not, we shall endeavor to have the Senate meet at an earlier hour tomorrow, so that action can be concluded on the bill, because there will be before the Senate the very important Interior Department appropriations bill, and we hope it can be passed before the Judiciary Committee makes its report on the civil rights bill on Tuesday.

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

Mr. JOHNSON of Texas. I yield.

Mr. CASE of South Dakota. Was the Senator indicating that the Interior Department appropriation bill would be reached and passed today?

Mr. JOHNSON of Texas. No. It is not eligible for consideration until tomorrow. We have this problem:

We have the Commerce Department appropriation bill, which was carried over at the suggestion of the Senator from Delaware [Mr. WILLIAMS], in order that all Members who desired to be heard may be heard and offer amendments.

When consideration of the Commerce Department appropriation bill is concluded we expect to proceed to the consideration of the Interior Department appropriation bill. It will not be in order until tomorrow, but we hope we can con-

clude consideration of the Interior Department bill tomorrow, because the civil rights bill will be reported back tomorrow evening from the Committee on the Judiciary, and we should like to take it up on Wednesday if at all possible.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the calling of the roll be rescinded.

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

## REMOVAL OF GEOGRAPHICAL LIMITATIONS ON ACTIVITIES OF THE COAST AND GEODETIC SURVEY

Mr. MAGNUSON. Mr. President, I ask that the Chair lay before the Senate a message from the House on the bill, S. 2482, to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes, with the amendment of the House thereto.

The PRESIDING OFFICER (Mr. BRUNSDALE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2482) to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes, which was, to strike out all after the enacting clause and insert:

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 offlying 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.

Mr. MAGNUSON. Mr. President, the amendment of the House is in the nature of a technical clarifying amendment. It does not change the substantive purpose of the bill in any way.

I move that the Senate concur in the amendment of the House.

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

The motion was agreed to.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the bill be printed in full at this point in the RECORD for the information of the Senate.

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

The bill, ordered to be printed, reads as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the 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 offlying 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.

## DEATH OF REPRESENTATIVE RUSSELL V. MACK, OF WASHINGTON

Mr. MAGNUSON. Mr. President, I take the time of the Senate briefly to make an announcement which distresses me greatly. A member of the Washington congressional delegation, Representative RUSSELL V. MACK, just dropped dead on the floor of the House. Representative MACK had served very effectively and ably in the House of Representatives from the State of Washington for many years. I do not know whether he had ever been ill. I do not know exactly what happened. I understand that he suffered a heart attack on the floor of the House.

I had talked with Representative MACK last week, and he appeared to be in good health. He was a valued Member of the House of Representatives, and an esteemed member of the Washington State delegation. I have known RUSSELL MACK for many years. I considered him a very good friend.

I regret this great loss to the State of Washington, and, of course, extend my sympathy to his very fine wife and family. His death comes as a great shock to me and other Members of the House and Senate who knew him.

Mr. BARTLETT. Mr. President, I join the senior Senator from Washington in expressing deep regret at the untimely death of Representative RUSSELL V. MACK, of the State of Washington. I was glad and proud to count him as a friend. He was a fine man, and a good public servant. We who knew him here will miss him greatly. His district will miss him. The Nation will miss him. He served the Nation well.

My wife and I wish to extend our deepest sympathy, in this hour of sorrow, to Mrs. Mack.

Mr. CASE of South Dakota. Mr. President, I wish to join at this time in expressing sympathy to Mrs. Mack and others bereaved by the sudden death of RUSSELL MACK.

I had known RUSSELL MACK for many years, first in the House of Representatives, and then as a colleague serving from the House on conference committees between the Public Works Committees of the House and Senate.

RUSSELL MACK's knowledge of the public works field, whether in connection with highways, rivers and harbors, or flood-control projects, was of great value to our country generally, as well as to the State of Washington.

He was eminently fair, considerate, and tolerant of others, and very effective because of his knowledge and because of his sense of public service.

He was a newspaper editor before coming to Washington, and enjoyed a wide acquaintanceship and the respect of others in the newspaper field.

He was a most useful Member of Congress. The State of Washington and the country have lost a great American and a great statesman.

Mr. CARLSON. Mr. President, I wish to associate myself with the remarks made by the other Senators on the subject of the untimely death of RUSSELL MACK.

## DANGERS IN HAPHAZARD DIPLOMACY

Mr. GORE. Mr. President, thanks to the candor of our distinguished Secretary of State, a question which has disturbed me for a long time has flared into public view. I refer to the willingness of the leaders of this country—indeed, of the West—to meet Mr. Khrushchev separately and jointly in a summit conference for no reason, really, other than Mr. Khrushchev thinks such a conference will be useful, at least to him.

Last Tuesday in a public meeting of the Committee on Foreign Relations, the Secretary of State told the committee that the forthcoming summit conference "has no agenda. We don't know what points are going to be discussed. We just assume that the German and Berlin question will come up."

Mr. President, I share the Secretary's assumption that the Berlin question will come up, but I wonder how it will come up—in what context—at whose initiative—under what circumstances—and with what conditions? Will Mr. Khrushchev, in the exclusive company of his three fellow heads of government, assay a major diplomatic thrust? Will he offer a quid pro quo, a long-term agreement on Berlin, perhaps in return for Western recognition of East Germany?

I do not here estimate the effect of such a diplomatic thrust by Mr. Khrushchev or, indeed, whether such a quid pro quo amounts to a plausible possibility. I doubt, however, that the United States and its major allies are prepared to respond to such an initiative with a single clear, resolute voice.

Yet how can the West expect to accomplish anything at the summit—indeed, to come away with their own rights and interests unprejudiced—unless the Western leaders are agreed on the objectives they wish to achieve, the positions they will adopt and unless they make an effort to stay within the orderly processes of diplomatic action?

Mr. Herter assumes, and who would disagree, that the question of Berlin, the broader question of Germany, nuclear weapons tests and the painfully involuted question of disarmament will all come up at the summit. But how and in what form?

Now, the current Berlin issue is essentially artificial. That is, it is a creature of Mr. Khrushchev himself. He created the problem and now demands that we solve it to his advantage. The plain fact is that it is Khrushchev, not we, who is clamoring for a change in the Berlin

situation. It is Khrushchev, not the United States or her allies, who almost daily threatens to act provocatively and dangerously with respect to Berlin and East Germany.

And who can say that the heady Alpine atmosphere and free rein of the summit—without an agreed agenda—will not induce him to create other problems for the West to solve to his gain?

What I am suggesting here is that we examine the rationale for this summit meeting.

I have no quarrel with the proposition that it is a good idea for heads of state to meet and talk over their differences. However, such meetings, riveting as they do the attention of the world, should be undertaken only after the most careful planning and, like all diplomatic undertakings, should be clearly in our national interest. Admittedly the problems that threaten peace will be hard to resolve at best. There is even less chance of resolving them if we have no plan and no hope that such will be done. Without purpose and plan, we will find ourselves lost and drifting in a murky sea of haphazard diplomacy.

Unless there is some reasonable expectation that progress can be made in the settlement of differences and problems, there is no justification for meeting at all. This proposition, though, is now moot. The Paris meeting is scheduled.

What about U.S. leadership? How can the United States avoid either the loss or abandonment of her rightful position as leader of the Western Alliance with the haphazard policies, or lack of policies, which have been outlined to us? Moreover, other nations must wonder if we have lost our will and zest for leadership.

Careful preparation is as necessary for victory in a diplomatic conference as it is in a military campaign. The history of diplomatic failures bears this out. If one examines international conferences since the end of World War I, three outstanding errors stand out boldly:

First. The failure to fix definite, clear objectives in advance with an agreed and definite program or agenda for the conference and a careful definition of our policy on each item.

Second. The lack of detailed agreement and coordination with our allies before the conference begins.

Third. Departures from the previously prepared positions during the conference.

Not all of the above flaws have been present in all conferences. Sometimes it has been one of them, sometimes another, sometimes all.

I do not wish here to labor or overemphasize the desirability of heeding our mistakes and failures of the past. But I do think it is important to bear them in mind. At least, we should remember the most recent summit conference, in Geneva in 1955. Perhaps we should recall, also, that at Versailles the heads of state met before deciding on a carefully arranged program of discussion and without careful advance coordination of their policies. Moreover, President Wilson went to the conference without having secured his own political base at home.

About Versailles, Colonel House later wrote:

> The great fault of the political leaders (Wilson, Clemenceau, Lloyd George, and Orlando) was their failure to draft a plan of procedure.

This is not to say that we should be fearful of international conferences, not at all. Settlement of differences by negotiation is a prime goal of civilization. It is the purpose of diplomacy. And it is good. But, in the present context of world affairs, the requirement, it seems to me, is not a mere willingness to go just anywhere and talk about anything, but rather an insistence that we confer and negotiate about the basic threats to peace in a manner carefully calculated to promote our national interest and the true cause of peace.

If we let Mr. Khrushchev pose the problems and determine their frame of reference, then he can just about assure himself of either a settlement to his advantage or no conclusion at all with blame for failure of the conference falling on us.

This is the point. Mr. Khrushchev—let us face it—is the apostle of the summit conference. He has created the issue that will presumably be the first order of business. I say "presumably" because in the absence of any understanding whatsoever as to what will be discussed, in what order, and in what context, who can say what the first order of business will be? All that we know for certain is that Khrushchev is wily, resourceful, unpredictable, and determined, and that he is completely unhampered by the standard of moral values to which we adhere. Moreover, his approach to the summit has been a model of orderly and logical procedure. He wanted this conference, just as he wanted to be invited to the United States, for his own good and sufficient reasons. In both cases he gained his objective. I dare say he already knows—of this I think we may be sure—what he wants to talk about at this conference, and I am forced to recognize the prospect that those matters will be discussed at the time and in the frame of reference of his making.

In short, it should be clear to us by now that Mr. Khrushchev is an "idea" man constantly in search of a platform, the world's cleverest propagandist. Currently he is performing in France. With the summit we have given him a platform of unrivaled luster and eminence. And we have made no effort to limit the outlets for the exuberant expression of his talents. On the contrary, by visits and return visits, by apparent agreement to a whole series of summit meetings, we have conferred status, if not respectability, upon communism and its leaders. What is more important, in so doing, we have assisted Mr. Khrushchev in his relentless campaign to picture communism as the wave of the future without ever pinning him down to talk about the subjects crucial to our interests in their proper context, if at all.

The Western Powers, on the other hand, really do not know what to expect from this conference. To make matters worse, they are not sure of what, most ideally, should emerge from the conference. To state it simply, there is a slackness, born of uncertainty, in the Western position.

Thus we find the ranking statesmen of the West periodically, and sometimes spasmodically, putting aside their onerous domestic duties in order to huddle together for the purpose of seaming over small but corrosive cracks in the alliance.

Prime Minister Macmillan of Great Britain has hurriedly come here and is now conferring with President Eisenhower. In a short space of time Mr. Adenauer has visited Mr. Eisenhower, Mr. Macmillan has visited General de Gaulle, and General de Gaulle is expected here shortly to talk with Mr. Eisenhower. France and Germany do not see eye to eye with Britain on the Berlin question. Mr. Macmillan is reported to view the latest Soviet nuclear test proposal with considerably more sympathy than President Eisenhower. France wants atomic weapons. Most of the Atlantic Alliance shudder at the mention of a German training base in Spain. The Common Market countries appear to be on the verge of accelerating the schedule for inaugurating their external tariff, thus irritating Britain and the other Outer Seven countries which regard such a move as inimical to their own interests.

Does this state of disunity and irresolution on the part of the West not present an inviting opportunity for Khrushchev to pursue his goal of breaking up NATO and splintering the free world alliance. Surely we can expect him to probe soft spots, to attempt to generate animosities, suspicions, and fears among the allies, as he is doing today in France. Indeed, we have seen from the pattern of his conduct that many of his proposals are designed strictly to exacerbate such animosities among friends. Meanwhile, with complete unity of policy and monolithic determination, Mr. Khrushchev maintains full freedom of maneuver for his side.

This raises the point, Mr. President, that since Mr. Khrushchev is the man who most of all wanted a summit conference, he should have agreed to discuss the central issues in an orderly fashion and in a reasonable and logical context. Such an agreement on his part, I feel quite strongly, should have been a necessary condition to our President's agreeing to attend the conference. The failure to insist upon such procedure, the failure to fix definite objectives and to make careful plans in our own national interest, and the failure to coordinate these objectives and plans in detail with our allies, has raised the prospect of a conference which, although held at the highest level—the summit—may contribute little, if anything, to the resolution of the problems and the threats to peace. Indeed, Secretary Herter said, only last week:

> I am very frank to admit that I am not too optimistic that the summit conference will produce very great results.

Diplomatic victories are seldom achieved haphazardly. Normally they are the result of patient, careful, de-

tailed work. This work involves a point-by-point examination and prudent evaluation in terms of the national interest of each step taken. Diplomatic initiatives must be carefully calculated. Spontaneous suggestions, such as Chancellor Adenauer's recent sudden idea of a Berlin referendum, are not usually fruitful.

Viewing the subject from quite another angle, I am unimpressed by the argument that diplomacy must be conducted only at the summit with the Soviet Union simply because Mr. Khrushchev prefers to do his own negotiating. Mr. President, whatever Mr. Khrushchev's problem is—whether inflated vanity or underdeveloped prestige—it is no problem of ours. He professes contempt for foreign ministers, and often gibes at their lack of authority. Here again, if Mr. Khrushchev cannot find a foreign minister in the Soviet Union adequate to the responsibility, that is his problem, not ours.

I recall that nobody ever doubted the supreme authority of Stalin for Soviet policy. Yet for how many years was Soviet foreign policy personified by a hard, unsmiling, superbly skilled negotiator, known to the world as Molotov, and known to his colleagues of the conference table as "iron pants." Every ranking Western diplomat who ever faced Molotov gave him full marks for his professional talent and attainments. Yet none of them ever had any illusions as to the source of his instructions.

Mr. President, I am all for talking with our friends and with our adversaries, all for employing and expanding the diplomatic process and for adopting each and every measure that will reduce the likelihood of armed conflict in the world. What is necessary is that these processes be pursued in a careful, orderly, realistic manner. The preparations for the forthcoming summit conference do not represent this kind of negotiating procedure. On the contrary, it appears to be a part of a plan to postpone, if not avoid, serious negotiation. A series of summits, we are told, is planned, conditioned only upon just enough achievement at the one to justify the next. Thus, it is planned to resort to amiable, if somewhat aimless, conversation and good-will visits, as a substitute for the careful planning and hard work necessary for correct decisions.

There are positive dangers from failure to reach substantive agreement at a conference between the heads of great and contending powers. The mere scheduling of a summit conference serves to raise the hopes of the peoples of the world, and perhaps appears to ease international tensions. When such a conference breaks up without material accomplishment, increased tensions, rising suspicions, and added fears may result. We are advised by Secretary Herter that these dangers can be minimized by not expecting too much.

But I am not sure the matter is quite that simple. I am not sure, in the first place, that we can, or should, dampen peoples' hopefulness for peace. In the second place, I doubt that it is wise to go to a conference while talking it down, or, to put the matter the other way around, to talk down a conference in which the President of the United States is to participate with the Russian Premier, the British Prime Minister, and General de Gaulle. Such a conference cannot be regarded as unimportant. The world will not be so misled.

Moreover, it would not seem illogical to assume that a participant who publicly admitted he did not expect the conference to succeed would stand a good chance of being blamed for its failure, and not much chance of receiving credit for any possible success.

Even more dangerous than failure to achieve some substantive agreement, however, would be the execution of an improvident agreement. I must in all candor express my concern that the pressure for political agreement may become so strong, and an awareness of the dangers of failure of the conference so compelling, that improvident decisions may be reached. I hope this apprehension is not justified. I regret that circumstances are such that I feel compelled to state it.

Apparently an extended period of negotiations of critical importance lies ahead. This is all the more reason why I feel impelled to speak out today. I do hope no one will interpret this statement as an act of partisanship. I speak out of concern for my country and for other countries which love peace and freedom. And that, Mr. President, is not partisanship.

The mere fact that negotiations are under way does not alter the basic conflict of ideas and ideologies between the free and the Communist worlds.

We must realize the nature of our foe. And I unhesitatingly refer to Mr. Khrushchev as a foe. For him and his associates, the collapse of our system is inevitable. They believe they have the right—not only the right, but a self-professed duty—to dominate all people everywhere. Communists do not suffer from moral restraints. They are zealots who will adopt any means, however antisocial, to gain the remarkable ends they seek so relentlessly.

The Communist creed is an aggressive creed. The Communist creed is one of subversion, revolution, dictatorship, and oppression. Communists use, and intend to use, all of the resources, human and material, of an empire that now encompasses one-third of the people of the world. And Khrushchev is the head Communist. He has great military strength at his command. He has an organized and disciplined party, not only among the one-third of humanity that communism dominates, but in most other countries of the world. Mr. Khrushchev will bring all of these powers and all of these resources to bear, and he thinks time is on his side.

I am for negotiation, let me repeat, all for expanding diplomatic conversation to promote peace. I only insist that it proceed with adequate plan and preparation within the U.S. Government, and with the necessary, detailed unity and coordination with our allies. Otherwise, rather than serving the cause of peace and security, well intentioned summiteers may do violence to these, our most crucial objectives.

It is in this sense that I speak out today and I hope my voice reaches Camp David. It is too late to negotiate an agenda for the Paris summit conference. Mr. Khrushchev already has that one buttoned up, on terms eminently to his satisfaction. But it is not too late to unify the Western position on key issues and upon a plan of procedure. It is not too late for President Eisenhower and our distinguished visitor, Prime Minister Macmillan, to reflect upon the lessons of history. It is not too late for them to contemplate the dangers of playing the game of power politics by ear, or to consider the character of our adversary and the matchless opportunities they have given him for advancing that most material and oppressive of causes—international communism.

Out of such reflection, and perhaps with the benefit of growing experience, there will come a useful reappraisal of the nature of diplomacy, and the danger of failure, on the one hand, and the greater danger of improvident agreements on the other, that are inherent in haphazard procedure in this delicate field. It is in the interest of such a reappraisal that I have made this statement.

Mr. SALTONSTALL. Mr. President, will the Senator from Tennessee yield?

The PRESIDING OFFICER (Mr. LUSK in the chair). Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. GORE. I yield.

Mr. SALTONSTALL. I thank the Senator from Tennessee.

I wish to make two brief comments to the Senator from Tennessee, in connection with his speech, which I had an opportunity to follow as he delivered it.

Mr. GORE. First, let me thank the Senator from Massachusetts for his courtesy and his attention. He did me the honor of following my remarks carefully as I delivered them; and I am gratified.

Mr. SALTONSTALL. Certainly I wished to hear what the Senator from Tennessee had to say.

First, let me state that, as one who has known the present Secretary of State for almost 40 years, I know of no man who goes into any meeting or conference or discussion on any subject with greater care or greater preparation than does the present Secretary of State.

The Senator from Tennessee has said that it would not seem illogical to assume that a participant who said he did not expect the conference to succeed would stand a good chance of being blamed for its failure, if it did fail.

Let me state that, judging from what the Secretary of State has said at his press conference and before the Foreign Relations Committee, he has not expressed pessimism. Instead, he has said he expects the conference to succeed, although he has said that he will be very pleasantly surprised if very many objectives are attained.

In other words, he is optimistic, and he hopes the conference will be successful. Certainly he is not pessimistic about its chances of success.

As to preparation for this conference, the Senator has said that we are not going with any objectives that are agreed upon. I wish to say to the Senator that I have talked to the Secretary of State, and he advised me that there are now three working groups, in Washington, Paris, and London, who are preparing the points of view of the Western countries for this conference. When those preparations are completed, I assume the leaders of the Western countries will get together and agree upon the positions that they shall take.

The Senator from Tennessee himself has stated that he is for negotiation—let me repeat what he stated, "All for expanding diplomatic conversation to promote peace." That has been the point of view of President Eisenhower—that he will go to any meeting, anywhere, if he thinks there will be any greater opportunity for peace.

What can come out of the planned meeting will be some general points of view, which can be agreed upon, and which can then go to working groups at a lower level, to work out a definite agreement.

What the Secretary of State meant, I think, is that out of a summit conference there can be no definite agreements that will lead to treaties, but some general understanding among the leaders, points of agreement, which are worthy of further study at the proper working level.

Certainly, the Senator and I want any treaties that are submitted to us to be carefully worked out and that is not possible at a planned meeting.

As I listen to the distinguished Senator and follow him, I want to leave with him these two points. First, I am confident that the Secretary of State, as I have known him over the years, is always optimistic that an agreement may be reached or that advantages can be counted from speaking to leaders of countries; second, that there is careful work being done in preparation for the summit conference.

Mr. GORE. I thank the able and distinguished Senator for his comments. First, I wish to state that I share his appreciation of Secretary Herter. It has not been my pleasure to know him for as long as the distinguished senior Senator from Massachusetts has known him, but it has been my opportunity to know him and serve with him, more or less, for about 20 years. I hold him in high esteem. I said so in a speech in support of the confirmation of his nomination. I say so now.

Secretary Herter, in my opinion, told us the truth. He was frank and candid with the Foreign Relations Committee. For that he is entitled to commendation. It is the situation which he described and revealed that I found so disturbing.

But I should like to say to the senior Senator from Massachusetts that the subject matter of my address today goes far beyond Secretary Herter. It involves the President of the United States, Prime Minister Macmillan, and, to a lesser extent, President de Gaulle. It involves the leadership of the West. As I have said, I am deeply concerned that, in one move after another, the West gives to its arch enemy status and respectability, and adds to his relentless, implacable drive to picture communism as the wave of the future, without ever, at any time, pinning him down to talk about things which are important to our security, in the proper context, if at all. So I say it goes far beyond Secretary Herter.

Now, as to preparation, in the first instance, we are told that President Eisenhower reluctantly agreed to go to a summit conference. I should like to read what Secretary Herter said about that. First, I shall have to read my own question:

> Senator GORE. Is there any reason why the Russian dictator could not delegate the same power to his foreign minister as President Eisenhower should or does delegate to you?
>
> Secretary HERTER. None.
>
> Mr. GORE. Then isn't that a fallacious argument?

I digress to say the argument was made that one reason why diplomacy must be conducted at the summit was that Mr. Khrushchev was the only one who could speak with authority for Soviet Russia.

I return to the colloquy:

> Secretary HERTER. Not necessarily, because you are dealing with an individual personality who himself wants to be the negotiator.
>
> Senator GORE. And, therefore, we accede to his personality and his desire?
>
> Secretary HERTER. To some extent.
>
> Senator GORE. It seems to me what you have said is that we are vague about the purposes of the conference or its results and we did not want it, but we are somewhat being pushed into it. Is that——
>
> Secretary HERTER. I wouldn't say "pushed into it." I would say the President acceded to the desire of the others to go to a summit conference.

I end the quotation there.

This, it seems to me, is clear. I have many quotations from President Eisenhower himself over a period of months, which I could cite to the Senator.

The point I am trying to make is that we agreed to go to this conference, according to the testimony Secretary Herter gave, without any understanding as to what would be discussed, in what order, in what context, or on what conditions. That was the first big mistake.

There is a second mistake, which I think there is yet time to correct. We can now do nothing about the first mistake. I am pleading for correction of the second one. We must have carefully made plans within our own Government, as I have stated, and detailed, careful coordination and unity with our allies on those plans. It is that for which I plead.

I thank the able Senator for his comments.

Mr. ANDERSON and Mr. GRUENING addressed the Chair.

Mr. GORE. I yield first to the distinguished chairman of the Joint Committee on Atomic Energy.

Mr. ANDERSON. I should like to ask the Senator from Tennessee if he does not feel that, as these discussions go on with the British Prime Minister, we get perplexed a bit by what we read in the newspapers, when we compare it with what we get in the official reports? I was going to ask the Senator if he had seen the exact wording of what Tsarapkin proposed at Geneva prior to the end of the week. He proposed it on March 19. When did the Senator from Tennessee first see it?

Mr. GORE. I first saw what purported to be a verbatim text of it on the front page of the Washington Evening Star, I believe on Friday afternoon. It was reported that this came from a press release from the Russian Embassy in Washington, D.C. Is it that to which the Senator refers?

Mr. ANDERSON. Yes. I was referring to the fact that the Joint Committee on Atomic Energy and, so far as I know, the Committee on Foreign Relations of the Senate, had nothing on which to base an accurate judgment, until late Friday afternoon, except the press statement given out by Mr. Tsarapkin, and released by Tass, which is not our favorite source of information.

Mr. GORE. As the Senator knows, the Senator from Iowa [Mr. HICKENLOOPER] and I are the adviser delegates from the Senate to the conference.

The first time I was able to see the official text of the March 19 proceedings and of the Russian proposal was this morning, when an official copy, which I hold, was delivered to my office. I must state that it is classified as "confidential."

Mr. ANDERSON. The Senator will hold it to himself, because it is marked "confidential."

I do not believe that would prevent the Senator from saying whether he understands that the Russians do or do not want to include shots under a seismic magnitude of 4.7 as a part of the treaty. It is my understanding they do. Is that the understanding of the Senator from Tennessee? I believe the Senator will find that on the last page of the text, if the Senator will look at it carefully.

Mr. GORE. The answer is "Yes."

Mr. ANDERSON. I am not trying to cause any conflict, because I like the writer who wrote the article, Mr. Roberts, but the newspaper says that Mr. Eisenhower is insistent he will do nothing to bind the hand of his successor, whoever he may be, except under treaty provisions duly ratified by a two-thirds vote of the Senate. Under that language I think we can rely on the fact that nothing can happen with the Russian proposal, because the Russian proposal insists upon 4 to 5 years of experimentation under a good arrangement which they insist upon tying in to the treaty. The President does not want to put that in the treaty. The President wants to leave it out. Have we not in advance put ourselves almost in an impossible situation with respect to a treaty with the Russians?

Mr. GORE. I hope it is not an impossible situation. It is certainly a strange one.

As the able Senator knows, upon occasion I have had my partisan moments, as most Members of this body do, but

never on this subject. I have been to the Geneva Conference twice. I have spent a number of days at the conference table. I have given to the administration sincere and earnest advice on this subject.

For instance, when I returned from Geneva in November 1958, I visited with President Eisenhower and Secretary Dulles, and I indicated to them then my view that we were taking unrealistic positions, that we had set unattainable goals.

As the able Senator knows, I was aware of the fact that we had conducted underground tests before I departed for Geneva, as was he. I was briefed upon the results of the underground tests, which clearly show it is impossible, with existing equipment, to detect and identify with reasonable certainty small underground tests. Indeed, there is even some question as to how large the explosion must be to permit detection with some fair degree of reliability.

Frankly, I have been critical of the newspapers for misleading the world about the contents of the Russian proposal. I wish to apologize to the newspapers and to the reporters. I find that the official conference communique issued by the three chiefs of delegations is the source of misundertanding.

There is nothing confidential about this, because it was released to the press. I should like to read it:

After an exchange of views the conference decided to issue the following communique:

"The 188th meeting of the conference on the discontinuance of nuclear weapons tests was held at the Palais de Nations in Geneva on March 19, 1960, under the chairmanship of the representative of the United Kingdom. The Soviet delegation submitted a proposal to concede a treaty on the cessation of all nuclear weapons tests including all underground tests producing seismic events of a magnitude of 4.75 or greater embodied in the U.S. proposal of February 11. The Soviet Union accepted as well the U.S. proposal on carrying out a program of joint research and experiments by the U.S.S.R., the United States, and the United Kingdom, provided that all parties to the treaties simultaneously undertake not to conduct during this period any nuclear weapons tests producing seismic events of a magnitude of 4.75 or under. The next meeting of the conference will be held on Monday, March 21, 1960, at 3 p.m."

Obviously the wording of the official communique which was agreed to by Ambassador Wadsworth is responsible for the interpretation of the press media that the Russians had accepted our proposal for a limited test ban treaty, adding only a condition that a moratorium be placed on conduct on those tests which would be excluded from the treaty under our proposal. The proposal submitted by the Russians differs in a number of material respects from that which President Eisenhower submitted on February 11. Here is one of them:

The United States proposal was conditioned upon agreement by the Russians to a specified number of onsite inspections. The number to be permitted each year was to bear a relationship to the frequency of occurrences of natural phenomena within a given area. The Russians make it clear in the document which the Senator holds that onsite inspection is considered by them to be a political matter, and that they will never agree to a quota of inspections bearing a relationship to scientific facts. Moreover, they have never as yet agreed to accept even one inspection.

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

Mr. GORE. I yield.

Mr. ANDERSON. The Senator is reaching a very important point, and one which I think the American people should understand.

The statement is made over and over again that the Russians have accepted our proposal. The Russians accepted it with a proviso, and the proviso completely rejects our proposal. If we can follow what the newspaper writer says—and I think I agree with it—the newspaper writer says that the President also is determined, as Secretary Christian Herter indicated last week, not to accept as part of a test ban treaty the Soviet idea of a continued moratorium for tests below the 19 kiloton threshold. The proposal of Tsarapkin was that we had to take that as a part of the treaty; but if the President determined not to take it as a part of the treaty, have the Russians accepted our proposal, I ask the Senator?

Mr. GORE. The Russians did not even say they accept it. What the Russian delegate proposed was the conclusion of a treaty to ban permanently all tests, including underground tests beyond 4.75 seismic magnitude, provided we also banned, for a given period, all underground tests below that. He made no proposal about the composition of the control commission, on which there is yet no agreement; in the new proposal not one thing is said about the staffing of the inspection teams, on which there is no agreement; not one thing is said about who was going to pay for the inspection; not one thing is said about voting procedure within the commission, or the veto of the budget; not one thing is said about the number of inspections that would be permitted within the Soviet Union. Let me reread this sentence from the communique. In the third paragraph, the first sentence is:

The Soviet Union accepted as well—

The words "as well" would indicate that they had accepted that which had been mentioned theretofore, would they not?

Mr. ANDERSON. Yes, indeed.

Mr. GORE. They had accepted nothing.

In our proposal we specified a 4.75 seismic reading as a threshold, based upon certain criteria for determination of the seismic reading. The Russians in their proposal have indicated no acceptance of these criteria.

The U.S. proposal included a ban on high-altitude explosions to the height to which existing technical equipment would be effective. The Soviet proposal would ban all high-altitude tests, whether they could be detected or not.

The communique states that the Soviet Union "accepted as well" the United States proposal for a joint research program. Actually, the scope of the joint research program was not spelled out at all in the Soviet proposal.

As the Senator knows, when President Eisenhower made his proposal about a joint research program to develop improved techniques for detection, it was spelled out that nuclear tests would be necessary to gain adequate information. Mr. Tsarapkin did not accept this at all. As a matter of fact as revealed in an answer to a question, he specifically rejected it.

Mr. ANDERSON. I was about to ask the Senator if that was not significant. In the Berkner report there was reference to the desirability of underground nuclear tests so that we might find out how accurate the measurements were. Subsequently our scientists mentioned the necessity of going ahead with nuclear testing, whereas Tsarapkin proposed that only chemical tests be used. Is that accepting our proposal?

Mr. GORE. No. He specifically rejected it.

Mr. ANDERSON. That is all I wanted the Senator to come to, because I believe that while the things he is saying are extremely important, and I compliment him on his address, I say to him that if we try to find out what the Russians actually accepted, we find them saying, "Yes; we accept your proposal for stopping tests in the oceans, in the atmosphere, and in outer space, but at the same time you must agree by treaty that you will permit us to have a good faith arrangement for testing of all those explosions or actual occurrences below a seismic reading of 4.75."

That is the sticking point, and will likely remain the sticking point. It has been so for months in advance, during 16 or 17 months of long negotiation. I thought the statement was unfortunate that the Russians had accepted everything that was offered, when they accepted with a proviso. It is as though the Senator were to offer me a bet, and I were to say, "I will accept your offer, but with the proviso that you do not bet on the team you want to bet on."

Mr. GORE. As the Senator knows, I was at the conference table when the conference began. On that day the Russian delegate proposed the conclusion of a treaty to ban all tests permanently. What he proposes here is the conclusion of a treaty to ban all tests permanently, including underground tests beyond a certain magnitude, provided we also agree in the treaty to ban for a specified period all tests below that magnitude.

Mr. ANDERSON. For 5 years.

Mr. GORE. Yes; and in neither instance, neither on the first day of the conference nor on the 19th of March did the Russians propose to accept the inspection system we proposed, to accept our arrangement, or any arrangement for the staffing of the inspection stations, for the dispatch of inspection teams, or to accept any specific number of inspections. I could go on and on. I will say to the Senator that while I have been critical to him, and to a number of my friends—not publicly, fortunately—of the newspaper reporters in Geneva who filed recent stories, I find that the blame goes back to the communique

to which our Ambassador agreed. I must say in all candor that that is not the first time I have seen Tsarapkin win a battle of words with Ambassador Wadsworth.

The Russians will argue all day about one word; and word by word, broadcast by broadcast, day by day, hour by hour, they are conducting a propaganda exercise.

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

Mr. GORE. I shall be happy to yield in a moment. I wish to make it perfectly plain to the chairman of my committee and to other Senators that I wish to be helpful. It is important that progress be made in the nuclear weapons testing field.

I spoke on the floor of the Senate for 2 hours on February 8, and I urged that progress be made. It is yet possible to make progress and to reach some agreement, and I fervently hope that an agreement can be reached which I can support on the floor of the Senate. However, the procedures to which I have referred are disturbing.

Not only have the people of the United States been misinformed, but the people of the world have been misinformed. I say in all candor that the Russian proposal is as important for what it does not say as for what it says, and even more so.

I now yield to the distinguished junior Senator from Alaska.

Mr. GRUENING. I congratulate the Senator from Tennessee on his alertness, as a member of the Committee on Foreign Relations, in calling attention to his discussion with the Secretary of State, and revealing more clearly than it was revealed by the newspaper accounts which came to us of that meeting, by the impressive speech he has been making on the floor of the Senate, that we go to the summit conference with no preparation.

It is an amazing revelation by the Secretary of State, for whom I have great personal admiration, as has the Senator from Tennessee, and, as I think the Senate has in general, as was demonstrated by the unanimous vote by which Secretary of State Herter was confirmed by the Senate, that, in Mr. Herter's words, "We do not know what points are going to be discussed. We just assume that the German and Berlin question will come up." That is an amazing and disturbing revelation.

I should like to suggest that, as those of us who have observed the relationship between the Soviet Union and our country, most of the meetings which the Kremlin has proposed and into which we have been led or driven were designed largely for its propaganda purposes. Such meetings are used very successfully by the Russians in apparently placing us in an uncomfortable position before the whole world.

I should like to ask the Senator's comment on this point. I wonder whether there may not be, if we have the ingenuity to take advantage of the situation, some benefit in going to a conference at which we do not know, and perhaps the Russians do not know, what will be discussed at such a conference. If we assume that the German and Berlin question will come up, as Secretary Herter assumes and, as probably it will, why cannot we bring up the Hungarian question?

We know that through the years the Russians have placed us in the disadvantageous position where all the subjects of discussion have dealt with the free world, the part of the world which the Russians do not control, but want to penetrate, and never with the enslaved part of the world. If Berlin is to be discussed, why should not Hungary be discussed also? There are other fields of Russian conquest of formerly free people that could properly be discussed also. In other words, we might take the lead in the field of propaganda, as well as the Russians and with far greater validity. I wonder whether that is not something that the administration and the President might well consider.

Mr. GORE. I would say that in that case Khrushchev would accuse us of bringing up a subject whose discussion would increase international tension; while he would continue to threaten to provoke a dangerous situation with respect to Berlin.

Mr. GRUENING. I believe that we would have a very effective answer to that. We could point out to the world, on the basis of our attitude toward the free world and the enslaved people of the world, that the only slave master and the only colonial power left in the world, as the Western Powers rid themselves of their colonies and set them free, is Soviet Russia, which carries on a colonial system of an oppressiveness and ruthlessness that has not been paralleled in the history of the colonialism of the Western World.

Mr. GORE. I believe we might well bring that question up if Khrushchev is going to threaten us over Berlin and create a problem that increases tension and the danger of war; surely we should talk about the problems of the enslaved people behind the Iron Curtain. Unless there is agreement on a definite and detailed agenda, any and every subject can be brought up. Either side can bring up anything, as Secretary Herter has said.

Mr. GRUENING. Why not? Whenever Khrushchev brings up Berlin, we should bring up Budapest, and have a kind of B-B formula.

Mr. GORE. That illustrates the necessity of a careful plan of procedure agreed upon before the conference is scheduled.

Mr. GRUENING. I agree fully with the Senator. He has rendered very useful service in bringing out these points today.

Mr. GORE. I thank the Senator. I hope it is a useful service. There is yet time for the West to prepare a unified position and detailed plans. Unfortunately, as I have said, the opportunity to require Mr. Khrushchev to agree to such a procedure before agreeing to a summit meeting is past. However let us make the most of what remains. That is why I say I hope that our voices will be heard at Camp David. Let the leaders of the two great English speaking peoples coordinate in detail and steel their determination not to yield to the temptations which are apparent, steel their determinations to avoid any compromise of the security of our people. There are not many stable things remaining in public affairs. But one thing must remain stable. Wherever the security of this country is involved, caution must be the watchword.

I now yield to my distinguished and able friend, the junior Senator from Idaho.

Mr. CHURCH. Mr. President, I thank the Senator very much. I have followed his address this afternoon with great interest, and I have noted many passages in his speech. I heard the Senator state, in recalling our past history, that President Wilson went to the Peace Conference at Versailles without having secured his own political base at home.

The Senator will recall that in the Committee on Foreign Relations the other day, having in mind the failure of President Wilson to invite Senators to accompany him to the fateful Versailles Conference, and the losing battle he waged afterward, I inquired of the Secretary of State whether the administration had any plans to invite Senate participation in the coming summit conference. He said that there were no such plans. Later the President's press secretary, Mr. Hagerty, said he would not "bother" to comment on whether there were such plans.

Mr. GORE. That was remarkably condescending of him, was it not?

Mr. CHURCH. I thought so, in view of our past history, and the importance of securing Senate ratification of any treaty.

Now, the Senator from Tennessee has also referred to Mr. Macmillan's visit, and the important discussions which are now taking place with reference to the recent Soviet counterproposal at Geneva. The Senator said:

> It is in this sense that I speak out today, and I hope my voice reaches Camp David.

Is it not so that if a treaty is concluded at Geneva—and I know that both the distinguished Senator from Tennessee and I share a common hope that it would be the kind of treaty we could support for ratification——

Mr. GORE. Wholeheartedly.

Mr. CHURCH. Might it not be important for the president and Mr. Macmillan, at this critical stage in their discussions, to advise with selected Members of the Senate who have been closely conversant with the negotiations which have heretofore taken place at Geneva?

Mr. GORE. I think that is a question which the President himself, because of his position, must decide. Certainly neither the distinguished Senator from Iowa [Mr. HICKENLOOPER] nor I have pushed ourselves into these negotiations. On both occasions that I have been to the conference table in Geneva, I went there on request of the administration. I have no desire to see the Senate push itself into this matter. We do not know at what stage the negotiations may be.

The President of the United States, let me repeat, is the one who must make

that decision. If he should feel that the consultation, views, and advice of the party leaders of the Senate, of the chairmen of committees, or of individual Members of the Senate would be helpful, I feel certain that he would ask for that, and I am certain that every Member of the Senate would respond willingly. That is my feeling on that point.

Mr. CHURCH. I share the Senator's feeling. I would only observe that, inasmuch as any treaty must ultimately be ratified by the Senate, and inasmuch as these talks are taking place in the last months of Mr. Eisenhower's tenure, it seems unlikely that any treaty, if ultimately entered into, could be ratified during the Eisenhower administration. Therefore, since another administration is likely to be involved, and since the Senate's ratification will, in any case, be necessary, I should think it would be doubly advisable to advise and consult, at every possible opportunity, with Members of the Senate who have closely observed the negotiations, so as to open the way for the kind of treaty which the Senate might ratify.

Mr. GORE. May I comment?

Mr. CHURCH. Yes; I should like to have the Senator's comment.

Mr. GORE. As I have said in my speech, there is a positive danger of the failure of international conferences, and there is also the greater danger of an improvident agreement. If an improvident treaty is concluded, then there is the dual danger that the Senate will ratify it or that the Senate will not ratify it. I want to make it doubly and emphatically clear, as I have in many personal conversations with the able junior Senator from Idaho, with whom it is my pleasure to serve on the Subcommittee on Disarmament, that I reserve my judgment, and that the final decision on the advisability of a treaty cannot be measured narrowly upon the terms of weaponry of the United States vis-a-vis Soviet Union. The subject must be viewed in broad context, with particular reference to the moral and political position of the United States in the family of nations.

Let me repeat: I join with the Senator from Idaho in the hope that it will be possible to conclude the kind of treaty in the ratification of which he and I can join.

Mr. CHURCH. I commend the Senator from Tennessee for the eloquent and compelling address he has made this afternoon.

Mr. GORE. I thank the Senator from Idaho very much. He has devoted great study to this problem. I am grateful for his contribution.

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

Mr. GORE. I yield.

Mr. PROXMIRE. I was very much impressed by the Senator's address. I learned much from reading it and listening to the Senator deliver it. However, I want to see if I can add a footnote to the colloquy between the distinguished Senator from Tennessee and the distinguished Senator from New Mexico [Mr. ANDERSON], the chairman of the Joint Committee on Atomic Energy, because I think it might not be wise to have the country get the impression that the distinguished Senator from Tennessee, who is considered a national expert on the matter of nuclear testing, takes the position that there has been no progress at all, and that the Russian proposal amounts to nothing.

In order to be as specific and concise as possible, I refer to a statement by Dr. Hans Bethe, of Cornell University. It seems to me that in one paragraph, in five explicit statements, he sums up the concessions which, he says, the Russians have made. I believe the opinion of the Senator from Tennessee on this matter would be very helpful. Dr. Bethe said:

> The Russians have made several major concessions. 1. They accept the idea of a limited ban. Previously they had insisted on a complete ban on all weapons tests.

Mr. GORE. That must be qualified. They suggest a complete ban in this respect: A permanent ban on all tests, other than underground and on all underground tests beyond seismic magnitude 4.75, and a temporary ban on underground tests below that magnitude. But they do not indicate agreement on any of the necessities for control, inspection, and detection.

So I should say that Dr. Bethe's statement is partially correct. I think I have stated it in its fullest context. I want to be perfectly fair about this point, as well as the others, because this is important. The Russians do, in their proposal, draw a distinction. This is the first time, in my knowledge, that they have in a formal conference acknowledged that there is a distinction. Mr. Tsarapkin in his speech refuses to admit there is any need for a distinction. Nevertheless, although he does not admit that there should be a distinction, by his formal proposal he appears to make a distinction.

This, however, is not the first time that the Russians have recognized a possible distinction. The agreement to have the experts reconvene to consider further the problem of detection procedures in itself constituted de facto recognition. The extent to which they formally draw a distinction, though refusing to admit that it should exist, is of some value.

Mr. PROXMIRE. Second, the Russians admit implicitly that the detection system devised by the experts' conference in the summer of 1958 was inadequate to monitor small underground explosions, whereas at the technical conferences in November and December 1959 they had refused to admit this inadequacy. Is that not correct?

Mr. GORE. I do not find that in the Russian proposal.

Mr. PROXMIRE. Is it not implicit in their testimony?

Mr. LAUSCHE. Mr. President, let me ask to what the Senator is referring?

Mr. PROXMIRE. I am referring to an analysis by Dr. Hans Bethe, the administration's scientific adviser in this entire matter. I am referring to his conclusions, based—I presume—on the information which earlier today has been discussed by the Senator from New Mexico and the Senator from Tennessee. I presume that Dr. Bethe has only the information that is available to us, which is very limited.

Mr. LAUSCHE. Mr. President, at this point will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. LAUSCHE. The State Department expert testified on the disparity between the claims made by the Russian scientists at one period and those later made.

The man who testified before our committee distinctly stated that with regard to small explosions, the Russian scientists stated that all tests could be scientifically detected, but later, in a meeting with other scientists, did not reassert their position. There was a distinct disparity between the positions taken by the Russian scientists. In the one place they were adamant in their claim that the scientific tests could determine what was done. But when all the scientists met face to face the Russian scientists did not insist on their earlier position.

Mr. GORE. Let me say that Dr. Bethe is a competent scientific authority. I should be glad to have him point out where he finds this change of position; but since he has stated that is one of his conclusions, I am sure he has very good ground for his statement.

However, I have read this speech of Mr. Tsarapkin very carefully, and it seems to me that Mr. Tsarapkin has held very firmly to the report of the meeting of experts in 1958.

Mr. PROXMIRE. I am sure he has. But my point is that the Russian proposal implies very clearly something that contradicts the Russian statement in the past. I think this gives an advantage which we should recognize and should press.

Mr. GORE. I shall not resist that interpretation. It may be an entirely correct one. I am simply unable to find——

Mr. PROXMIRE. However, since the Russians are making this distinction, it is clear that they recognize that tests below the 4.75 level cannot now be detected.

Mr. GORE. It is possible they have made that concession.

Mr. PROXMIRE. Third, they have made a concession to the U.S. position that a permanent treaty should include only agreements which can be monitored. It seems to me this is an exceedingly important concession—if they concede that the only segment which should be subjected to a permanent treaty is that which can be monitored or detected.

Mr. GORE. I must disagree as to that, because, for instance, the Russian proposal with respect to the high altitude tests goes far beyond President Eisenhower's proposal and far beyond what I have understood was the technical competency for detection at the present time.

Mr. PROXMIRE. I think the Senator from Tennessee is undoubtedly correct. All I say is that the assumption implicit here is that all that should be subject to a permanent treaty is what can be detected and can be subject to

inspection. We may differ with Russia as to what can actually be subject to such tests.

Mr. GORE. If Dr. Bethe means, there, that the Russians draw a clear distinction between a permanent treaty ban on below-ground tests beyond a certain seismic magnitude and a temporary treaty ban on underground tests below a certain seismic magnitude, then I agree with him.

But I wish to point out that, so far as I am concerned, a firm statement of policy by the President of the United States with respect to whatever magnitude of tests will, for so long as it shall remain unchanged, be adhered to as faithfully by our people as a treaty, no matter if the treaty were ratified unanimously by the Senate.

Mr. PROXMIRE. I am sure the Senator from Tennessee is absolutely correct, and that is an exceedingly important distinction and a very vital point to make.

Fourth, in proposing the moratorium, rather than a permanent ban on small underground tests, the Russians accept the idea that part of the treaty can be limited in time, a concept which they have previously vigorously opposed.

Mr. GORE. I agree as to that.

Mr. PROXMIRE. The final concession that the Russians have made is that they have accepted the U.S. proposal to conduct joint, rather than national, research into improved methods of seismic observations.

Mr. GORE. Again, that comes back to the question of what interpretation is placed upon "acceptance." The communique would indicate that they had accepted our plan for research. But, as I have pointed out earlier, the plan of the United States for joint research involved the use of nuclear devices for underground explosions, whereas the Russian proposal—as was pointed out by the senior Senator from New Mexico—is confined to the use of chemical explosions. One is a rabbit, and the other is a horse.

Mr. PROXMIRE. The Senator makes a very important distinction.

It seems to me that it is important that we recognize that the Russians now agree on joint research, rather than national research, into improved methods of seismic observation.

Mr. GORE. I agree that it is important; and I am trying to spell out these distinctions, in the interest of truth and clarity. This is an issue of world-shaking importance. The Prime Minister of Great Britain and the President of the United States, the leaders of the English-speaking world, are now conferring upon it. I think the American people are entitled to full information—as full as can be given. It is in that sense that I am trying to answer meticulously the points the able Senator raises.

Mr. PROXMIRE. I am sure that is true. That is why I commend the able Senator from Tennessee on his very helpful and very important speech.

Mr. CLARK. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. CLARK. I should like to make a brief observation, and then ask my friend, the Senator from Tennessee, to comment on it.

First, I wish to commend him for making a splendid speech. I read with interest the prepared copy of his speech, and I listened to part of the speech as he actually delivered it. I concur in what he said in his speech.

Mr. GORE. I thank the Senator from Pennsylvania.

Mr. CLARK. The distinguished Senator from Tennessee pointed out that there had been a failure of leadership and a failure to do the necessary homework, and that that was making it difficult for us to approach the summit conference with any confidence. With all that, I agree.

After the Senator from Tennessee completed his major speech, we got off on a very important subject with respect to which I placed in the RECORD, earlier today, two articles, one written by Joseph Alsop, and the other written by Roscoe Drummond. Their articles were in regard to the present test ban suggestion. And I indicated my concurrence in their point of view. What I should like to get my friend's observations on is this: Is there any great danger that we are going nit picking around here in the Senate with inadequate information, because, as the Senator has pointed out, we do not have complete information, creating, perhaps, a feeling in the country that the Senate is unalterably opposed to any kind of agreement or treaty which may come out of this discussion, when, in point of fact, there is a very real possibility, if not probability, that something of the greatest importance can come out of this meeting, if we keep up our hopes and approach, as the Senator from Tennessee has done, this question on an entirely nonpartisan basis?

Here is what I should like my friend to comment on in respect to Mr. Drummond's observations, which, to me, make excellent sense. I wonder if my friend agrees with me:

I venture one appeal: Let's not grab off a handful of half-facts and rush out of the room with a set of half-baked conclusions bearing little relationship to reality.

There is no doubt that a nuclear weapons test ban is within reach. The negotiating gap between the Soviets and ourselves has been significantly narrowed. From its standpoint, Moscow has made some substantial concessions.

We are now entering the most critical stage of the negotiations.

Then I skip to get at the essence of his conclusion:

1. World opinion is never going to tolerate the resumption of atmosphere-polluting nuclear tests. It is 99-to-1 that neither side will resume such tests, with or without a treaty. Therefore, we are either going to end such tests with agreed inspection—

I stress inspection. We must insist on it. We are not assured we are going to have inspection—

or end them without getting any agreed inspection. To refuse a short moratorium on underground testing could mean losing the whole agreement on inspection for above-ground testing.

2. We have had a moratorium on underground testing for some 17 months. A 12-month extension could well speed up the joint study of new means of inspection. If adequate policing cannot be devised, then both sides would recover the right to small-yield underground tests.

There will be plenty of time for debate. Any such agreement would have to be ratified by two-thirds of the Senate.

My final comment, on which I want my friend's response, is this: Does not he think it is very important that the Senate should not convey the impression to our country, to our allies abroad, or, to the Soviet Union, indeed, that we have our minds set against a nuclear test ban, because I do not think the Senate has its mind set against one?

Mr. GORE. I am wholly unaware of any reasonable interpretation of anything that I have said or that any other Senator has said on the floor of the Senate today which would indicate such a conclusion.

Mr. CLARK. I am delighted to hear my friend say that.

Mr. GORE. As the able Senator knows, many questions have been submitted to me, and I have undertaken to reply as fully as I can under the circumstances, and as accurately as is within my capacity.

Mr. CLARK. Nothing I have said has indicated, expressly or impliedly, any criticism of the Senator from Tennessee.

Mr. GORE. I thank the Senator. I am sure that is the fact, but I would not want the mere submission of the question which he has propounded to indicate that there is justification for any conclusion that the debate this afternoon—rather, this probing of a vital issue—constitutes a frozen mind, a closed mind, in opposition to a treaty, or nit picking in any respect.

I agree with Mr. Drummond that a nuclear test ban treaty is within reach. It has been within reach since the conference began—if the Soviets will accept reasonable inspection and controls, to provide to our people and to all people assurance that a violation of the treaty will be detected.

I think there are some other necessary steps. There must also be a plan, definite and specific, to bring within the treaty the other nuclear power, France, and the Soviet's ally and neighbor, Red China, on whose territory the experts recommended the establishment of approximately the same number of inspection stations as on the territory of the Soviet Union.

I want to say, in further comment upon the column by the distinguished writer Mr. Drummond, that the question of effective international control and inspection of tests prohibited by a treaty is far more important than the question of whether we conduct some small underground tests or whether we do not. But in the public mind and in the public press the great emphasis is on the extension of a moratorium on the small tests.

If the Soviet Union is ready to accept President Eisenhower's proposal of February 11 fully, even with the addition of the moratorium, let her representatives say so. They have not yet said so.

They have specifically rejected much of our February 11 proposal and have specifically restated their intransigent positions on the question of composition of the control commission, the staffing of the inspection teams, whether or not a team would be allowed to make an inspection, the budget, and so forth. I will not repeat them. There are a number I have not mentioned.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. CLARK. Would the Senator not agree that if the Russians were to agree to the conditions the Senator has stated, which may mean more to some than to others, then there is no reason in the world why the Senate would not be willing to ratify a treaty which contained those conditions?

Mr. GORE. I do not think it can be stated quite that simply. This is a matter which involves the security of our country, and I am sure the Senate, whenever it receives a treaty covering it, will give to it the consideration it requires and deserves, and that there will be no "aisle" between us, as we do so. In general, if those conditions were met, I would expect a favorable attitude; but I would be unwilling to go so far as to say that there would be no reasons why the Senate should not accept such a treaty.

Mr. CLARK. Will the Senator yield for a final observation, on which I should like to have his comment, and then I shall yield the floor and thank him for yielding to me?

I am sure the Senator agrees with me we do not want to see the present Senate of the United States get into the same kind of frame of mind that the Senate got into when the Treaty of Versailles was before it for ratification. There are two ways in which that can be prevented. One of them is, I think, within the control of the executive, and that is to confer far more closely and intimately with Members of the Senate, including the Foreign Relations Committee, than has been done done heretofore. The second is not to permit certain individuals in this body, for whose sincerity I have the greatest respect, to put the Senate in a position in which it was intransigently opposed to any nuclear test ban and would not under any circumstances ratify a treaty which contained one.

I hope particularly that Senators of my party will not do that, because I think we are members of the party which really stands for peace and disarmament.

I thank my friend for yielding.

Mr. LAUSCHE and Mr. MONRONEY addressed the Chair.

Mr. GORE. Mr. President, before yielding to my friends I should like to comment briefly upon the remarks of the Senator from Pennsylvania.

President Eisenhower has not ignored the Senate in this matter. I wish to recall once again that before the conference began Secretary Dulles requested Senate representation. I point out that upon my return from the first session at Geneva I went down to see President Eisenhower for the ordinary 15-minute period, and he extended it twice. For 45 minutes we examined, in the most earnest manner, this question.

There has been no lack of cooperation on my part, nor, so far as I know, on the part of the administration.

It is true that we were unable to get the verbatim copy of the Russian proposal last week. I do not know why. The Special Assistant to the Secretary of State, Mr. Farley, called me almost daily, giving me summaries. I find his summary was an accurate one.

Mr. CLARK. It was or was not?

Mr. GORE. It was an accurate one. I have no complaint with respect to the administration's cooperation in this regard. I do not quite understand what is going on now. I assume I am not supposed to.

Mr. CLARK. Particularly with reference to the summit.

Mr. GORE. Yes; and what bearing this has on the summit. It does have a bearing not only upon the summit conference but also upon the general disarmament conference. Unless there is progress made in this conference, it bodes ill for both the other conferences. I hope some progress can be made. It seems to me that understanding on the part of the American people is required and that understanding in the Senate is a necessary step toward the achievement of that understanding.

Mr. CLARK. The Senator is clearly correct.

Mr. GORE. Insofar as the Senate is concerned, I know of no one who has adopted an intransigent attitude. I am sure the Senator does not impute such to anyone. The Senator expresses the hope that no such attitude will develop, I am sure.

Mr. CLARK. The Senator is correct.

Mr. LAUSCHE and Mr. MONRONEY addressed the Chair.

Mr. GORE. I yield first to the senior Senator from Ohio.

Mr. LAUSCHE. Mr. President, I wish to commend the Senator from Tennessee for his deep concern that at the summit conference questions will be approached with the deep and sincere purpose of trying to reach an agreement which will relieve the tensions in the world and lead toward peace.

I have some fear, however, that the discussions which have been had might leave our citizenry in a state of mind that adequate concern is not being given to the general problem of the summit conference.

The Senator from Tennessee was not present at the meeting of the Foreign Relations Committee for a brief period on Tuesday, March 24, when Mr. Foy D. Kohler, Assistant Secretary of State for European Affairs, testified.

Mr. GORE. I was present.

Mr. LAUSCHE. Not at the time Mr. Kohler gave the testimony about what is being done concerning the summit conference.

Mr. GORE. I do not believe I was.

Mr. LAUSCHE. I do not think the Senator was present at that time.

Mr. GORE. I do not believe I was.

Mr. LAUSCHE. At least, while Mr. Kohler was testifying he indicated that disarmament would be a subject of discussion at the conference. Our chairman, the Senator from Arkansas [Mr. FULBRIGHT] said to Mr. Kohler:

> There obviously is a conflict, because the Secretary of State has said that there is no definite agenda prepared.

In reply to the statement made by the Senator from Arkansas [Mr. FULBRIGHT], Mr. Kohler pointed out that there must be some confusion about the subject. He said:

> There is not a long, fixed agenda.

The experience in the 1957 and 1958 preparation, where the State Department prepared ten items of business, and the Soviets prepared twelve, as a result of which the conference produced nothing, was not followed in this instance.

Mr. Kohler said that there were three definite subjects on the agenda. First was the heading of Germany, including Berlin. Second was the subject of disarmament. Third was the East and West relations, which is a sort of "grab bag" covering everything.

Mr. Kohler further said that he believed the experience which they had in 1957 and 1958 supported the judgment not to prepare a long agenda.

When Mr. Kohler said that there were definitely three subjects to be discussed: First, the German situation, including Berlin; second, disarmament; and third, East and West relations—I asked him, "From what source have you obtained this information? Is it your blank statement? How did you obtain the information?" He said, "From the correspondence which has taken place between the Soviets and the United States."

Mr. Kohler further testified that within these three headings most intensive preparations among the allies were being made. He stated he did not believe that with respect to any other conference has there ever been such preparation in progress.

Mr. Kohler further stated that after the original threat of 1958, they proceeded to gather their material and to get ready for the meeting; and that in the preparation France, Germany, England, and the United States were working jointly.

If the Senator will yield further, the point I am trying to make is what the Senator from Pennsylvania [Mr. CLARK] has said—and I am sure the Senator from Tennessee feels likewise—that we do not want our people to believe that we in the Senate are not concerned about reaching an amicable agreement with the Soviets. I do not believe that the Senator from Tennessee, in the face of this testimony by Mr. Kohler, would want the people to believe that nothing is being done with respect to the conference.

I wish to repeat that I was present when the Senator from Tennessee put the question to Mr. Herter. There was justification for the alarm of the Senator from Tennessee about what the conditions were. Mr. Herter stated it was an exploratory program, that the Soviets

had been informed that the United States was prepared to discuss any subject the Soviets might raise. It was solely for the purpose of letting the people of the country know what further was said on the subject that I rose to make this observation.

Mr. GORE. I thank the Senator.

Even though there be an agreement to discuss these three broad and indefinite subjects, I should say that that in no way would meet the requirement of a specific, agreed plan of procedure. Under the head of "East-West relations" Mr. Khrushchev could discuss a missile base in Cuba. As the Senator says, that is a sort of grab bag title. What about all of Germany, including Berlin? This plan of which Mr. Kohler speaks would not indicate an agreement on a plan of procedure. I am glad to have the testimony that committees are working. Secretary Herter gave us some testimony in that regard. He said virtually the same thing. He said:

> Beyond that, nothing has been specified. We just assume that these matters will come up. We have had working groups that are still in the process of working now. We have a foreign ministers meeting.

He proceeds in this general way, and concludes, "so that we may have something more precise when we get to the meeting itself. But as of now many of these matters are in the study stage."

I share the hope of Mr. Kohler; and though Secretary Herter did not exactly express it as a hope, he said:

> We may have something more precise.

It is my earnest desire that the speech I have tried to make today may result in some intensified effort along this line.

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

Mr. GORE. I yield.

Mr. MONRONEY. As usual, I have appreciated and have been greatly enlightened by the distinguished junior Senator's discussion, not only of the need for proper preparation for the summit conference, but for the report which we have received, and the discussion we have had of the Conference on Discontinuance of Nuclear Weapons Tests.

I concur fully with my distinguished colleague in both his views—first, that there are strong signs that we have not exerted the necessary leadership to bring about a common goal of the West while we negotiate with the master of all the East. We apparently do not have the interrelationship necessary for adequate teamwork to present the cause of the free world, whereas, within the vast resources of his Communist organization, both in Moscow and throughout the satellite empire, lights burn late at night, and many minds work diligently on position papers to fill in Mr. Khrushchev, who then becomes the principal actor on the scene.

I am also worried about the situation which the distinguished Senator from Tennessee and the distinguished Senator from New Mexico [Mr. ANDERSON] have described, concerning the approach to a ban on nuclear weapons testing. I think the prayers of all the people of America, and perhaps of all the world, are for a treaty that would ban the testing of weapons, and would really be effective.

It seems to me—and I should like to get the Senator's advice—that with the important wish, dream, hope, and prayer of getting together, there might be the latent danger of a time bomb, in that if we were sold a ton of dross for a pot of gold, if we were sold a phony in stead of a genuine agreement to which our Nation could repair and which we could safely observe, the cause of disarmament would be set back by perhaps a decade, or even a score of years.

Does the Senator share my concern that if we are "booby trapped" into an ill-advised program which is not understood, and we accept it with limitations which we find are not binding upon the Communists, the disillusionment may add up to greater danger than would our failure to come to any agreement?

Mr. GORE. The disillusionment itself would have deleterious effects, one of which might be an increase in suspicion and fear.

Mr. MONRONEY. And a greater armaments race.

Mr. GORE. And a greater armaments race. It is of the utmost importance that the administration, in this negotiation, give the fullest and most accurate advice and information to the American people.

Perhaps some people have wondered why the recent statement of the Russian delegate at the conference is withheld from the American people. The object of our classification and security program is to prevent information vital to our security from reaching a possible adversary or enemy. Obviously, since our adversary has made this statement, he has full possession of it. Indeed, a portion of it was quoted in a press release issued by the Russian Embassy Friday afternoon; and I assure the Senator that the portion of it which had the greatest propaganda value for the Soviets was the portion that was released. Therefore, some may wonder why this statement made by the chief Russian delegate is withheld from the American people. I want to answer that question.

When the conference began, the three parties to the conference agreed that there would be no public release of verbatim colloquies and statements made at the conference table, but that the proceedings could be paraphrased and released in that form. There was this exception, that in certain important instances either party could, with advice to the other conferees, release a verbatim transcript of a statement he had made. I am advised by the State Department that this notice was given by the Russian delegate, and that at least a portion of his statement was made public by the Russians. No rules were broken. The Department asked me, in my use of this copy of the proceedings, to comply with the agreement that had been made. I have complied. I have quoted nothing from it. I have paraphrased some of the contents, as was agreed all would have the right to do. I know the Senator did not ask that question, but it was such an obvious question that I wished to mention it.

Mr. MONRONEY. The point I am trying to make—and I believe the Senator is trying to make the same point—is that we want to be certain in our knowledge and understanding of all phases of the Communist proposal. That does not mean that there is less chance of agreement; but we are seriously ready to consider it if it is a proposal by which we can be protected against evasion or nonobservance of the agreement.

Mr. GORE. As a matter of fact, the conference was proposed by the President of the United States. The United States has been ready since the first day to enter into a realistic agreement. The Soviet delegate proposed on the first day that we conclude a treaty immediately and sign it. He said, "We have a treaty all ready to sign." However, when Ambassador Wadsworth, who through these 18 months has labored hard and in many respects well, brought up the subject of inspection and control, the Russians insisted that we agree on a treaty to ban all tests for all time and that later we would talk about inspection and control.

Mr. MONRONEY. The President's program had been on the table, so to speak, at the conference called by the President, with all the world to see and read and know. Then at the opening of the conference the Russians proposed a new version. They wanted us to accept it without looking at it or without studying it and without proper consideration.

What I am trying to say is that our Government is not dragging its feet on disarmament when we insist on dotting all the "i's" and crossing all the "t's," so that we may know what is meant by the stump speeches and the preamble and the window dressing. We are so interested that we want to see the details of the proposed contract reduced to writing. Is that not what we seek?

Mr. GORE. Indeed, that is the procedure that is being followed now in the general disarmament conference. Just a few days ago, before the position of our government was announced, I made a speech on the general subject of disarmament and peace. I was pleased to see that there was at least some similarity in the administration's approach to the problem with that which I had suggested. There our government is proposing a step-by-step approach to a goal held dear by all mankind.

What did Mr. Khrushchev propose? He proposed total disarmament quickly.

I think the administration is far more realistic in its approach to the question of general disarmament than are the Russians. That is true also of the nuclear weapons testing conference. I believe we must proceed here, specifically, with care and probity.

Mr. MONRONEY. And success will more likely come if we do proceed with care and with the certainty that the proposed agreement is fully understood by all three contracting parties, rather than assume the existence of agreements

which have not yet been reached on many phases of this program.

Mr. GORE. I thank the distinguished Senator.

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

Mr. GORE. I yield to my very distinguished friend, who is a great chairman of a great committee.

Mr. FULBRIGHT. I thank the Senator. I wish to say that I regret very much that I could not be here during the Senator's address, because I had to conduct a hearing on the development loan fund this afternoon. Unfortunately, I was practically alone in committee, and I could not leave to come to the floor. Therefore, I missed the speech itself and also the exchange that followed.

I should like to ask the Senator about two or three things, particularly with reference to questions asked by the Senator from Pennsylvania [Mr. CLARK], which had reference, I believe, to something which took place on the floor before I came in. It has never been my impression that the Senator from Tennessee had expressed any firm opposition or had a closed mind in any respect to agreements in this field. I was surprised, therefore, that something had taken place which led to the possibility of such a belief. I have heard the Senator from Tennessee speak on the subject before, and I have also read some of the things he has had to say on it, and I certainly do not believe that that is his position. Is that correct?

Mr. GORE. It is not my position, and I did not understand the Senator from Pennsylvania to so imply.

Mr. CLARK. I did not suggest any implication to that effect. I was specific about the fact that I was not being critical of the Senator.

Mr. FULBRIGHT. Not critical. I ask for assurance that the Senate of the United States does not have a closed mind with regard to control with the Russians.

Mr. CLARK. I do not want to impute derogatory or unfavorable or uncomplimentary motives to any colleague in the Senate. I have the greatest respect for the sincerity of all of them.

I felt that some of the things which were said earlier today and had been said a couple of days ago, that the Russian proposal was a phony, were unfortunate.

Mr. FULBRIGHT. I was not trying to be critical, nor did I mean to interpret the remarks of the Senator from Pennsylvania as being critical of anyone. I was seeking assurance that this matter was still under consideration and that the Senate or any Senator in particular had not made up his mind firmly on the matter of any agreement.

Mr. GORE. Particularly when no agreement had been reached, and none is likely to be reached for some time.

Mr. FULBRIGHT. I do not believe that is it true. Certainly it is not true in my case.

With further respect to what Mr. Kohler said the other day, I was disturbed, as I know the Senator from Tennessee was disturbed also, by the interpretation that was put on the comments of the Secretary of State. Although I cannot speak for the Secretary of State, I feel, after I have considered what he said, that he did not mean what he appeared to say. I believe that what he expressed was that at any time we deal with the Russians, any fruitful and satisfactory conclusion of negotiations with them is rather remote, and that that has been the history of conferences time after time. I hope he did not intend to say much more than that though I agree that an interpretation of what he said goes further than that.

The Senator from Ohio has referred to Mr. Kohler's statement, but I went further in my examination of Mr. Kohler. I found his statement with regard to the studies in preparation for the summit very disturbing, and I know the Senator from Tennessee did also, namely, that it was not being prepared for sufficiently and thoroughly.

I believe that a great deal of this stems from the President's attitude toward Congress, particularly toward the Democratic Members of Congress. He has shown very little disposition to take them into his confidence, now or at any other time.

I believe that legitimately leaves many people with the feeling that we do not know all that we ought to know. I asked Mr. Kohler about the letter which Khrushchev had written, and Mr. Kohler said flatly that he could not discuss it. I said that it had appeared at least in part in the Herald Tribune, and that it was strange indeed that it could be revealed to Miss Higgins of the New York Herald Tribune, but not to a committee of the Senate. He said that he could not discuss it. Apparently he was under orders not to discuss it in any respect with the committee. That did not leave a very good taste in my mouth. It is a mystery to me why a letter, unless it was specifically agreed that Mr. Khrushchev considered it a personal and confidential letter, should not be released. Having been released, or leaked, as the new term is, to the Herald Tribune, I do not know of any reason why it should not be made available to the committee, and to the public, for that matter, in a more official manner than the way in which it was.

With reference to the statement of the Senator regarding what Mr. Tsarapkin said, I have only seen a summary of it which Mr. Farley brought to me and said:

This is all that can be released now.

I do not quite understand why that should be true. Maybe the Senator's explanation would be a violation of an understanding. That is possible. However, I must agree with the Senator that a little more frank discussion, and taking the public into their confidence, certainly the Senate of the United States, particularly the Committee on Foreign Relations, would be a very healthy step.

I should hate to see develop in the Senate, before we get to the summit itself, the attitude that this is a phony and that there is no hope of any agreement at all. I am not particularly optimistic, but, on the other hand, I think there may be developing circumstances which would induce the Russians to make a worthwhile agreement because of their own problems.

I was impressed by the account in the New York Herald Tribune that Mr. Khrushchev's letter was very moderate and most serious, and that it pointed out the difficulties he would encounter with his allies if we should supply nuclear weapons to our allies. That makes sense to me. It may well be that a community of interest in this particular may be developing. So I do not rule out as impossible at all the conclusion of some kind of reasonable agreement. But I must say that I felt myself somewhat in the dark about both items we have just mentioned. I think it would be very beneficial if we could know more about them.

Mr. GORE. Let me repeat. The administration has given me full and complete information. The only tardiness——

Mr. FULBRIGHT. Has the Senator read the letter from Mr. Khrushchev?

Mr. GORE. I was referring to the conference on nuclear weapons tests. I have been given full and complete cooperation with respect to this conference. I was not referring to the letter at all.

Mr. FULBRIGHT. I am not complaining. Certainly Mr. Herter, whenever I ask to see him or to discuss something, is most gracious. I have no complaint about his conduct at all. I do not understand the reason for secrecy concerning the letter, because I have talked to Mr. Herter personally about it. I was amazed when Mr. Kohler said that he was forbidden to discuss it. This happened only yesterday.

I do not complain of Mr. Herter's relations wtih me. I think, though, that the President has never shown very much interest in consultation with the Senate as a whole, and particularly with the Democratic Members of the Senate.

Mr. GORE. I agree that a matter so important as an exchange between the heads of the two most powerful nations should be discussed with the Committee on Foreign Relations, which has a limited constitutional partnership with the President in the conduct of international affairs. I regret that a matter of this importance is denied to the Committee on Foreign Relations. Still, as the Senator says, it has found its way into a certain newspaper.

Mr. FULBRIGHT. I have perhaps more hopes, although I do not wish to be overemphasizing them, that something may be developing from the conference on nuclear testing, in which the Senator from Tennessee is so interested. I say that without being a member of his subcommittee. But I have it from the development of outside circumstances that there may be reasons for it now that has not existed in the past. The development in France is a new reason why it may be very persuasive on the Russians. The possibility that the Germans may be either developing it themselves or obtaining it from their allies is another. But all these considerations, plus others, offer some reason to believe that the Russians may be really

concerned about the spreading of nuclear information.

Mr. GORE. I agree that it is entirely possible that the Russians desire an agreement. They are certainly most reluctant, however, to accept conditions which our country finds necessary.

Mr. FULBRIGHT. Yes; and I think those conditions are necessary. I would not wish the situation to be otherwise.

Mr. GORE. The American people have been conditioned through two administrations, beginning with the Baruch plan, some 15 years ago, to understand the necessity for inspections by which the American people and the people of the world could be assured that a treaty was being complied with.

Mr. FULBRIGHT. Yes; I think we are quite justified in insisting upon such inspection. I do not believe the problem is insoluble, although the long history of Russia seems to be against it. We are confronted with a historic emotional factor. I suppose no other country today has quite the same background. That is, other countries have not quite the history of secrecy which was a part and parcel of the policy of Russia for, I suppose, 200 or 300 years. It is not a new thing with them. It is not solely an attribute of the Communists. We have referred before in the debate to the famous book by DeCustine, who described in such an interesting manner the great limits to which the Russians went to maintain their secrecy, even in those days more than a hundred years ago. So I think that is a part of the situation we must meet, although not all of it. I think the Communist nature invites the historic tendency to secrecy.

I am very glad the Senator from Tennessee has taken the floor to open the discussion. I regret my inability to be present and to participate in the debate earlier.

Mr. GORE. I thank the Senator from Arkansas. Would he agree with my view that the success or failure of the nuclear weapons test conference, will depend upon acceptance of the principle of international cooperation and the acceptance of a slight limitation on national sovereignty, to the extent of permitting adequate inspection and control necessary to build confidence, and that if we are successful in this specific instance, this success will support optimism for further successful steps toward general disarmament, in which the problems are far more complicated than in a ban on nuclear tests, even though the problems of effectively banning such tests are incredibly difficult and complicated?

Mr. FULBRIGHT. I certainly agree with the Senator. This would be the first step. The establishment of any reasonable monitoring system within Russia would be a major change from the past and would be a reason, I think, to have optimism for the future, assuming that it is done in a reasonable manner, as we wish. I could not overemphasize the importance of accomplishing it, if we possibly can. I did not mean to minimize its importance when I expressed some doubt that it would be a successful first round. Now that the Senator has made his statement, I agree with him completely.

I should like to say a word about summit conferences. I am very sympathetic to the Senator's criticisms of summit conferences per se—I mean the idea of our diplomatic relations and negotiations having to be conducted at the summit very often. I am very reluctant to see that happen. I am very suspicious that it is not a good way to act and does not normally promote better relations.

I believe that because of the peculiar circumstances which have developed by design on the part of Mr. Khrushchev, I have felt that under those circumstances we really had no alternative. I do not wish to encourage summit conferences as normal methods of procedure. I think our established normal diplomatic methods, especially when we use the Secretary of State as our chief negotiator, is a better method.

I hope we will return to that practice. I am reconciled to the summit under the circumstances as they have developed. I believe the British were determined that there be a summit conference, and that that is how we got into the situation. I believe, all factors considered, that we are justified in having such a conference, and I hope the results will be fruitful.

Mr. GORE. The Senator, I know from his comments, will agree with my view that glamorous, 2- or 3-day summit meetings can be no substitute for the careful evaluation of point-by-point negotiation and the hard work necessary to reach correct conclusions.

Mr. FULBRIGHT. I agree with that statement. I do not think it is possible for the President, with the duties which he has, to be properly prepared to be a negotiator. It is utterly impossible, if he were the wisest man who ever lived, to negotiate properly, because there are too many other things to do. This is not the normal procedure. I hope summit conferences will not become common, ordinary occurrences, because I do not think they are properly suited to our system of government.

Mr. GORE. In the natural course of relations between nations, the meeting of heads of states to settle points of difference is a climactic means of formalizing some specific agreements which have been carefully developed, prepared, and essentially arrived at. Would the Senator from Arkansas agree?

Mr. FULBRIGHT. I certainly would agree, in normal circumstances. But we were faced, and we are faced, with a situation which is out of the ordinary. As many people say, we really have not yet liquidated the last war, and I do not know that we shall do so now.

I accept the necessity for this summit meeting, and possibly for another one. I do not agree that this is the normal way, but neither do I agree that it is not calculated to serve our system of government. Our head of state has placed upon him, under our system, great burdens which I do not believe are placed on the heads of other states, under their systems of government. Actually, our Presidents have not undertaken such a course—with very rare exceptions, and those have not been particularly successful.

Mr. GORE. In other words, there are limits to the human capacity.

Mr. FULBRIGHT. Yes. I do not say that as a criticism of this President; it would be true of any President.

Mr. GORE. I understand.

Mr. COOPER. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. Mr. President, I yield to my friend and neighbor from the Cumberland Mountains, up the river from Carthage, Tenn.

Mr. COOPER. I thank my friend from Tennessee, and my neighbor down the Cumberland River, from Carthage in the hills of Tennessee, near Kentucky.

I want to commend him for his useful and patriotic service today, in presenting the important subject of the coming summit meeting on the floor of the Senate. I am familiar with his work as an adviser at the Disarmament Conferences, and I know his patriotic impulses have moved him to the discussion of this matter.

I know the Senator will agree, when I say that it would be unfortunate if, from this debate, the country were to receive the impression that the Government of the United States, the President of the United States and the Secretary of State, had no agenda or had not prepared for the summit conference.

I read a few days ago about the colloquy between the Senator from Tennesee and the Secretary of State during a hearing of the Senate Foreign Relations Committee. Not being a member of the committee, I did not know all the circumstances. But I would believe—as has been expressed by the distinguished Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Foreign Relations Committee—that the Secretary of State, Mr. Herter, with his inherent integrity was expressing a view, held by all of us, that in negotiating with the Soviet Union it is difficult to predict what conclusion may be reached. However, the answer interested me, and I made some inquiries.

Mr. GORE. It must interest all of us.

Mr. COOPER. I have found, as I expected, that very serious preparations for the summit conference have been taking place for months.

First, I think it is well to recall that the President of the United States, joined by the Government of France and the Government of Great Britain, invited Mr. Khrushchev to a summit conference; and in the communique which was issued at the time, it was President Eisenhower and his Western colleagues who suggested the agenda. The agenda suggested was the question of Germany, including Berlin; East-West relations; and disarmament.

Following the invitation of President Eisenhower and the Western Powers to Mr. Khrushchev for a summit meeting, preparations immediately began in the State Department. And there was also established a committee, of the Secretary of State, and the Ambassadors of France, Great Britain, and Germany; and this committee began work in preparation for the summit meeting.

Then, as the distinguished Senator will remember, a meeting of the Foreign

Ministers of the Western countries and our Secretary of State was held in Paris, in December 1959 to discuss the summit meeting. Prior to that meeting, consultations had taken place between the Council of Ministers for the North Atlantic Treaty Organization and the Foreign Ministers of our allies and the Secretary of State of the United States; and, if I am not mistaken, the President himself consulted with the representatives of NATO, when he was in Paris.

So, from the very date of the announcement of the summit conference, down to the meeting of the Western Powers in Paris, in December, there had been consultations between the Foreign Ministers of those countries and our Secretary of State, and between our country and NATO, and between the President of the United States, Mr. Adenauer, General de Gaulle, and Mr. Macmillan. And, of course, since that time there have been further conferences.

There has been a continuous process of preparation.

One of the subjects at the summit meeting is bound to be disarmament. The fact that conferences relating to disarmament have been in session is in itself an indication of preparation for the summit meeting. I refer to the conference on general disarmament, and to the second conference—as the Senator from Tennessee knows so well, because he served as an adviser—on the question of cessation and control of nuclear tests.

So I wish to state—and I know it is the desire of the Senator from Tennessee that all these facts be known to the people of the United States—that, as I view the record of our Government, the President, and Secretary of State Herter, it is a record of preparation. And the continuing consultations are effective and necessary methods of preparation.

I should like to make another comment, and then I shall close, for I see that the Senator from Wisconsin [Mr. PROXMIRE] is ready to make a speech.

Mr. GORE. First, I should like to make a comment.

Mr. COOPER. Certainly.

Mr. GORE. Let me say that no one would be more pleased than I with assurance of adequate, careful preparation for the coming conference. The desire to see such a development was the principal reason for my speech—plus the earnest feeling that a word of caution must be expressed, lest the leaders of the free world continue to give to the leader of the Communist world unbridled opportunities to portray communism as a force inevitably to engulf the world. I have made my statement in the earnest hope that it would lead to the correction of such mistakes and such deficiencies as may exist.

I think the Senator from Kentucky knows that I did not raise the subject in the Foreign Relations Committee. The Secretary of State told us there—not in response to a question by me, but in response to a question by the Senator from Idaho [Mr. CHURCH]—that there was no agenda, and that they did not know what subjects would be discussed. I then felt impelled to ask some questions. The answers I received—I took it—were responsibly given; and they revealed a disturbing situation.

If the Secretary of State misspoke himself, I shall be happy to have him say so. However, he has not said so to me.

But regardless of whether he misspoke or whether he did not do so, I wish to state that it is my earnest hope that the debate we have had this afternoon and the expression of concern of so many Senators that our foreign affairs be conducted with probity and preparation will help bring about that result.

Mr. COOPER. Mr. President, I commend the Senator from Tennessee, because I know him well, and I know that is his only purpose.

For myself, I should like to say that I believe a summit meeting was inevitable. The tensions and the problems which divide the United States and Soviet Russia offer great danger, not only to us, but to all the world. So I think it inevitable that this meeting be held, in another attempt to make some progress toward resolving these issues, which I hold the Soviet Union has created.

The Senator has been speaking of disarmament. Of course, that is the ultimate question. But the question of Berlin and Germany is one which might be more immediately dangerous.

I believe, with respect to the question of disarmament, that instead of saying we may have yielded to the Russians, we should say we are still in a period of negotiation. We have not yet agreed to sign a treaty, and I would say the record thus far shows the Russians have yielded in some degree to the United States. The Russians first refused to accept the opinion of American scientists that underground tests could not be monitored. After a time they accepted that viewpoint. They first refused to talk about inspection. Now they are at least discussing inspection.

The Senator from Tennessee, in his position as an adviser to the conference, knows more about the details of the disarmament conference than I do. What I know I read chiefly in the New York and Washington papers, and in the Louisville Courier-Journal.

Mr. GORE. And the Somerset Commonwealth.

Mr. COOPER. Yes, the Somerset Commonwealth of Pulaski County, Ky.; and also the Carthage Courier, of Carthage, Tenn.

Mr. GORE. And the Carthage Courier.

Mr. COOPER. Seriously, it seems the Russians have taken some steps toward an agreement. There are many things that have not been settled and which will have to be settled, for we must be assured of inspection, to be secure.

However, is it not true that the issues surrounding the question of stopping nuclear tests may finally come to this: Will we take the position that underground tests below a certain level are necessary, to acquire the experience to determine whether underground explosions can be detected, or whether such tests are necessary to develop additional weapons for our security? Will we take that position? Or, if we can reach agreement upon the main body of our proposals, will we take the position that we will be willing, for a year, to risk the good faith of Russia, doubtful as its good faith is, in an effort to secure a breakthrough in this great problem of disarmament, and see if we can establish some kind of confidence that may lead to progress in the solution of other issues? Is that not what we may finally have to decide?

Mr. GORE. Taking for granted an agreement upon the composition and operation of the control commission, the composition of the inspection teams, the administrative direction and control of the commission, the question of who is going to pay for it, who will determine what particular criteria justify the dispatch of an inspection team, the number of inspections permitted, whether the number of inspections is to be determined by the physical and scientific facts as they may appear, or whether, as Mr. Tsarapkin insists, this should be a political decision—assuming that agreement is reached on all those questions, then we shall still find it necessary, in order to reach agreement, to invest some faith in the leaders of the Soviet Union, and it will be necessary for them to invest some faith in the leaders of the United States and Great Britain. It will be necessary for them to accept some small infringement of their sovereignty, just as it will be necessary for the United States and Great Britain to accept some small infringement of their sovereignty, to the extent of the necessities of adequate inspection.

I suggest to the Senator there is the further question, then, of extending this arrangement to other countries. As the Senator knows, the original meeting of the experts recommended a worldwide system of inspection and control. Such a system cannot be brought about by an agreement between Great Britain, the United States, and Russia. They can bind only themselves. But they could agree upon a plan of procedure to bring other nations necessary to make of it a workable system, into the agreed arrangement. Even here it is necessary to proceed to some extent upon the basis of faith.

I am not one of those who thinks it is either necessary or possible to have a completely foolproof system of inspection and detection. It is not possible. I do not think it is necessary. And I should like to suggest to the Senator that many people speak very blandly and glibly about inspection. Does the Senator realize that we had an underground test explosion? We knew exactly where it was; exactly at what minute the nuclear device was exploded; and then we undertook to drill from the mountain top into the radioactive cavity. I think after 90 days the scientists and engineers were still unable to find evidence of the nuclear explosion. Finally they successfully drilled a horizontal shaft into the cavity.

So how do we make an inspection? Suppose there is a suspicious tremor of the earth within a 200-square-mile area? With what facilities do we make

the inspection? What kind of technicians are to compose the inspection team? What freedom of movement to and within the area in which the suspicious event occurred are they to have?

These are questions which must be determined in detail and agreed upon. Here, as in every other field of human relations, one successful step of cooperation lends encouragement to the taking of another.

Mr. COOPER. I thank the Senator. I close by saying that we can have confidence that the President of the United States will have in mind always the security of this country in his negotiations. I have no doubt about that.

Mr. GORE. Nor do I.

Mr. COOPER. We must keep in mind also that the negotiations are still going forward, that nothing is yet settled. And I think we ourselves must keep an open mind on this matter.

Mr. GORE. I hope the Senator had an opportunity to read my original text.

Mr. COOPER. I have read it.

Mr. GORE. I thank the Senator.

Mr. COOPER. I had the pleasure of reading it.

Mr. GORE. I want to say I pushed a pencil, in preparing that statement, for about 20 hours. I poured my heart into it, because I have been deeply concerned, and it is my earnest hope that these efforts will be helpful in some small way.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a very brief observation, perhaps ending in the form of a question? I appreciate the Senator's patience, courtesy, and his objectiveness, and also the intense and great knowledge with which he has discussed these questions.

Mr. GORE. I thank the Senator.

Mr. SALTONSTALL. I have listened to all of this with very great and close attention, because I think it has been an extremely serious and important discussion. As I have judged it, we have discussed two broad subjects.

First, we have discussed the question of nuclear power and how to cut down and end the tests of nuclear weapons, so far as we can. I gather that every Senator who has spoken, including the Senator from Tennessee, has expressed the fact that the Senate is openminded in trying to determine whether it agrees with any possible treaty which may come before it as a result of these discussions in Geneva. I think that is a very hopeful result which has come from the discussion this afternoon. Nobody has a closed mind. We are hopeful that there will be an agreement and that it may be possible for us to approve it in the Senate by a two-thirds vote. That is one observation.

The second observation is that I believe we are all hopeful there will be very thoughtful preparations made for the meeting at the summit, and, as a result of those preparations by study groups in Washington, London, and Paris, that the leaders of our three countries who go to that conference will go there in accord, to try to reach some general agreements which ultimately may be able to be worked out by participants at a lower level, in order that out of those agreements may come ultimate treaties which may come before us. I think that is the hope of all of us, as stimulated by the give-and-take of this discussion and by the original remarks of the Senator from Tennessee.

Does the Senator agree with me that this is a very brief but fairly accurate summation of our discussion this afternoon?

Mr. GORE. I agree that the Senator has made an eloquent summary of the hopeful aspects of the debate.

Mr. SALTONSTALL. I thank the Senator from Tennessee.

Mr. GORE. Mr. President, I had not intended in my address today to discuss the nuclear weapons conference in detail, but, as the RECORD discloses, an overwhelming proportion of the questions propounded to me involved this subject, to which I have given a very great deal of study. I hope that my remarks will contribute to the achievement of the maximum agreement which can be safely achieved.

I appreciate the attention and the courtesy of so many of my colleagues this afternoon.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. RUSSELL V. MACK, late a Representative from the State of Washington, and transmitted the resolutions of the House thereon.

## SIXTH ANNUAL REPORT ON DELINQUENT FEDERAL TAXES

Mr. WILLIAMS of Delaware. Mr. President, today I wish to make the sixth annual report on delinquent Federal taxes.

Six years ago, upon my request, the Treasury Department adopted a policy of compiling an annual statistical report of all types of delinquent taxes as of the close of business of each calendar year. In presenting the previous reports I have been rather critical of the amount of these delinquent taxes and I have been particularly critical of the amount of delinquencies in the employment tax category. Employment taxes represented money which had been withheld from the pay checks of the employees as income taxes, social security taxes, unemployment taxes, etc., and which therefore should be treated as trust funds. Under total tax delinquencies there are included all types of Federal taxes—individual income, excise, corporate, inheritance, employment, and so forth.

To make the report on 1959 is a great pleasure for this is the most favorable one that I have thus far been able to present. During the past 12 months substantial progress has been shown by the Internal Revenue Service in reducing the amount of these delinquencies.

During 1959 the total of all types of delinquent taxes outstanding was reduced over 22 percent from last year, or from $1,375,737,000 to $1,071,016,000. This represents a 33 percent reduction over the 6-year period, or since we started assembling these statistics.

Delinquent employment taxes last year were reduced 17.7 percent, likewise bringing this account down to an alltime low.

I am not indicating that we should be satisfied even with these lower figures, and I am urging the Department to continue its efforts to reduce these accounts. I do feel, however, that in presenting this report, just as I have been critical in the past of those offices which had not shown progress, we should today give them credit for the improvements.

It is true that there are still a few offices which are glaring trouble spots, and I will call attention to them later, but first I shall discuss the favorable results:

Burlington, Vt., which in last year's report was cited as a troublesome area, last year reduced its delinquent employment taxes by 37.8 percent and at the same time reduced the total amount of all delinquencies by 28.4 percent.

Hartford, Conn., shows a reduction in employment tax delinquencies of 21.8 percent and a reduction in total tax delinquencies of 9.2 percent. While this shows progress, it should be pointed out that the amount of delinquent employment taxes is still higher than it was 6 years ago for this office.

Portsmouth, N.H., has a good report. Delinquent unemployment taxes were reduced 13.3 percent while the total amount of all delinquent taxes was reduced 18.3 percent. This brought both of these items down to an alltime low for that office.

Providence, R.I., shows a 10.1-percent reduction in employment tax delinquencies and a 16.2-percent reduction in total tax delinquencies.

Albany, N.Y., is another office which has brought both employment tax delinquencies and total tax delinquencies down to an all-time low, with employment tax delinquencies being reduced by 35.1 percent and the total delinquencies by 6.5 percent.

Brooklyn, N.Y., shows a reduction in both employment tax delinquencies and in total tax delinquencies of 14.4 percent and 16.8 percent, respectively. While this office has shown progress in reducing the total amount of its outstanding accounts, its employment tax delinquencies are still slightly higher than they were 6 years ago.

The same situation is true in the Buffalo, N.Y., office, which last year reduced the employment tax delinquencies 15.5 percent, while it brought its total tax delinquencies down by 21.7 percent.

Lower Manhattan is doing a good job in bringing down the total amount of all tax delinquencies showing a 36.9-percent reduction last year, which represents an alltime low, although that office made no progress last year in lowering the amount of its employment tax delinquencies.

Upper Manhattan has brought down both accounts to an alltime low by showing a 33.2-percent reduction in employment tax delinquencies and a 33.9-percent reduction in total delinquencies.

Baltimore, Md., which last year was complimented for turning in an excellent report, has again done a good job. It reduced employment tax delinquencies by 31.6 percent and the total tax delinquencies by 33.3 percent, with each account now representing an alltime low.

Camden, N.J., which in previous years has been criticized rather severely, showed excellent progress by reducing the employment tax delinquencies by 52.6 percent and a corresponding reduction in total tax delinquencies of 42.9 percent.

Newark, N.J., again has a good report. This office in each of the past 5 years has shown a reduction in the amount of its delinquent employment tax with last year's reduction being 23.5 percent. Total tax delinquencies in the same period were reduced by 14 percent, bringing both items for this office down to another new low.

Philadelphia, Pa., has reduced employment tax delinquencies by 29.8 percent, bringing this figure down about 60 percent lower than it was 6 years ago. Total tax delinquencies last year were reduced 19.6 percent, which also represents a new low.

Pittsburgh, Pa., which in 1958 showed an increase in both employment tax delinquencies and total delinquencies, reduced both accounts in 1959 by 29.8 percent and 28.7 percent, respectively.

Scranton, Pa., reduced its employment tax delinquencies by 14.1 percent and total delinquencies by 4.2 percent, both accounts being new lows.

Wilmington, Del.: This office represents my home State, and I am proud to report that over the past several years they have been doing an excellent job, last year's report being one of the best. Last year they reduced employment tax delinquencies by 46.9 percent and total delinquencies by 38 percent, with both items representing alltime lows.

Cincinnati and Cleveland, Ohio, both have excellent reports; both offices brought their accounts down to alltime lows. Cincinnati reduced its employment tax delinquencies by 16.7 percent and its total tax delinquencies by 28.5 percent. Cleveland reduced employment tax delinquencies by 20.3 percent and total delinquencies by 27.1 percent.

Columbus, Ohio, which in previous years has been sharply criticized for its increase in delinquent accounts, last year showed progress by reducing its employment tax delinquencies by 37.3 percent and total delinquencies by 37.2 percent.

Indianapolis, Ind., reduced delinquent employment taxes by 18.2 percent and total tax delinquencies by 20.2 percent. This is another office which has brought both accounts down to new lows.

Parkersburg, W. Va., reduced employment tax delinquencies by 7.4 percent and total tax delinquencies by 19.9 percent, joining the group of offices reporting new lows for such accounts.

Atlanta, Ga., is another office which in previous years had not shown too good progress. It has an excellent report for last year, showing a 46.7-percent reduction in employment tax delinquencies and a 30-percent reduction in total delinquencies, thereby bringing both accounts down to alltime lows.

Birmingham, Ala., has consistently shown progress in reducing its accounts, with last year's reduction in employment tax delinquencies being 15.7 percent and the reduction in total tax delinquencies, 12.3 percent, both establishing new lows.

Columbia, S.C., reported a 4.9 percent reduction in delinquent employment taxes and a 31-percent reduction in total tax delinquencies.

Nashville, Tenn., reduced its delinquent employment taxes by 32.4 percent and total delinquencies by 20.8 percent, bringing each of these accounts down to a new low for that office.

Chicago, Ill., while reducing employment tax delinquencies and total tax delinquencies by 23.5 percent and 30.4 percent, respectively, still holds these accounts at levels higher than were reported 6 years ago.

Detroit, Mich., is another office which shows reduction in both employment tax delinquencies and total delinquencies, by 6.1 percent and 25.2 percent, respectively. It should be noted again, however, that delinquent employment taxes in this office are still nearly double the amount of 6 years ago. Also, the total tax delinquencies are higher than in 1954. While I am giving credit for last year's improvement, obviously there is still much room for progress.

Milwaukee, Wis., reduced delinquent employment taxes by 28.1 percent and reduced total tax delinquencies by 18.8 percent.

Springfield, Ill., has a good report. This office reduced its employment tax delinquencies last year by 35.7 percent and its total tax delinquencies by 19.1 percent, bringing both items down to new lows.

Aberdeen, S. Dak.: Another good report. Delinquent accounts in this office were brought down to a new low, with a reduction of 34.4 percent in delinquent employment taxes and a 30.3 percent reduction in total tax delinquencies.

Cheyenne, Wyo., reduced delinquent employment taxes by 31 percent and brought its total tax delinquencies down by 20.5 percent, both new lows.

Denver, Colo., joined the group of offices establishing new lows for delinquent accounts by reducing delinquent employment taxes by 34.3 percent and total tax delinquencies by 39.5 percent.

Fargo, N. Dak., reduced delinquent employment taxes by 16.9 percent and total tax delinquencies by 25.4 percent.

Omaha, Nebr., while not making any progress in reducing employment tax delinquencies, did reduce the total tax delinquencies in that office by 39.2 percent, moving both these accounts down to their lowest level.

St. Louis, Mo., is doing a good job in collecting delinquent accounts, with last year's reduction in delinquent employment taxes being 35 percent and total tax delinquencies 34.7 percent, bringing both accounts down to new lows.

St. Paul, Minn., reduced delinquent employment taxes by 21.7 percent and total tax delinquencies by 12.3 percent; however, it should be noted that the outstanding accounts of both these items are still higher than reported 6 years ago.

New Orleans, La., reduced delinquent employment tax accounts by 20.6 percent and total tax delinquencies by 24.5 percent. These are new lows for that office.

Helena, Mont., is doing a better job, with last year's results showing a reduction in delinquent employment taxes of 27.6 percent and in total tax delinquencies of 25.3 percent.

Honolulu, Hawaii, our 50th State, has turned in an excellent report. It has reduced the delinquent employment taxes by 10.3 percent and reduced the total tax delinquencies by 44.3 percent. This brings both accounts down to new lows for that area. Congratulations to Hawaii on its first report as our 50th State.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. FONG. I am happy to hear from the distinguished senior Senator from the State of Delaware that the State of Hawaii reduced its total Federal tax delinquencies by 44.3 percent in 1959.

This figure is about twice the percentage of the national total of 22 percent for the year. I want to congratulate and commend the people of Hawaii for their efforts in substantially reducing their delinquent taxes, and I want to thank the senior Senator from Delaware for bringing this fine report to our attention.

Mr. WILLIAMS of Delaware. I thank the Senator from Hawaii. He has every right to be proud of this report. In its first year Hawaii has done twice as well as the national average in reducing delinquencies.

Mr. FONG. I hope the people of Hawaii will do better next time.

Mr. WILLIAMS of Delaware. Los Angeles, Calif., reported a reduction of 13.4 percent in delinquent employment taxes and a 27.8-percent reduction in total tax delinquencies; however, it should be noted that while making progress last year, employment tax delinquencies in that office are still substantially higher than they were 6 years ago.

Reno, Nev., reported a 27-percent reduction in total tax delinquencies and a 2.6-percent reduction in delinquent employment taxes, which represents new lows for that office.

San Francisco, Calif., has a good report, showing a 25.7-percent reduction in delinquent employment taxes along with an 11.2-percent reduction in total delinquencies, thereby bringing each account down to a new low for that office.

Seattle, Wash., is another office which established new lows for both types of delinquent accounts. Employment tax delinquencies were reduced by 17.5 percent, while total tax delinquencies for the same area were reduced by 19.1 percent.

Puerto Rico also showed improvement last year, bringing its employment tax delinquent account down by 10.3 percent and its total delinquent accounts down by 33.7 percent. Even with this progress, however, delinquent accounts in both categories are still higher than they were 6 years ago.

While many of these offices have excellent reports and while the national total has been reduced by 17.7 percent in employment tax delinquencies and 22.1 percent in total tax delinquencies, nevertheless, there are still a few trouble spots. In some offices we regret to report that delinquent accounts reached new high levels. For instance:

Augusta, Maine, shows an increase in delinquent employment taxes of 38.6 percent and an increase in total tax delinquencies of 144.8 percent bringing both delinquent accounts to a new all-time high for that area.

Toledo, Ohio: The delinquent accounts in this office likewise reached new 6-year highs with an increase of 54.4 percent in delinquent employment taxes and an increase of 89.4 percent in total delinquencies.

Little Rock, Ark., which in last year's report showed a 181-percent increase in total tax delinquencies, reported another increase of 27.5 percent in that account, while delinquent employment taxes in that area jumped 16.8 percent over the previous year.

Oklahoma City, Okla.: While this office reduced its delinquent employment tax accounts by 10.2 percent, the total delinquencies for that same area jumped 30.3 percent. This total for all delinquencies represents a new 6-year high, and both accounts are higher than were shown in the first report, 1954.

Boise, Idaho, reported an increase of 28.8 in delinquent employment taxes, but they did show a 4.8-percent decrease in total tax delinquencies; however, here again is an office which reported delinquent accounts in both categories at levels higher than that of 6 years ago.

These latter-named offices represent trouble spots and are areas which should be given the careful attention of the Commissioner of Internal Revenue. Nevertheless, the overall picture of this year's report is very encouraging.

Certainly at a time when our country is enjoying its highest level of prosperity, it is the best time to collect these delinquent tax accounts. I am glad to note that special emphasis is being placed upon the collection of delinquent employment taxes. Once again I point out that there can be no excuse for delinquencies in this category. Employment taxes represent cash withheld from the employees' pay checks and should be treated as trust funds. Under no circumstance does an employer have the right to divert these funds to his own personal use.

At this point I ask unanimous consent to have incorporated in the RECORD the letter and the reports submitted by Commissioner Dana Latham, Internal Revenue Service, under date of March 1, 1960, along with my own statistical breakdown showing a 6-year report of the various offices.

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

U.S. TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
*Washington, D.C., March 1, 1960.*

Hon. JOHN J. WILLIAMS,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR WILLIAMS: We are enclosing the data requested in your letter of January 12, 1960, concerning the status of taxpayer delinquent accounts on December 31, 1959. The tabulation shows a breakdown of the total number and dollar value of delinquent accounts by income, employment and other taxes as of December 31, 1959, and 1958, as well as data relating to inactive accounts.

We are pleased to report that for the fourth consecutive year we have been able to reduce both the number and dollar value of our delinquent account inventory. The dollar reduction in 1959 was $304.7 million, or 22.2 percent. This brought the inventory at December 31, 1959 to $1.1 billion, its lowest level since 1953. Just as encouraging was the reduction during the past year of 25.9 percent in the number of delinquent accounts from 1,280,642 to 949,146.

Also worthy of comment in our appraisal of the overall accomplishment in 1959 is that the reduction in dollars outstanding was general throughout the Nation with only nine of 64 districts closing out with a higher dollar inventory than last year. The picture in the employment tax area is almost equally impressive. Here our figures show that the number of accounts has been reduced from 329,457 to 256,287 and the dollar value from $263.2 million to $216.4 million, a 17.8 percent reduction. Fifty-one of the 64 districts shared in this accomplishment.

Although some offices show increases, I can assure you that this is not indicative of a weak enforcement effort on the part of the offices concerned. As has been pointed out to you previously, percentage increases of this nature often result from normal fluctuations or unusual circumstances. Heavy issuances of delinquent accounts late in the year, or one or two large accounts going into a delinquent status will distort the picture when endeavoring to evaluate the performance of a particular office. Particularly is this true when such accounts are of an inactive nature beyond the control of the Service. As you know, inactive accounts are those on which collection must be deferred pending the outcome of litigation, audit determination and other contingent actions. Conversely, the closing of a few large accounts may enable an office to report a reduction instead of an increase.

The reduction in inventories was substantial in both the active and inactive categories, both as to number and dollar amount as illustrated by the figures which follow:

| | Active | Inactive | Total |
|---|---|---|---|
| Amount (thousands): | | | |
| Dec. 31, 1958 | $868,509 | $507,228 | $1,375,737 |
| Dec. 31, 1959 | 675,590 | 395,426 | 1,071,016 |
| Change from Dec. 31, 1958, to 1959 | −192,919 | −111,802 | −304,721 |
| Percentage reductions | 22.2 | 22 | 22.2 |
| Number: | | | |
| Dec. 31, 1958 | 1,122,137 | 158,505 | 1,280,642 |
| Dec. 31, 1959 | 853,855 | 95,291 | 949,146 |
| Change from Dec. 31, 1958, to 1959 | −268,282 | −63,214 | −331,496 |
| Percentage reductions | 23.9 | 39.9 | 25.9 |

In closing we would like to assure you that all offices are current in their issuances, with the result that the enclosed table includes all accounts that had gone into a delinquent status as of December 31, 1959.

Sincerely yours,

DANA LATHAM,
*Commissioner.*

*Delinquent taxes*

| District and year | Employment tax | | Percent change over previous year | Total taxes | | Percent change over previous year |
|---|---|---|---|---|---|---|
| | Number | Amount (in thousands) | | Number | Amount (in thousands) | |
| Augusta, Maine: | | | | | | |
| 1954 | 1,145 | $665 | | 3,478 | $2,582 | |
| 1955 | 1,119 | 489 | −26.4 | 3,018 | 1,915 | −25.8 |
| 1956 | 1,138 | 543 | +11.0 | 3,582 | 1,489 | −22.2 |
| 1957 | 1,185 | 543 | | 4,027 | 2,032 | +36.4 |
| 1958 | 1,176 | 588 | +8.2 | 3,986 | 1,569 | −22.7 |
| 1959 | 889 | 815 | +38.6 | 2,992 | 3,842 | +144.8 |
| Boston, Mass.: | | | | | | |
| 1954 | 15,058 | 11,226 | | 57,082 | 41,306 | |
| 1955 | 11,122 | 10,000 | −10.9 | 39,723 | 37,835 | −8.4 |
| 1956 | 9,477 | 9,632 | −3.6 | 36,337 | 36,896 | −2.4 |
| 1957 | 8,826 | 8,597 | −10.7 | 36,239 | 30,255 | −17.9 |
| 1958 | 9,372 | 8,456 | −1.6 | 34,992 | 34,107 | +12.7 |
| 1959 | 8,837 | 8,586 | +1.5 | 30,952 | 31,601 | −7.3 |
| Burlington, Vt.: | | | | | | |
| 1954 | 619 | 241 | | 1,424 | 644 | |
| 1955 | 441 | 145 | −39.8 | 1,245 | 409 | −36.4 |
| 1956 | 421 | 201 | +38.6 | 1,714 | 685 | +67.4 |
| 1957 | 510 | 236 | +17.4 | 1,936 | 604 | −11.8 |
| 1958 | 762 | 322 | +36.4 | 2,514 | 1,009 | +67.0 |
| 1959 | 373 | 200 | −37.8 | 1,601 | 722 | −28.4 |
| Hartford, Conn.: | | | | | | |
| 1954 | 4,232 | $2,831 | | 22,554 | $15,271 | |
| 1955 | 5,079 | 3,298 | +16.4 | 21,219 | 15,348 | +.5 |
| 1956 | 4,079 | 3,202 | −2.9 | 21,783 | 11,445 | −25.4 |
| 1957 | 5,156 | 4,317 | +34.8 | 23,188 | 14,572 | +27.3 |
| 1958 | 4,836 | 4,370 | +1.2 | 22,122 | 14,402 | −1.1 |
| 1959 | 3,885 | 3,413 | −21.8 | 16,149 | 13,077 | −9.2 |
| Portsmouth, N.H.: | | | | | | |
| 1954 | 1,017 | 460 | | 2,854 | 3,252 | |
| 1955 | 840 | 310 | −32.6 | 2,347 | 2,179 | −32.9 |
| 1956 | 829 | 315 | +1.6 | 3,144 | 1,948 | −10.6 |
| 1957 | 718 | 347 | +10.1 | 2,556 | 1,018 | −47.7 |
| 1958 | 779 | 307 | −11.5 | 2,785 | 911 | −10.5 |
| 1959 | 511 | 266 | −13.3 | 2,006 | 744 | −18.3 |
| Providence, R.I.: | | | | | | |
| 1954 | 1,847 | 1,204 | | 8,060 | 7,389 | |
| 1955 | 1,259 | 894 | −25.7 | 5,985 | 7,173 | −2.9 |
| 1956 | 1,874 | 1,254 | +40.2 | 7,329 | 6,041 | −15.7 |
| 1957 | 2,447 | 1,358 | +8.2 | 7,169 | 3,331 | −44.8 |
| 1958 | 2,234 | 1,383 | +1.8 | 6,828 | 3,421 | +2.7 |
| 1959 | 1,960 | 1,243 | −10.1 | 5,551 | 2,864 | −16.2 |

*Delinquent taxes*—Continued

| District and year | Employment tax | | Percent change over previous year | Total taxes | | Percent change over previous year |
|---|---|---|---|---|---|---|
| | Number | Amount (in thousands) | | Number | Amount (in thousands) | |
| Albany (14th, New York): | | | | | | |
| 1954 | 4,679 | $3,559 | | 13,822 | $15,061 | |
| 1955 | 4,770 | 3,454 | −2.9 | 14,246 | 11,274 | −25.1 |
| 1956 | 3,818 | 3,368 | −2.4 | 14,296 | 11,142 | −1.1 |
| 1957 | 3,960 | 3,366 | | 15,598 | 12,223 | +9.7 |
| 1958 | 4,177 | 3,200 | −4.9 | 13,413 | 8,988 | −26.4 |
| 1959 | 3,014 | 2,074 | −35.1 | 9,233 | 8,397 | −6.5 |
| Brooklyn (1st, New York): | | | | | | |
| 1954 | 28,903 | 18,534 | | 88,274 | 106,522 | |
| 1955 | 37,482 | 24,523 | +32.3 | 100,932 | 133,339 | +25.1 |
| 1956 | 33,648 | 23,624 | −3.6 | 105,604 | 129,428 | −2.9 |
| 1957 | 35,112 | 24,882 | +5.3 | 108,819 | 125,382 | −3.1 |
| 1958 | 28,275 | 21,773 | −12.4 | 83,173 | 90,776 | −27.6 |
| 1959 | 22,196 | 18,637 | −14.4 | 62,176 | 75,461 | −16.8 |
| Buffalo (28th, New York): | | | | | | |
| 1954 | 4,664 | 2,351 | | 21,869 | 12,368 | |
| 1955 | 4,756 | 2,916 | +24.0 | 18,203 | 12,058 | −2.5 |
| 1956 | 4,141 | 2,778 | −4.7 | 20,172 | 12,309 | +2.0 |
| 1957 | 4,836 | 3,436 | +23.6 | 19,184 | 12,869 | +4.5 |
| 1958 | 4,031 | 2,969 | −13.5 | 17,021 | 10,174 | −20.9 |
| 1959 | 3,128 | 2,508 | −15.5 | 10,655 | 7,961 | −21.7 |
| Lower Manhattan (2d, New York): | | | | | | |
| 1954 | 22,636 | 17,622 | | 48,155 | 171,309 | |
| 1955 | 25,952 | 20,573 | +16.7 | 53,341 | 169,476 | −1.0 |
| 1956 | 19,669 | 21,087 | +2.4 | 44,725 | 153,607 | −9.3 |
| 1957 | 17,600 | 18,495 | −12.2 | 36,963 | 124,178 | −19.2 |
| 1958 | 13,497 | 13,689 | −25.9 | 30,560 | 117,290 | −5.5 |
| 1959 | 10,081 | 13,867 | +1.3 | 20,980 | 73,946 | −36.9 |
| Syracuse (21st, New York): | | | | | | |
| 1954 | 3,046 | 1,552 | | 12,486 | 5,650 | |
| 1955 | 2,565 | 1,664 | +7.2 | 9,308 | 5,395 | −4.5 |
| 1956 | 3,341 | 2,019 | +21.3 | 13,955 | 6,443 | +19.4 |
| 1957 | 4,593 | 2,411 | +19.4 | 16,618 | 5,921 | −8.1 |
| 1958 | 2,974 | 2,044 | −15.2 | 11,859 | 5,415 | −8.5 |
| 1959 | 2,185 | 1,841 | −9.9 | 7,287 | 5,550 | +2.4 |
| Upper Manhattan (3d, New York): | | | | | | |
| 1954 | 24,420 | 26,447 | | 67,328 | 158,538 | |
| 1955 | 31,922 | 32,691 | +23.6 | 109,567 | 195,098 | +23.0 |
| 1956 | 33,586 | 31,514 | −3.6 | 124,641 | 202,676 | +3.8 |
| 1957 | 32,299 | 32,466 | +3.0 | 121,388 | 176,094 | −13.1 |
| 1958 | 30,135 | 32,199 | −.8 | 116,608 | 182,180 | +3.4 |
| 1959 | 19,616 | 21,505 | −33.2 | 78,620 | 120,370 | −33.9 |
| Baltimore (Maryland and District of Columbia): | | | | | | |
| 1954 | 12,249 | 6,296 | | 120,870 | 68,663 | |
| 1955 | 9,577 | 5,733 | −8.9 | 95,861 | 62,497 | −8.9 |
| 1956 | 6,963 | 4,402 | −23.2 | 60,642 | 42,778 | −31.5 |
| 1957 | 7,246 | 5,100 | +15.8 | 44,982 | 36,069 | −15.6 |
| 1958 | 5,965 | 4,010 | −21.3 | 32,469 | 25,705 | −28.7 |
| 1959 | 3,560 | 2,739 | −31.6 | 29,066 | 17,133 | −33.3 |
| Camden (1st, New Jersey): | | | | | | |
| 1954 | 3,526 | 2,090 | | 16,986 | 10,638 | |
| 1955 | 3,684 | 2,657 | +27.1 | 16,958 | 16,896 | +58.8 |
| 1956 | 4,709 | 2,950 | +11.0 | 19,659 | 14,015 | −17.0 |
| 1957 | 4,876 | 3,590 | +21.6 | 19,376 | 14,881 | +6.1 |
| 1958 | 4,379 | 4,194 | +16.8 | 16,187 | 15,040 | +1.0 |
| 1959 | 2,700 | 1,984 | −52.6 | 10,848 | 8,580 | −42.9 |
| Newark (5th, New Jersey): | | | | | | |
| 1954 | 37,438 | 24,083 | | 122,953 | 92,962 | |
| 1955 | 23,673 | 22,244 | −7.6 | 84,883 | 79,793 | −14.1 |
| 1956 | 17,240 | 18,193 | −18.2 | 71,578 | 79,913 | +.1 |
| 1957 | 14,575 | 17,170 | −5.6 | 55,722 | 55,667 | −30.3 |
| 1958 | 10,929 | 13,291 | −22.5 | 36,048 | 44,825 | −19.4 |
| 1959 | 8,169 | 10,160 | −23.5 | 30,459 | 38,527 | −14.0 |
| Philadelphia (1st, Pennsylvania): | | | | | | |
| 1954 | 18,014 | 15,700 | | 95,824 | 63,450 | |
| 1955 | 17,918 | 17,060 | +8.6 | 87,594 | 74,744 | +17.7 |
| 1956 | 11,923 | 12,342 | −27.6 | 55,994 | 66,115 | −11.5 |
| 1957 | 7,564 | 10,317 | −16.4 | 42,254 | 48,455 | −26.7 |
| 1958 | 5,816 | 8,944 | −13.3 | 29,852 | 42,563 | −12.1 |
| 1959 | 4,387 | 6,274 | −29.8 | 21,134 | 34,203 | −19.6 |
| Pittsburgh (23d, Pennsylvania): | | | | | | |
| 1954 | 4,880 | 3,800 | | 40,973 | 28,955 | |
| 1955 | 6,651 | 5,079 | +33.6 | 34,891 | 30,144 | +4.1 |
| 1956 | 5,251 | 4,858 | −4.3 | 28,534 | 23,103 | −23.3 |
| 1957 | 4,592 | 3,883 | −26.2 | 21,759 | 15,683 | −32.1 |
| 1958 | 5,976 | 4,569 | +27.5 | 27,821 | 17,374 | +10.7 |
| 1959 | 3,998 | 3,206 | −29.8 | 20,494 | 12,386 | −28.7 |
| Scranton (12th, Pennsylvania): | | | | | | |
| 1954 | 2,134 | 2,345 | | 9,414 | 7,948 | |
| 1955 | 1,743 | 2,324 | −.8 | 6,659 | 7,233 | −8.9 |
| 1956 | 1,397 | 2,220 | −4.4 | 4,975 | 6,516 | −9.8 |
| 1957 | 1,547 | 2,127 | −4.1 | 5,096 | 8,075 | +23.9 |
| 1958 | 1,598 | 1,655 | −22.1 | 5,393 | 6,196 | −23.2 |
| 1959 | 1,563 | 1,421 | −14.1 | 4,897 | 5,931 | −4.2 |
| Wilmington, Del.: | | | | | | |
| 1954 | 571 | 303 | | 5,460 | 22,009 | |
| 1955 | 683 | 327 | +7.5 | 4,586 | 3,639 | −83.4 |
| 1956 | 621 | 301 | −7.9 | 5,522 | 3,722 | +2.2 |
| 1957 | 522 | 272 | −9.6 | 4,817 | 3,811 | +2.3 |
| 1958 | 331 | 347 | +27.5 | 3,706 | 3,296 | −13.5 |
| 1959 | 325 | 184 | −46.9 | 3,435 | 2,043 | −38.0 |
| Cincinnati (1st, Ohio): | | | | | | |
| 1954 | 3,431 | $1,784 | | 26,545 | $15,128 | |
| 1955 | 3,630 | 1,947 | +9.0 | 24,423 | 12,685 | −16.1 |
| 1956 | 3,060 | 1,801 | −7.4 | 22,534 | 11,410 | −10.0 |
| 1957 | 3,349 | 1,980 | +9.9 | 24,995 | 10,228 | −10.3 |
| 1958 | 2,764 | 1,529 | −22.7 | 16,539 | 9,681 | −5.3 |
| 1959 | 1,886 | 1,273 | −16.7 | 8,652 | 6,916 | −28.5 |
| Cleveland (18th, Ohio): | | | | | | |
| 1954 | 7,958 | 5,272 | | 49,841 | 42,963 | |
| 1955 | 8,720 | 5,523 | +4.7 | 46,546 | 35,547 | −17.2 |
| 1956 | 8,219 | 5,924 | +7.2 | 39,521 | 42,590 | +19.8 |
| 1957 | 7,431 | 5,788 | −2.2 | 37,631 | 36,371 | −14.6 |
| 1958 | 5,951 | 3,794 | −34.4 | 26,206 | 29,076 | −20.0 |
| 1959 | 4,777 | 3,021 | −20.3 | 16,291 | 21,195 | −27.1 |
| Columbus (11th, Ohio): | | | | | | |
| 1954 | 1,207 | 594 | | 13,054 | 6,652 | |
| 1955 | 1,290 | 657 | +10.6 | 11,010 | 6,624 | −.4 |
| 1956 | 1,517 | 845 | +28.6 | 12,340 | 9,972 | +50.5 |
| 1957 | 1,625 | 878 | +3.9 | 13,217 | 9,079 | −8.9 |
| 1958 | 1,714 | 1,087 | +23.8 | 12,916 | 10,244 | +12.6 |
| 1959 | 904 | 681 | −37.3 | 6,917 | 6,433 | −37.2 |
| Indianapolis, Ind.: | | | | | | |
| 1954 | 3,420 | 2,477 | | 23,475 | 19,133 | |
| 1955 | 4,767 | 2,953 | +19.2 | 22,273 | 20,760 | +8.5 |
| 1956 | 3,959 | 3,120 | +5.6 | 20,007 | 20,574 | −.8 |
| 1957 | 4,667 | 3,386 | +8.5 | 19,952 | 21,993 | +6.8 |
| 1958 | 3,594 | 2,907 | −14.1 | 15,511 | 16,397 | −25.4 |
| 1959 | 2,889 | 2,376 | −18.2 | 10,164 | 13,072 | −20.2 |
| Louisville, Ky.: | | | | | | |
| 1954 | 2,019 | 1,035 | | 12,161 | 11,834 | |
| 1955 | 2,934 | 1,228 | +18.6 | 12,963 | 13,172 | +11.3 |
| 1956 | 2,457 | 1,343 | +9.3 | 12,331 | 12,930 | −1.8 |
| 1957 | 2,468 | 1,380 | +2.7 | 11,367 | 10,876 | −15.8 |
| 1958 | 1,696 | 1,117 | −19.0 | 8,725 | 8,378 | −22.9 |
| 1959 | 1,981 | 1,034 | −7.4 | 7,463 | 8,682 | +3.6 |
| Parkersburg, W. Va.: | | | | | | |
| 1954 | 3,221 | 1,952 | | 15,917 | 12,931 | |
| 1955 | 2,257 | 1,376 | −29.5 | 11,094 | 10,627 | −17.8 |
| 1956 | 1,533 | 1,064 | −22.6 | 8,357 | 9,032 | −15.0 |
| 1957 | 1,574 | 1,117 | +4.9 | 6,877 | 6,860 | −24.0 |
| 1958 | 1,769 | 1,077 | −3.5 | 7,794 | 5,372 | −21.6 |
| 1959 | 1,518 | 997 | −7.4 | 5,243 | 4,299 | −19.9 |
| Richmond, Va.: | | | | | | |
| 1954 | 4,692 | 2,239 | | 32,611 | 20,986 | |
| 1955 | 5,147 | 2,663 | +18.9 | 29,332 | 21,881 | +4.2 |
| 1956 | 4,118 | 2,420 | −9.1 | 26,199 | 23,932 | +9.3 |
| 1957 | 3,988 | 2,263 | −6.4 | 19,830 | 15,687 | −34.4 |
| 1958 | 3,502 | 1,929 | −14.7 | 15,574 | 12,333 | −21.3 |
| 1959 | 3,339 | 2,235 | +15.8 | 14,553 | 11,927 | −3.2 |
| Toledo (10th, Ohio): | | | | | | |
| 1954 | 929 | 392 | | 6,072 | 3,317 | |
| 1955 | 785 | 393 | +.2 | 4,855 | 2,896 | −12.6 |
| 1956 | 1,078 | 617 | +56.9 | 6,277 | 2,471 | −14.6 |
| 1957 | 980 | 633 | +2.5 | 6,328 | 3,180 | +28.6 |
| 1958 | 981 | 500 | −21.0 | 6,449 | 2,373 | −25.3 |
| 1959 | 1,396 | 772 | +54.4 | 5,426 | 4,495 | +89.4 |
| Atlanta, Ga.: | | | | | | |
| 1954 | 4,963 | 2,947 | | 26,021 | 20,972 | |
| 1955 | 5,889 | 3,572 | +21.2 | 24,979 | 18,809 | −10.3 |
| 1956 | 5,540 | 3,432 | −3.9 | 24,713 | 17,080 | −9.1 |
| 1957 | 5,864 | 3,829 | +11.5 | 25,328 | 18,972 | +11.0 |
| 1958 | 5,981 | 3,948 | +3.1 | 23,875 | 15,388 | −18.8 |
| 1959 | 4,506 | 2,101 | −46.7 | 16,554 | 10,763 | −30.0 |
| Birmingham, Ala.: | | | | | | |
| 1954 | 4,874 | 2,299 | | 19,506 | 19,488 | |
| 1955 | 3,655 | 1,965 | −14.5 | 16,003 | 17,636 | −9.5 |
| 1956 | 3,658 | 1,880 | −4.3 | 16,780 | 21,969 | +24.5 |
| 1957 | 3,826 | 1,772 | −5.7 | 15,986 | 18,889 | −14.0 |
| 1958 | 3,653 | 1,735 | −2.0 | 14,130 | 17,066 | −9.6 |
| 1959 | 2,489 | 1,461 | −15.7 | 12,188 | 14,954 | −12.3 |
| Columbia, S.C.: | | | | | | |
| 1954 | 3,727 | 1,078 | | 14,246 | 7,201 | |
| 1955 | 3,318 | 822 | −23.7 | 12,972 | 6,511 | −9.5 |
| 1956 | 3,311 | 850 | +3.4 | 13,202 | 5,413 | −16.8 |
| 1957 | 2,938 | 948 | +11.5 | 13,339 | 4,462 | −17.5 |
| 1958 | 2,773 | 1,064 | +12.2 | 11,573 | 4,471 | +.2 |
| 1959 | 1,697 | 1,011 | −4.9 | 7,141 | 3,082 | −31.0 |
| Greensboro, N.C.: | | | | | | |
| 1954 | 5,332 | 2,016 | | 22,459 | 26,395 | |
| 1955 | 4,318 | 1,998 | −.8 | 15,687 | 21,018 | −20.3 |
| 1956 | 4,336 | 1,957 | −2.0 | 17,696 | 22,222 | +5.7 |
| 1957 | 4,922 | 2,023 | +3.3 | 17,598 | 14,872 | −33.0 |
| 1958 | 4,186 | 1,359 | −32.8 | 15,706 | 12,716 | −14.4 |
| 1959 | 4,078 | 1,441 | +6.0 | 15,763 | 10,381 | −18.3 |
| Jackson, Miss.: | | | | | | |
| 1954 | 1,500 | 636 | | 5,563 | 4,717 | |
| 1955 | 1,526 | 596 | −6.2 | 5,231 | 2,957 | −37.3 |
| 1956 | 1,321 | 656 | +10.0 | 5,371 | 2,744 | −7.2 |
| 1957 | 1,634 | 684 | +4.2 | 7,229 | 2,975 | +8.4 |
| 1958 | 1,774 | 852 | +24.5 | 5,999 | 2,411 | −18.9 |
| 1959 | 1,505 | 614 | −27.9 | 5,165 | 2,903 | +20.4 |
| Jacksonville, Fla.: | | | | | | |
| 1954 | 8,451 | 4,686 | | 31,020 | 47,883 | |
| 1955 | 8,239 | 4,996 | +6.6 | 30,918 | 49,361 | +3.0 |
| 1956 | 10,203 | 6,562 | +31.3 | 36,962 | 41,546 | −15.8 |
| 1957 | 11,447 | 8,519 | +29.8 | 36,770 | 39,272 | −5.4 |

*Delinquent taxes*—Continued

| District and year | Employment tax | | Percent change over previous year | Total taxes | | Percent change over previous year |
|---|---|---|---|---|---|---|
| | Number | Amount (in thousands) | | Number | Amount (in thousands) | |
| Jacksonville, Fla.—Continued | | | | | | |
| 1958 | 10,375 | $8,029 | −5.7 | 33,938 | $39,915 | +1.6 |
| 1959 | 9,947 | 8,608 | +7.2 | 27,780 | 34,367 | −13.8 |
| Nashville, Tenn.: | | | | | | |
| 1954 | 3,721 | 1,775 | | 15,763 | 12,463 | |
| 1955 | 3,181 | 1,601 | −9.8 | 12,971 | 13,220 | +6.0 |
| 1956 | 3,100 | 1,587 | −.8 | 13,320 | 11,457 | −13.3 |
| 1957 | 3,214 | 1,679 | +5.7 | 13,248 | 12,115 | +5.7 |
| 1958 | 2,522 | 1,287 | −23.3 | 10,667 | 9,053 | −25.2 |
| 1959 | 1,910 | 870 | −32.4 | 8,943 | 7,166 | −20.8 |
| Chicago (1st, Illinois): | | | | | | |
| 1954 | 21,439 | 12,802 | | 136,532 | 81,659 | |
| 1955 | 22,891 | 15,915 | +24.3 | 119,822 | 87,843 | +7.5 |
| 1956 | 24,597 | 20,829 | +30.8 | 143,457 | 120,971 | +37.7 |
| 1957 | 35,678 | 32,698 | +56.9 | 180,796 | 154,085 | +27.3 |
| 1958 | 25,352 | 22,996 | −29.7 | 122,072 | 120,323 | −21.9 |
| 1959 | 20,410 | 17,580 | −23.5 | 76,597 | 83,625 | −30.4 |
| Detroit, Mich.: | | | | | | |
| 1954 | 11,891 | 7,782 | | 68,809 | 44,787 | |
| 1955 | 16,325 | 10,808 | +38.8 | 81,569 | 68,904 | +53.8 |
| 1956 | 16,871 | 13,328 | +23.3 | 93,782 | 70,964 | +2.9 |
| 1957 | 20,538 | 15,168 | +13.8 | 95,549 | 68,369 | −3.6 |
| 1958 | 18,337 | 14,121 | −6.9 | 75,443 | 62,288 | −8.8 |
| 1959 | 14,465 | 13,259 | −6.1 | 45,933 | 46,530 | −25.2 |
| Milwaukee, Wis.: | | | | | | |
| 1954 | 3,759 | 1,704 | | 16,962 | 16,592 | |
| 1955 | 3,781 | 2,087 | +22.4 | 14,322 | 16,279 | −1.8 |
| 1956 | 4,534 | 2,314 | +10.8 | 14,936 | 13,455 | −17.3 |
| 1957 | 4,529 | 2,551 | +10.2 | 18,403 | 14,964 | +11.2 |
| 1958 | 4,608 | 3,033 | +18.9 | 12,065 | 13,418 | −10.3 |
| 1959 | 3,090 | 2,180 | −28.1 | 9,139 | 10,893 | −18.8 |
| Springfield (8th, Illinois): | | | | | | |
| 1954 | 4,563 | 1,903 | | 19,192 | 9,101 | |
| 1955 | 3,381 | 1,627 | −14.5 | 12,885 | 8,723 | −4.1 |
| 1956 | 3,374 | 2,171 | +33.4 | 15,117 | 8,526 | −2.2 |
| 1957 | 3,255 | 2,007 | −7.5 | 15,829 | 9,442 | +10.7 |
| 1958 | 2,027 | 1,378 | −31.3 | 8,070 | 7,126 | −24.5 |
| 1959 | 1,432 | 885 | −35.7 | 5,478 | 5,759 | −19.1 |
| Aberdeen, S. Dak.: | | | | | | |
| 1954 | 734 | 282 | | 3,092 | 1,255 | |
| 1955 | 604 | 248 | −12.0 | 2,488 | 1,613 | +28.5 |
| 1956 | 823 | 248 | | 2,948 | 1,441 | −10.6 |
| 1957 | 788 | 264 | +6.4 | 2,844 | 1,391 | −3.4 |
| 1958 | 515 | 209 | −20.8 | 1,865 | 971 | −30.1 |
| 1959 | 439 | 137 | −34.4 | 1,476 | 676 | −30.3 |
| Cheyenne, Wyo.: | | | | | | |
| 1954 | 688 | 248 | | 2,445 | 1,629 | |
| 1955 | 727 | 256 | +3.2 | 2,215 | 1,344 | −17.4 |
| 1956 | 639 | 264 | +3.1 | 2,126 | 1,077 | −19.8 |
| 1957 | 490 | 205 | −22.3 | 2,013 | 1,266 | +17.5 |
| 1958 | 616 | 264 | +28.7 | 2,305 | 1,326 | +4.7 |
| 1959 | 354 | 182 | −31.0 | 1,480 | 1,053 | −20.5 |
| Denver, Colo.: | | | | | | |
| 1954 | 2,754 | 1,319 | | 9,888 | 7,552 | |
| 1955 | 3,056 | 1,642 | +24.4 | 9,748 | 7,960 | +5.4 |
| 1956 | 2,483 | 1,402 | −14.6 | 10,236 | 8,142 | +2.2 |
| 1957 | 2,346 | 1,475 | +5.2 | 10,336 | 7,163 | −12.0 |
| 1958 | 2,917 | 1,586 | +7.5 | 10,946 | 7,938 | +10.8 |
| 1959 | 1,806 | 1,042 | −34.3 | 7,339 | 4,795 | −39.5 |
| Des Moines, Iowa: | | | | | | |
| 1954 | 1,781 | 770 | | 5,810 | 9,737 | |
| 1955 | 1,596 | 749 | −2.7 | 5,207 | 8,200 | −15.7 |
| 1956 | 1,989 | 989 | +32.0 | 6,729 | 9,118 | +11.1 |
| 1957 | 2,069 | 947 | −4.2 | 6,351 | 7,480 | −17.9 |
| 1958 | 1,730 | 850 | −10.2 | 5,101 | 4,564 | −38.9 |
| 1959 | 1,217 | 683 | −19.6 | 3,995 | 4,965 | +8.7 |
| Fargo, N. Dak.: | | | | | | |
| 1954 | 843 | 310 | | 2,352 | 1,353 | |
| 1955 | 578 | 217 | −30.0 | 1,607 | 1,011 | −25.2 |
| 1956 | 563 | 228 | +5.0 | 2,199 | 1,336 | +32.1 |
| 1957 | 628 | 236 | +3.5 | 2,135 | 1,414 | +5.8 |
| 1958 | 729 | 307 | +30.0 | 2,320 | 1,342 | −5.0 |
| 1959 | 397 | 255 | −16.9 | 1,430 | 1,001 | −25.4 |
| Kansas City (6th, Missouri): | | | | | | |
| 1954 | 1,783 | 884 | | 8,155 | 9,021 | |
| 1955 | 2,030 | 1,146 | +29.6 | 7,615 | 9,433 | +4.5 |
| 1956 | 2,522 | 1,466 | +27.9 | 8,650 | 8,673 | −8.0 |
| 1957 | 2,591 | 1,497 | +2.1 | 10,168 | 7,887 | −9.0 |
| 1958 | 2,882 | 1,454 | −2.8 | 9,889 | 8,820 | +11.8 |
| 1959 | 1,754 | 1,414 | −2.7 | 5,902 | 8,298 | −5.9 |
| Omaha, Nebr.: | | | | | | |
| 1954 | 810 | 548 | | 3,932 | 4,180 | |
| 1955 | 638 | 480 | −12.4 | 2,697 | 3,364 | −19.5 |
| 1956 | 770 | 528 | +10.0 | 3,441 | 3,544 | +5.3 |
| 1957 | 834 | 585 | +10.7 | 2,884 | 2,729 | −22.9 |
| 1958 | 601 | 267 | −54.3 | 2,234 | 2,770 | +1.5 |
| 1959 | 512 | 267 | | 1,764 | 1,684 | −39.2 |
| St. Louis (1st, Missouri): | | | | | | |
| 1954 | 1,958 | 974 | | 11,539 | 12,267 | |
| 1955 | 2,686 | 1,323 | +35.8 | 9,999 | 10,085 | −17.7 |
| 1956 | 2,001 | 1,119 | −15.4 | 8,997 | 9,606 | −4.7 |
| 1957 | 2,202 | 1,308 | +16.8 | 10,578 | 10,031 | +4.4 |
| 1958 | 2,665 | 1,302 | −0.4 | 12,875 | 9,447 | −5.8 |
| 1959 | 1,824 | 846 | −35.0 | 7,876 | 6,167 | −34.7 |
| St. Paul, Minn.: | | | | | | |
| 1954 | 3,096 | 1,929 | | 10,916 | 9,725 | |
| 1955 | 3,110 | 2,093 | +8.5 | 9,616 | 9,270 | −4.6 |
| 1956 | 3,590 | 2,546 | +21.1 | 12,035 | 11,203 | +20.8 |
| 1957 | 3,830 | 2,711 | +6.4 | 12,512 | 13,600 | +21.3 |
| 1958 | 3,969 | 2,494 | −8.0 | 11,474 | 12,139 | −10.7 |
| 1959 | 2,376 | 1,951 | −21.7 | 7,481 | 10,644 | −12.3 |
| Wichita, Kans.: | | | | | | |
| 1954 | 2,405 | $939 | | 10,542 | $7,316 | |
| 1955 | 2,912 | 1,018 | +8.4 | 10,279 | 6,757 | −7.6 |
| 1956 | 2,300 | 1,269 | +24.6 | 9,038 | 8,047 | +19.0 |
| 1957 | 2,294 | 1,299 | +2.3 | 7,703 | 7,084 | −11.9 |
| 1958 | 2,298 | 1,104 | −15.0 | 7,044 | 6,621 | −6.5 |
| 1959 | 1,815 | 1,094 | −.9 | 5,612 | 6,232 | −5.8 |
| Albuquerque, N. Mex.: | | | | | | |
| 1954 | 1,911 | 741 | | 5,491 | 2,824 | |
| 1955 | 1,994 | 853 | +15.1 | 5,078 | 2,960 | +4.8 |
| 1956 | 1,957 | 1,062 | +24.3 | 5,888 | 3,926 | +32.6 |
| 1957 | 2,378 | 1,192 | +12.2 | 6,777 | 3,935 | +.2 |
| 1958 | 2,077 | 1,075 | −9.8 | 6,085 | 3,233 | −17.8 |
| 1959 | 1,717 | 1,095 | +1.8 | 4,576 | 2,915 | −9.7 |
| Austin (1st, Texas): | | | | | | |
| 1954 | 5,609 | 3,021 | | 22,355 | 20,202 | |
| 1955 | 6,580 | 2,702 | −10.5 | 18,391 | 12,754 | −36.8 |
| 1956 | 5,283 | 3,080 | +13.9 | 19,534 | 15,230 | +19.4 |
| 1957 | 5,664 | 3,336 | +8.3 | 23,351 | 14,386 | −5.5 |
| 1958 | 4,445 | 2,797 | −16.1 | 19,437 | 12,246 | −14.8 |
| 1959 | 3,700 | 2,439 | −12.7 | 18,126 | 14,070 | +14.8 |
| Dallas (2d, Texas): | | | | | | |
| 1954 | 9,311 | 5,077 | | 31,244 | 23,748 | |
| 1955 | 6,816 | 3,608 | −28.9 | 22,420 | 16,337 | −31.2 |
| 1956 | 6,158 | 3,642 | +.9 | 25,793 | 20,822 | +27.4 |
| 1957 | 8,225 | 4,750 | +30.4 | 30,526 | 22,022 | +5.7 |
| 1958 | 5,530 | 3,225 | −32.1 | 23,620 | 18,221 | −17.2 |
| 1959 | 5,515 | 3,658 | +13.4 | 20,481 | 18,037 | −1.0 |
| Little Rock, Ark.: | | | | | | |
| 1954 | 1,801 | 462 | | 5,431 | 2,315 | |
| 1955 | 1,259 | 319 | −30.9 | 4,182 | 2,108 | −8.9 |
| 1956 | 1,179 | 453 | +41.5 | 4,781 | 2,355 | +11.7 |
| 1957 | 1,209 | 489 | +7.9 | 5,338 | 2,465 | +4.6 |
| 1958 | 975 | 374 | −23.5 | 4,115 | 6,930 | +181.1 |
| 1959 | 1,511 | 437 | +16.8 | 4,481 | 8,849 | +27.5 |
| New Orleans, La.: | | | | | | |
| 1954 | 4,566 | 1,948 | | 19,566 | 17,472 | |
| 1955 | 4,261 | 2,260 | +16.0 | 14,225 | 13,613 | −22.0 |
| 1956 | 4,097 | 2,214 | −2.0 | 15,298 | 11,536 | −15.2 |
| 1957 | 4,300 | 2,489 | +12.4 | 15,851 | 10,182 | −11.7 |
| 1958 | 4,342 | 2,420 | −2.7 | 14,751 | 9,249 | −9.1 |
| 1959 | 3,638 | 1,920 | −20.6 | 12,920 | 6,977 | −24.5 |
| Oklahoma City, Okla.: | | | | | | |
| 1954 | 3,311 | 1,790 | | 9,994 | 9,043 | |
| 1955 | 3,123 | 1,825 | +1.9 | 9,455 | 9,421 | +4.1 |
| 1956 | 3,764 | 2,167 | +18.6 | 12,886 | 8,737 | −7.2 |
| 1957 | 4,998 | 2,239 | +3.3 | 15,637 | 7,629 | −12.6 |
| 1958 | 3,975 | 2,189 | −2.2 | 11,580 | 8,452 | +10.7 |
| 1959 | 3,425 | 1,965 | −10.2 | 9,482 | 11,017 | +30.3 |
| Boise, Idaho: | | | | | | |
| 1954 | 1,050 | 470 | | 3,115 | 2,083 | |
| 1955 | 1,099 | 472 | +.5 | 2,949 | 1,988 | −4.5 |
| 1956 | 860 | 411 | −13.1 | 3,211 | 2,155 | +8.4 |
| 1957 | 842 | 513 | +24.8 | 3,559 | 2,280 | +5.8 |
| 1958 | 760 | 395 | −23.0 | 2,812 | 2,213 | −2.9 |
| 1959 | 791 | 509 | +28.8 | 2,382 | 2,106 | −4.8 |
| Helena, Mont.: | | | | | | |
| 1954 | 1,064 | 436 | | 3,214 | 2,863 | |
| 1955 | 831 | 333 | −23.6 | 2,912 | 2,575 | −10.0 |
| 1956 | 1,035 | 527 | +58.2 | 3,299 | 1,799 | −30.1 |
| 1957 | 1,122 | 624 | +18.4 | 4,136 | 2,047 | +13.7 |
| 1958 | 1,040 | 550 | −11.8 | 3,572 | 2,024 | −1.1 |
| 1959 | 802 | 398 | −27.6 | 2,857 | 1,510 | −25.3 |
| Honolulu, Hawaii: | | | | | | |
| 1954 | 1,338 | 898 | | 4,682 | 4,620 | |
| 1955 | 1,196 | 876 | −2.4 | 3,835 | 4,345 | −5.9 |
| 1956 | 1,047 | 668 | −23.7 | 3,800 | 3,929 | −9.5 |
| 1957 | 1,095 | 772 | +15.5 | 4,101 | 3,297 | −16.0 |
| 1958 | 989 | 606 | −21.5 | 3,448 | 2,887 | −12.4 |
| 1959 | 738 | 543 | −10.3 | 2,092 | 1,606 | −44.3 |
| Los Angeles (6th, California): | | | | | | |
| 1954 | 16,989 | 13,396 | | 86,733 | 88,047 | |
| 1955 | 22,429 | 19,706 | +47.1 | 105,039 | 83,679 | −4.9 |
| 1956 | 17,151 | 16,600 | −15.7 | 92,176 | 68,937 | −17.6 |
| 1957 | 19,853 | 20,762 | +25.0 | 89,014 | 76,679 | +11.2 |
| 1958 | 19,895 | 18,723 | −9.8 | 81,683 | 83,911 | +9.4 |
| 1959 | 15,736 | 16,199 | −13.4 | 58,231 | 60,562 | −27.8 |
| Phoenix, Ariz.: | | | | | | |
| 1954 | 2,158 | 1,384 | | 8,957 | 5,510 | |
| 1955 | 2,059 | 1,327 | −4.1 | 7,023 | 5,057 | −8.2 |
| 1956 | 1,533 | 1,169 | −11.9 | 5,871 | 4,095 | −19.0 |
| 1957 | 2,039 | 1,396 | +19.4 | 6,760 | 4,452 | +8.7 |
| 1958 | 1,961 | 1,288 | −7.7 | 6,218 | 4,276 | −3.9 |
| 1959 | 1,881 | 1,560 | +21.1 | 5,162 | 4,265 | −.2 |
| Portland, Oreg.: | | | | | | |
| 1954 | 4,059 | 2,053 | | 14,799 | 15,351 | |
| 1955 | 3,950 | 2,281 | +11.1 | 11,636 | 12,429 | −19.0 |
| 1956 | 2,767 | 1,934 | −15.2 | 10,300 | 13,215 | +6.3 |
| 1957 | 2,554 | 2,073 | +7.1 | 10,295 | 13,139 | −.5 |
| 1958 | 2,410 | 1,766 | −14.8 | 9,496 | 12,879 | −1.9 |
| 1959 | 2,659 | 1,857 | +5.1 | 9,471 | 10,798 | −16.1 |
| Reno, Nev.: | | | | | | |
| 1954 | 1,455 | 1,480 | | 4,576 | 6,043 | |
| 1955 | 1,195 | 1,470 | −.6 | 3,782 | 6,697 | +10.8 |
| 1956 | 1,038 | 1,574 | +7.0 | 3,545 | 5,995 | −10.4 |
| 1957 | 928 | 1,393 | −11.4 | 3,739 | 6,324 | +5.4 |
| 1958 | 717 | 1,174 | −15.7 | 3,152 | 6,804 | +7.5 |
| 1959 | 715 | 1,143 | −2.6 | 2,665 | 4,965 | −27.0 |
| Salt Lake City, Utah: | | | | | | |
| 1954 | 1,671 | 925 | | 5,554 | 4,649 | |
| 1955 | 1,491 | 809 | −12.5 | 4,668 | 3,560 | −23.4 |

*Delinquent taxes*—Continued

| District and year | Employment tax | | Percent change over previous year | Total taxes | | Percent change over previous year |
|---|---|---|---|---|---|---|
| | Number | Amount (in thousands) | | Number | Amount (in thousands) | |
| Salt Lake City, Utah—Con. | | | | | | |
| 1956 | 1,374 | $778 | −3.8 | 4,505 | $3,771 | +5.9 |
| 1957 | 1,527 | 861 | +10.6 | 4,878 | 3,906 | +3.5 |
| 1958 | 1,344 | 807 | −6.2 | 4,572 | 4,084 | +4.5 |
| 1959 | 1,137 | 741 | −8.1 | 3,929 | 3,605 | −11.7 |
| San Francisco (1st, California): | | | | | | |
| 1954 | 17,616 | 10,597 | | 85,750 | 66,858 | |
| 1955 | 17,509 | 11,951 | +12.7 | 73,245 | 88,983 | +33.0 |
| 1956 | 11,473 | 9,214 | −22.9 | 61,138 | 77,550 | −12.8 |
| 1957 | 12,797 | 10,119 | +9.8 | 60,441 | 74,781 | −3.5 |
| 1958 | 12,169 | 9,562 | −5.5 | 50,947 | 63,834 | −14.6 |
| 1959 | 8,360 | 7,103 | −25.7 | 37,997 | 56,626 | −11.2 |
| Seattle, Wash.: | | | | | | |
| 1954 | 5,932 | 4,324 | | 27,707 | 19,804 | |
| 1955 | 6,417 | 5,409 | +25.0 | 22,634 | 18,285 | −7.6 |
| 1956 | 5,937 | 5,687 | +5.1 | 20,852 | 16,441 | −10.0 |
| Seattle, Wash.—Con. | | | | | | |
| 1957 | 5,715 | $4,786 | −15.8 | 20,940 | $15,890 | −3.3 |
| 1958 | 5,238 | 3,935 | −17.7 | 18,424 | 13,462 | −15.2 |
| 1959 | 4,315 | 3,246 | −17.5 | 14,446 | 10,886 | −19.1 |
| Puerto Rico: | | | | | | |
| 1954 | 1,530 | 147 | | 2,020 | 273 | |
| 1955 | 1,853 | 252 | +71.4 | 3,249 | 622 | +127.8 |
| 1956 [1] | 1,307 | 296 | +17.4 | 2,509 | 624 | +.3 |
| 1957 [1] | 1,755 | 375 | +26.6 | 2,674 | 721 | +15.5 |
| 1958 [1] | 1,612 | 290 | −22.6 | 2,451 | 593 | −17.7 |
| 1959 [1] | 1,129 | 260 | −10.3 | 1,682 | 393 | −33.7 |
| International operations: | | | | | | |
| 1956 | 1,504 | 442 | | 14,321 | 17,328 | |
| 1957 | 1,884 | 444 | +.4 | 14,046 | 17,443 | +.6 |
| 1958 [2] | 1,867 | 410 | −7.6 | 10,088 | 14,823 | +139.7 |
| 1959 | 1,557 | 435 | +6.0 | 21,568 | 35,925 | −14.1 |

[1] Puerto Rico figures included in international operations.

[2] Result of district offices' transferring to this division delinquent accounts of taxpayers known to be abroad and out of reach.

*Totals*

| Year | Employment tax | | Percent increase or decrease over preceding year | Total taxes | | Percent increase or decrease over preceding year |
|---|---|---|---|---|---|---|
| | Number | Amount | | Number | Amount | |
| | | *Thousands* | | | *Thousands* | |
| 1954 | 390,398 | $254,062 | | 1,725,474 | $1,614,494 | |
| 1955 | 399,269 | 284,803 | +12.0 | 1,596,615 | 1,646,383 | +1.9 |
| 1956 | 356,748 | 279,183 | −1.9 | 1,560,685 | 1,619,629 | −1.6 |
| 1957 | 377,253 | $300,678 | +7.6 | 1,554,876 | $1,504,709 | −7.0 |
| 1958 | 329,457 | 263,186 | −12.4 | 1,280,642 | 1,375,737 | −8.5 |
| 1959 | 256,287 | 216,439 | −17.7 | 949,146 | 1,071,016 | −22.1 |

*Inventory of taxpayer delinquent accounts: December 1959 and 1958*

| Region and district | Tax groups [1] | | | | | | | | | | | | | | | | Inactive | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Income | | | | Employment | | | | Other | | | | Total | | | | | | | |
| | Number | | Amount (thousand dollars) | | Number | | Amount (thousand dollars) | | Number | | Amount (thousand dollars) | | Number | | Amount (thousand dollars) | | Number | | Amount (thousand dollars) | |
| | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 |
| National total | 650,278 | 898,232 | 758,873 | 1,005,270 | 256,287 | 329,457 | 216,439 | 263,186 | 42,581 | 52,953 | 95,703 | 107,280 | 949,146 | 1,280,642 | 1,071,016 | 1,375,737 | 95,291 | 158,505 | 395,426 | 507,228 |
| Atlanta | 60,823 | 78,113 | 57,913 | 69,536 | 26,132 | 31,264 | 16,106 | 18,274 | 6,579 | 6,511 | 9,596 | 13,212 | 93,534 | 115,888 | 83,616 | 101,022 | 9,133 | 11,693 | 34,619 | 41,929 |
| Boston | 40,818 | 51,316 | 35,042 | 36,952 | 16,455 | 19,159 | 14,522 | 15,437 | 1,978 | 2,752 | 3,287 | 3,040 | 59,251 | 73,227 | 52,851 | 55,418 | 6,600 | 7,884 | 20,577 | 22,684 |
| Chicago | 91,943 | 159,966 | 100,546 | 143,220 | 39,397 | 50,324 | 33,903 | 41,528 | 5,807 | 7,360 | 12,357 | 18,408 | 137,147 | 217,650 | 146,807 | 203,155 | 27,781 | 60,109 | 51,768 | 91,143 |
| Cincinnati | 51,967 | 83,411 | 53,104 | 69,532 | 18,690 | 21,971 | 12,390 | 13,939 | 4,052 | 4,332 | 11,526 | 10,382 | 74,709 | 109,714 | 77,020 | 93,854 | 5,531 | 11,835 | 33,258 | 45,803 |
| Dallas | 46,731 | 54,630 | 43,613 | 40,797 | 19,506 | 21,344 | 11,514 | 12,081 | 3,829 | 3,614 | 6,737 | 5,453 | 70,066 | 79,588 | 61,864 | 58,331 | 5,459 | 6,981 | 27,227 | 23,395 |
| New York City | 122,202 | 178,824 | 207,565 | 315,809 | 60,220 | 83,089 | 60,431 | 75,873 | 6,529 | 10,721 | 23,686 | 23,141 | 188,951 | 272,634 | 291,684 | 414,823 | 12,514 | 19,539 | 72,348 | 107,18 |
| Omaha | 29,048 | 43,535 | 33,630 | 40,764 | 12,494 | 18,922 | 7,870 | 9,836 | 2,813 | 3,596 | 4,016 | 5,337 | 44,355 | 66,053 | 45,515 | 55,938 | 5,330 | 8,645 | 19,790 | 28,018 |
| Philadelphia | 91,025 | 109,989 | 78,254 | 101,299 | 24,702 | 34,994 | 25,967 | 37,010 | 4,606 | 6,493 | 14,583 | 16,689 | 120,333 | 151,476 | 118,805 | 154,999 | 7,420 | 12,438 | 48,682 | 64,163 |
| San Francisco | 95,867 | 130,354 | 114,144 | 146,459 | 37,134 | 46,523 | 33,299 | 38,807 | 6,231 | 7,447 | 9,487 | 11,106 | 139,232 | 184,324 | 156,929 | 196,373 | 15,040 | 19,061 | 74,136 | 82,603 |
| Atlanta region: | | | | | | | | | | | | | | | | | | | | |
| Atlanta | 11,036 | 16,578 | 6,898 | 9,696 | 4,506 | 5,981 | 2,101 | 3,948 | 1,012 | 1,316 | 1,764 | 1,744 | 16,554 | 23,875 | 10,763 | 15,388 | 1,471 | 2,219 | 4,591 | 6,778 |
| Birmingham | 8,958 | 9,529 | 12,619 | 10,130 | 2,489 | 3,653 | 1,461 | 1,735 | 741 | 948 | 874 | 5,201 | 12,188 | 14,130 | 14,954 | 17,066 | 1,497 | 1,948 | 8,430 | 10,865 |
| Columbia | 4,817 | 8,056 | 1,784 | 3,032 | 1,697 | 2,773 | 1,011 | 1,064 | 627 | 744 | 286 | 375 | 7,141 | 11,573 | 3,082 | 4,471 | 420 | 805 | 745 | 1,118 |
| Greensboro | 10,287 | 10,576 | 7,932 | 10,631 | 4,078 | 4,186 | 1,441 | 1,359 | 1,398 | 944 | 1,008 | 727 | 15,763 | 15,706 | 10,381 | 12,716 | 1,212 | 1,492 | 4,380 | 7,132 |
| Jackson | 3,115 | 3,845 | 2,024 | 1,345 | 1,505 | 1,774 | 614 | 852 | 545 | 380 | 266 | 214 | 5,165 | 5,999 | 2,903 | 2,411 | 449 | 569 | 665 | 824 |
| Jacksonville | 16,385 | 22,038 | 21,889 | 27,469 | 9,947 | 10,375 | 8,608 | 8,029 | 1,448 | 1,525 | 3,870 | 4,417 | 27,780 | 33,938 | 34,367 | 39,915 | 3,346 | 3,351 | 13,762 | 11,796 |
| Nashville | 6,225 | 7,491 | 4,768 | 7,233 | 1,910 | 2,522 | 870 | 1,287 | 808 | 654 | 1,528 | 533 | 8,943 | 10,667 | 7,166 | 9,053 | 738 | 1,309 | 2,045 | 3,417 |
| Boston region: | | | | | | | | | | | | | | | | | | | | |
| Augusta | 1,990 | 2,539 | 2,958 | 915 | 889 | 1,176 | 815 | 588 | 113 | 271 | 69 | 66 | 2,992 | 3,986 | 3,842 | 1,569 | 311 | 521 | 772 | 458 |
| Boston | 21,102 | 24,426 | 20,628 | 23,950 | 8,837 | 9,372 | 8,586 | 8,456 | 1,013 | 1,194 | 2,388 | 1,701 | 30,952 | 34,992 | 31,601 | 34,107 | 3,347 | 3,989 | 11,728 | 15,567 |
| Burlington | 1,144 | 1,516 | 477 | 516 | 373 | 762 | 200 | 322 | 84 | 236 | 45 | 171 | 1,601 | 2,514 | 722 | 1,009 | 134 | 195 | 224 | 306 |
| Hartford | 11,704 | 16,643 | 9,097 | 9,219 | 3,885 | 4,836 | 3,413 | 4,370 | 560 | 643 | 568 | 813 | 16,149 | 22,122 | 13,077 | 14,402 | 1,769 | 1,925 | 6,458 | 4,848 |
| Portsmouth | 1,445 | 1,897 | 364 | 499 | 511 | 779 | 266 | 307 | 50 | 109 | 114 | 105 | 2,006 | 2,785 | 744 | 911 | 292 | 382 | 380 | 335 |
| Providence | 3,433 | 4,295 | 1,518 | 1,853 | 1,960 | 2,234 | 1,243 | 1,383 | 158 | 299 | 103 | 186 | 5,551 | 6,828 | 2,864 | 3,421 | 747 | 872 | 1,015 | 1,170 |
| Chicago region: | | | | | | | | | | | | | | | | | | | | |
| Chicago | 53,613 | 92,515 | 58,210 | 84,047 | 20,410 | 25,352 | 17,580 | 22,996 | 2,574 | 4,205 | 7,836 | 13,280 | 76,597 | 122,072 | 83,625 | 120,323 | 18,843 | 46,508 | 30,004 | 56,006 |
| Detroit | 29,312 | 55,011 | 30,280 | 45,355 | 14,465 | 18,337 | 13,259 | 14,121 | 2,156 | 2,095 | 2,991 | 2,812 | 45,933 | 75,443 | 46,530 | 62,288 | 5,551 | 8,441 | 15,631 | 26,185 |
| Milwaukee | 5,533 | 6,910 | 8,179 | 9,442 | 3,090 | 4,608 | 2,180 | 3,033 | 516 | 547 | 534 | 942 | 9,139 | 12,065 | 10,893 | 13,418 | 2,238 | 3,431 | 4,046 | 6,732 |
| Springfield | 3,485 | 5,530 | 3,877 | 4,376 | 1,432 | 2,027 | 885 | 1,378 | 561 | 513 | 997 | 1,373 | 5,478 | 8,070 | 5,759 | 7,126 | 1,149 | 1,729 | 2,086 | 2,220 |
| Cincinnati region: | | | | | | | | | | | | | | | | | | | | |
| Cincinnati | 6,569 | 13,440 | 3,226 | 6,573 | 1,886 | 2,764 | 1,273 | 1,529 | 197 | 335 | 2,417 | 1,579 | 8,652 | 16,539 | 6,916 | 9,681 | 423 | 1,187 | 2,775 | 4,404 |
| Cleveland | 10,526 | 19,412 | 17,308 | 23,435 | 4,777 | 5,951 | 3,021 | 3,794 | 988 | 843 | 865 | 1,847 | 16,291 | 26,206 | 21,195 | 29,076 | 712 | 2,380 | 7,095 | 9,807 |
| Columbus | 5,796 | 10,892 | 5,154 | 8,575 | 904 | 1,714 | 681 | 1,087 | 217 | 310 | 597 | 582 | 6,917 | 12,916 | 6,433 | 10,244 | 364 | 842 | 3,114 | 5,747 |
| Indianapolis | 6,425 | 11,010 | 7,567 | 10,548 | 2,889 | 3,594 | 2,376 | 2,907 | 850 | 907 | 3,128 | 2,942 | 10,164 | 15,511 | 13,072 | 16,397 | 1,628 | 2,249 | 7,599 | 10,591 |
| Louisville | 4,660 | 6,324 | 4,616 | 5,413 | 1,981 | 1,696 | 1,034 | 1,117 | 822 | 705 | 3,032 | 1,848 | 7,463 | 8,725 | 8,682 | 8,378 | 658 | 2,333 | 3,129 | 5,878 |
| Parkersburg | 3,369 | 5,597 | 2,881 | 3,930 | 1,518 | 1,769 | 997 | 1,077 | 356 | 428 | 422 | 366 | 5,243 | 7,794 | 4,299 | 5,372 | 448 | 843 | 1,595 | 2,514 |
| Richmond | 10,773 | 11,456 | 8,952 | 9,482 | 3,339 | 3,502 | 2,235 | 1,929 | 441 | 616 | 740 | 921 | 14,553 | 15,574 | 11,927 | 12,333 | 1,049 | 1,491 | 5,792 | 6,266 |
| Toledo | 3,849 | 5,280 | 3,399 | 1,577 | 1,396 | 981 | 772 | 500 | 181 | 188 | 323 | 297 | 5,426 | 6,449 | 4,495 | 2,373 | 249 | 510 | 2,159 | 597 |

See footnote at end of table.

*Inventory of taxpayer delinquent accounts: December 1959 and 1958*—Continued

| Region and district | Tax groups[1] | | | | | | | | | | | | | | | | Inactive | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Income | | | | Employment | | | | Other | | | | Total | | | | | | | |
| | Number | | Amount (thousand dollars) | | Number | | Amount (thousand dollars) | | Number | | Amount (thousand dollars) | | Number | | Amount (thousand dollars) | | Number | | Amount (thousand dollars) | |
| | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 | 1959 | 1958 |
| Dallas region: | | | | | | | | | | | | | | | | | | | | |
| Albuquerque | 2,658 | 3,756 | 1,619 | 2,037 | 1,717 | 2,077 | 1,095 | 1,075 | 201 | 252 | 201 | 120 | 4,576 | 6,085 | 2,915 | 3,233 | 351 | 698 | 528 | 710 |
| Austin | 13,757 | 14,368 | 10,506 | 8,157 | 3,700 | 4,445 | 2,439 | 2,797 | 669 | 624 | 1,125 | 1,292 | 18,126 | 19,437 | 14,070 | 12,246 | 1,021 | 1,568 | 6,028 | 4,019 |
| Dallas | 13,750 | 17,123 | 10,796 | 12,841 | 5,515 | 5,530 | 3,658 | 3,225 | 1,216 | 967 | 3,582 | 2,155 | 20,481 | 23,620 | 18,037 | 18,221 | 1,369 | 1,546 | 3,853 | 7,187 |
| Little Rock | 2,619 | 2,876 | 8,204 | 6,293 | 1,511 | 975 | 437 | 374 | 351 | 264 | 208 | 262 | 4,481 | 4,115 | 8,849 | 6,930 | 628 | 814 | 7,608 | 5,580 |
| New Orleans | 8,468 | 9,876 | 4,091 | 5,884 | 3,638 | 4,432 | 1,920 | 2,420 | 814 | 533 | 966 | 945 | 12,920 | 14,751 | 6,977 | 9,249 | 1,048 | 946 | 2,768 | 2,738 |
| Oklahoma City | 5,479 | 6,631 | 8,397 | 5,584 | 3,425 | 3,975 | 1,965 | 2,189 | 578 | 974 | 655 | 679 | 9,482 | 11,580 | 11,017 | 8,452 | 1,042 | 1,409 | 6,443 | 3,162 |
| New York City region: | | | | | | | | | | | | | | | | | | | | |
| Albany | 5,882 | 8,629 | 5,588 | 5,018 | 3,014 | 4,177 | 2,074 | 3,200 | 337 | 607 | 734 | 770 | 9,233 | 13,413 | 8,397 | 9,899 | 871 | 1,278 | 3,164 | 3,162 |
| Brooklyn | 37,955 | 51,836 | 47,834 | 64,425 | 22,196 | 28,275 | 18,637 | 21,773 | 2,025 | 3,062 | 8,990 | 4,578 | 62,176 | 83,173 | 75,461 | 90,776 | 3,908 | 5,502 | 9,014 | 11,176 |
| Buffalo | 6,988 | 12,400 | 4,503 | 5,642 | 3,128 | 4,031 | 2,508 | 2,969 | 539 | 590 | 950 | 1,553 | 10,655 | 17,021 | 7,961 | 10,174 | 821 | 1,164 | 1,561 | 3,203 |
| Lower Manhattan | 10,047 | 15,146 | 56,726 | 97,304 | 10,081 | 13,497 | 13,867 | 13,689 | 852 | 1,917 | 3,353 | 6,298 | 20,980 | 30,560 | 73,946 | 117,290 | 3,021 | 4,529 | 28,480 | 47,417 |
| Syracuse | 4,766 | 8,388 | 3,135 | 2,804 | 2,185 | 2,974 | 1,841 | 2,044 | 336 | 497 | 574 | 567 | 7,287 | 11,859 | 5,550 | 5,415 | 786 | 1,372 | 2,032 | 2,064 |
| Upper Manhattan | 56,564 | 82,425 | 89,780 | 140,615 | 19,616 | 30,135 | 21,505 | 32,199 | 2,440 | 4,048 | 9,085 | 9,367 | 78,620 | 116,608 | 120,370 | 182,180 | 3,107 | 5,694 | 29,098 | 40,159 |
| Omaha region: | | | | | | | | | | | | | | | | | | | | |
| Aberdeen | 982 | 1,215 | 516 | 662 | 439 | 515 | 137 | 209 | 55 | 135 | 24 | 99 | 1,476 | 1,865 | 676 | 971 | 48 | 155 | 228 | 452 |
| Cheyenne | 1,067 | 1,507 | 823 | 932 | 354 | 616 | 182 | 264 | 59 | 182 | 49 | 130 | 1,480 | 2,305 | 1,053 | 1,326 | 112 | 218 | 155 | 221 |
| Denver | 5,155 | 7,579 | 3,287 | 5,815 | 1,806 | 2,917 | 1,042 | 1,586 | 378 | 450 | 467 | 537 | 7,339 | 10,945 | 4,795 | 7,938 | 991 | 970 | 1,866 | 3,426 |
| Des Moines | 2,398 | 2,822 | 3,754 | 3,218 | 1,217 | 1,730 | 683 | 850 | 380 | 549 | 529 | 497 | 3,995 | 5,101 | 4,965 | 4,564 | 420 | 870 | 1,279 | 2,278 |
| Fargo | 986 | 1,468 | 696 | 934 | 397 | 729 | 255 | 307 | 47 | 123 | 50 | 102 | 1,430 | 2,320 | 1,001 | 1,342 | 110 | 115 | 222 | 404 |
| Kansas City | 3,935 | 6,660 | 6,312 | 6,108 | 1,754 | 2,882 | 1,414 | 1,454 | 213 | 347 | 571 | 1,258 | 5,902 | 9,889 | 82,98 | 8,820 | 882 | 1,018 | 3,775 | 3,720 |
| Omaha | 1,154 | 1,462 | 1,329 | 2,046 | 512 | 601 | 267 | 267 | 98 | 171 | 88 | 457 | 1,764 | 2,234 | 1,684 | 2,770 | 140 | 409 | 1,031 | 1,385 |
| St. Louis | 5,630 | 9,579 | 4,546 | 7,329 | 1,824 | 2,665 | 846 | 1,302 | 422 | 631 | 775 | 817 | 7,876 | 12,875 | 6,167 | 9,447 | 423 | 1,551 | 2,582 | 4,336 |
| St. Paul | 4,285 | 6,859 | 7,647 | 8,477 | 2,376 | 3,969 | 1,951 | 2,494 | 820 | 646 | 1,046 | 1,168 | 7,481 | 11,474 | 10,644 | 12,139 | 1,278 | 2,143 | 5,169 | 7,426 |
| Wichita | 3,456 | 4,384 | 4,720 | 5,243 | 1,815 | 2,298 | 1,094 | 1,104 | 341 | 362 | 418 | 274 | 5,612 | 7,044 | 6,232 | 6,621 | 926 | 1,196 | 3,482 | 4,370 |
| Philadelphia region: | | | | | | | | | | | | | | | | | | | | |
| Baltimore | 24,578 | 25,302 | 12,626 | 19,778 | 3,560 | 5,965 | 2,739 | 4,010 | 928 | 1,202 | 1,768 | 1,916 | 29,066 | 32,469 | 17,133 | 25,705 | 1,093 | 1,549 | 6,542 | 9,704 |
| Camden | 7,553 | 10,730 | 5,712 | 9,805 | 2,700 | 4,379 | 1,984 | 4,194 | 595 | 1,078 | 884 | 1,040 | 10,848 | 16,187 | 8,580 | 15,040 | 426 | 981 | 714 | 1,479 |
| Newark | 21,077 | 23,649 | 24,193 | 28,056 | 8,169 | 10,929 | 10,160 | 13,291 | 1,213 | 1,470 | 4,174 | 3,478 | 30,459 | 36,048 | 38,527 | 44,825 | 2,378 | 3,383 | 13,678 | 17,754 |
| Philadelphia | 15,790 | 22,830 | 21,109 | 25,432 | 4,387 | 5,816 | 6,274 | 8,944 | 957 | 1,206 | 6,821 | 8,187 | 21,134 | 29,852 | 34,203 | 42,563 | 1,964 | 3,527 | 19,883 | 24,609 |
| Pittsburgh | 15,919 | 20,862 | 8,481 | 11,795 | 3,998 | 5,976 | 3,206 | 4,569 | 577 | 983 | 700 | 1,011 | 20,494 | 27,821 | 12,386 | 17,374 | 920 | 2,003 | 3,331 | 5,364 |
| Scranton | 3,103 | 3,313 | 4,388 | 4,389 | 1,563 | 1,598 | 1,421 | 1,655 | 231 | 482 | 123 | 153 | 4,897 | 5,393 | 5,931 | 6,196 | 494 | 743 | 3,205 | 3,068 |
| Wilmington | 3,005 | 3,303 | 1,746 | 2,045 | 325 | 331 | 184 | 347 | 105 | 72 | 113 | 904 | 3,435 | 3,706 | 2,043 | 3,296 | 145 | 252 | 1,329 | 2,185 |
| San Francisco region: | | | | | | | | | | | | | | | | | | | | |
| Boise | 1,470 | 1,812 | 1,523 | 1,552 | 791 | 760 | 509 | 395 | 121 | 240 | 74 | 266 | 2,382 | 2,812 | 2,106 | 2,213 | 359 | 390 | 1,280 | 1,273 |
| Helena | 1,907 | 2,318 | 907 | 1,228 | 802 | 1,040 | 398 | 550 | 148 | 214 | 205 | 246 | 2,857 | 3,572 | 1,510 | 2,024 | 170 | 269 | 312 | 269 |
| Honolulu | 1,255 | 2,330 | 896 | 1,961 | 738 | 989 | 543 | 606 | 99 | 129 | 167 | 320 | 2,092 | 3,448 | 1,606 | 2,887 | 232 | 468 | 422 | 1,361 |
| Los Angeles | 40,938 | 59,388 | 41,827 | 60,510 | 15,736 | 19,895 | 16,199 | 18,723 | 1,557 | 2,400 | 2,537 | 4,678 | 58,231 | 81,683 | 60,562 | 83,911 | 6,785 | 9,195 | 22,490 | 25,040 |
| Phoenix | 3,136 | 4,070 | 2,347 | 2,721 | 1,881 | 1,961 | 1,560 | 1,288 | 145 | 187 | 359 | 267 | 5,162 | 6,218 | 4,265 | 4,276 | 441 | 485 | 773 | 812 |
| Portland | 6,337 | 6,542 | 8,523 | 10,756 | 2,659 | 2,410 | 1,857 | 1,766 | 475 | 544 | 418 | 356 | 9,471 | 9,496 | 10,798 | 12,879 | 1,103 | 1,383 | 3,593 | 3,478 |
| Reno | 1,802 | 2,258 | 3,398 | 5,124 | 715 | 717 | 1,143 | 1,174 | 148 | 177 | 423 | 506 | 2,665 | 3,152 | 4,965 | 6,804 | 244 | 349 | 2,879 | 3,767 |
| Salt Lake City | 2,588 | 3,025 | 2,746 | 3,134 | 1,137 | 1,344 | 741 | 807 | 204 | 203 | 117 | 142 | 3,929 | 4,572 | 3,605 | 4,084 | 349 | 520 | 1,722 | 1,772 |
| San Francisco | 27,223 | 36,143 | 45,624 | 51,157 | 8,360 | 12,169 | 7,103 | 9,562 | 2,414 | 2,635 | 3,899 | 3,115 | 37,997 | 50,947 | 56,626 | 63,834 | 4,179 | 4,231 | 37,782 | 40,188 |
| Seattle | 9,211 | 12,468 | 6,352 | 8,317 | 4,315 | 5,238 | 3,246 | 3,935 | 920 | 718 | 1,288 | 1,209 | 14,446 | 18,424 | 10,886 | 13,462 | 1,178 | 1,771 | 2,883 | 4,642 |
| International operations division | 19,854 | 8,094 | 35,062 | 40,903 | 1,557 | 1,867 | 435 | 410 | 157 | 127 | 428 | 510 | 21,568 | 10,088 | 35,925 | 41,823 | 483 | 320 | 13,022 | 310 |
| Puerto Rico | 549 | 835 | 102 | 283 | 1,129 | 1,612 | 260 | 290 | 4 | 4 | 31 | 21 | 1,682 | 2,451 | 393 | 593 | 219 | 320 | 122 | 310 |
| All other | 19,305 | 7,259 | 34,960 | 40,620 | 428 | 255 | 175 | 120 | 153 | 123 | 397 | 489 | 19,886 | 7,637 | 35,532 | 41,230 | 264 | ------- | 12,901 | ------- |

[1] The number and dollar value of inactive accounts, shown separately in the columns to the right, are included in these tabulations.

NOTE.—Owing to rounding, components do not always add to totals.

## ADMINISTRATION'S SCIENTIFIC ADVISER SEES LATEST RUSSIAN PROPOSAL SUITABLE BASIS FOR TEST BAN

Mr. PROXMIRE. Mr. President, the Noel-Baker prediction of a 50–50 chance for the world to go more than 10 years without nuclear suicide relates most immediately to the Geneva Conference.

Dr. Hans Bethe, of Cornell University, has been a principal scientific adviser to the administration on the technical provisions of a test ban agreement.

Last Wednesday he made an extremely lucid analysis of just why this latest Russian proposal moves this explosive world immeasurably closer to a treaty that may end nuclear testing. I have previously referred to a part of this statement in my colloquy with the Senator from Tennessee [Mr. GORE] on precisely how meaningful was this latest Russian proposal on ending nuclear testing. I ask unanimous consent that the Bethe statement be printed at this point in the RECORD.

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

STATEMENT OF DR. HANS BETHE, CORNELL UNIVERSITY, MARCH 23, 1960

The latest Russian proposal made last Saturday at Geneva is a major step forward in the negotiation for cessation of nuclear weapons tests. Provided the details can be satisfactorily cleared up it seems to me a suitable basis for a treaty.

The Russian proposal accepts all the points of the latest American proposal for a limited tests ban. It adds to the American proposal only one important point, namely, that there should be a moratorium on small underground tests while the scientists of the nuclear powers do research on better methods for the detection of underground explosion.

In making the proposal the Russians have made several major concessions: (1) They accept the idea of a limited ban whereas previously they had insisted on a complete ban on all weapons tests. (2) They admit implicitly that the detection system devised by the experts conference in the summer of 1958 was inadequate to monitor small underground explosions. Whereas at the technical conferences in November and December 1959, they had refused to admit this inadequacy. (3) They have made a concession to the U.S. position that a permanent treaty should include only agreements which can be monitored. (4) In proposing the moratorium rather than a permanent ban on small underground tests, they accept the idea that part of the treaty can be limited in time, a concept which they have previously vigorously opposed. (5) They accepted the U.S. proposal to conduct joint rather than national research into improved methods of seismic.

Ultimately, the tests cessation agreement will be satisfactory only if complete, fully monitored, permanent, and worldwide. This is not achievable at present because of the deficiencies in our seismic observation techniques. The Berkner panel, in its report of a year ago, has expressed confidence that research will improve the situation. However, it is necessary that both sides have strong incentives to work on this research and to incorporate its results in the system.

In this respect, the Russian proposal seems to be very well balanced. If we concluded now a complete agreement banning all tests, the Russians might not have much incentive to improve the detection system with a time limited moratorium on small tests. However, it would be very much in their inter-

ests to improve the methods of detecting small tests and quickly if possible, less the moratorium expire. Conversely if the ban were limited to large explosions without any moratorium on small ones than the United States might no have much incentive to change this status quo. The moratorium would provide such an incentive because it is very much to our interest to make the duration of the unmonitored moratorium as short as possible. Just as we want to have an assurance that the Russians would want to improve the system, they need an assurance that we will have the same desire. There is no better assurance than to see a clear incentive for the other part to work to the common goal.

No international agreement can be entirely foolproof, it must always be partially based on faith in the other parties good intentions. The only thing that technical methods of inspections can do is to reduce the area in which one needs to rely on good faith. This is accomplished by the present Russian compromise proposal; the area of faith is reduced in scope to small, underground explosions, and in time to a few years.

This seems to me an entirely acceptable risk. The Russians have shown that they are just as anxious as we are to reach a workable agreement satisfactory to both sides. And even in the unlikely case that they should violate the moratorium would this be so catastrophic? We have already a large variety of nuclear weapons of low yields and small sides. The Russians are probably substantially behind us in this area. Underground tests require considerable time of preparation especially in a country that has never carried out such a test and even more if they have to be done in secret and in violation of a treaty. It seems to me very unlikely that within the limited duration of the moratorium the Russians would shift the balance of military power even in the restricted area of small nuclear weapons.

The Berkner report of March 1959 states that great improvements in seismic detection can be expected with about 3 years of intensive research. There is considerable hope that such research, especially if coupled with the installation of unmanned seismic station, in a closer net, will make possible the detection of small nuclear explosions and also of medium-sized muffled explosions of the type now being carried out with conventional explosives by the AEC in Louisiana.

Obviously the U.S. will have to seek further clarification of the Russian proposal. In particular we must be assured that the Russians will permit an adequate number of onsite inspections, and liberal criteria for initiating them. Furthermore, the duration of the moratorium will have to be negotiated. But if these and other details can be satisfactorily cleared up the Russian proposal seems to me to give a good basis for an agreement of test cessation at rather small risk. The risk in the continued and intensified arms race are immeasurably greater.

## LAW CAN HELP IMPROVE ETHICAL CONDUCT OF PUBLIC OFFICIALS

Mr. PROXMIRE. Mr. President, the Washington Evening Star on March 23, 1960, published a column entitled "Honesty Not Induced by Laws," in which William S. White stated his belief that the ethical standard of conduct of Government officials cannot be raised by passing laws. On March 28 the Star published a letter which I wrote in answer to Mr. White's column.

Aristotle believed that "good laws make good men," and while I would not argue that we should attempt by law to reform the morals of every citizen, I believe that just as we regulate the conduct of private individuals by the criminal code, we can and should impose a code of conduct on Government officials explicitly proscribing conduct inimical to the public interest. Wisconsin has done this by a statute which has proved very workable. I intend to introduce a bill to this effect at a later date, but I wanted to place my answer to Mr. White on the record at this time.

I ask unanimous consent that the column by Mr. White and my reply be printed at this point in the RECORD.

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

[From the Washington Evening Star, Mar. 23, 1960]

HONESTY NOT INDUCED BY LAWS—CODES OF BEHAVIOR FOR PUBLIC OFFICIALS DESCRIBED AS LIKELY TO BE FUTILE

(By William S. White)

All kinds of bad behavior, ranging from television scandals to the intermittent international nastiness of Nikita Khrushchev, have produced hopeful proposals for improving what rather grandly is called public ethics.

The reformers' purpose is to guarantee men's goodness by new "codes" or by having them sign papers announcing their honesty and decency.

This correspondent has news for the promoters of this kind of ethics. It is news based upon long experience in watching public affairs. Their reforms will come to worse than nothing. The only result will be to increase hypocrisy. For the notion that honesty in Government—or in television or college exams or selling real estate—can be assured by new formulas is as silly as it is well intentioned.

If a public man is honest, he is honest. He will be no more honest if he adopts somebody else's handmade "code" or even if he consents to wear on his lapel a large celluloid button reading "I am an honest man—absolutely." There are, after all, certain codes to live by that are far older and more authoritative than some Senator's private creation. One is called the Ten Commandments.

And if a public man is dishonest, it is simply because he is a crook at heart. It is not because he has neglected his lessons in ethics from reformist Senators or club ladies. All shortcuts to making public men honest are absolutely useless.

And they spring from confusion. For illustration, Senator WILLIAM PROXMIRE, of Wisconsin, has recommended that it be made a crime for a lobbyist to give a lawmaker a cigar or a drink of whisky. Examining the thing, what is its reality? First, if any lawmaker is so cheaply corrupt that two ounces of bourbon will buy his vote, no new code could possibly make a good man of him. There is one remedy and one only: Let the voters get rid of him.

Second, nearly everybody interested in Government is a lobbyist at one time or another in the sense that he wants to see some bill passed or defeated. If, therefore, it be a crime to hand a Senator a cigar, would not a cigarette be evil, too—or for that matter even a civil "good morning"? Such a salutation might well be designed to influence the Senator's thinking.

Moreover, the reformist craze invariably gets out of hand. The new chairman of the Federal Communications Commission, Frederick W. Ford, already has had to issue cautions. Cleaning up anything that really is wrong with this supervisory agency over TV is fine. But to put upon the commissioners such restrictions as to shut them off from all real contact with the men of the industry would be absurd.

For, as Mr. Ford has pointed out to Congress, unless a regulator can mix with those he is supposed to regulate he simply can't have a clue as to what they are up to at any given time.

And as to international ethics, the British—whose sense of humor is usually more active—have now solemnly decided to approach Mr. Khrushchev with a new code. They will ask him to adopt an agreed pattern for international behavior.

The complaint is that Mr. K. now and then departs from the spirit of international good will by saying bad things about the West. But would it mean anything at all, if he took some pledge? If he really wants an East-West settlement he will guard his tongue, on the whole. If he doesn't want one, 10,000 signed pledges not to utter upsetting words wouldn't be worth one Khrushchev kopek.

Finally, there is this: Many years of watching politicians at close hand have convinced this columnist that, speaking generally, the more a public man shouts about his ethics the more reason that is to keep a sharp eye on his actual performance.

---

[From the Washington Star, Mar. 28, 1960]

A LAW TO KEEP PUBLIC SERVANTS' HANDS CLEAN?

In Bill White's provocative March 23 column, entitled "Honesty Not Induced by Laws," he decries my recent proposal for a "we-mean-business ethics law."

Mr. White, a perceptive and competent newspaperman with great experience, derides my suggestion that, as he writes, we "make it a crime for a lobbyist to give a lawmaker a cigar or a drink of whisky."

I suggest that Mr. White overlooks these facts:

1. This proposal is firmly based on a Wisconsin statute that has been on the books for more than 2 years. Wisconsin newspapermen, lobbyists and public officials agree that it works very well. It works without cramping the understanding or performance of legislators or public officials. There is none of the wining, dining, and vicarious entertaining by lobbyists of legislators or public officials in Wisconsin. At the same time they are not, as Mr. White avers, cut off from the industry which they regulate or for which they legislate. They are not cloistered. They associate freely and regularly. They just pick up their own checks.

Before this law was passed in 1957, there was more than $50,000 per 6-month legislative year reported to the Wisconsin Secretary of State for liquor and food paid for by lobbyists for the benefit of legislators.

The disclosure statute that preceded the present law followed a situation in Wisconsin many, many years ago—when, as Lincoln Steffens reported, State legislatures were considered the "bawdy houses" of government in America, and Wisconsin was typical.

A little inquiry around the country would have further convinced Mr. White that generally most competent observers agree that too many State governments are still bawdy houses.

2. Two former Wisconsin public officials—John Doerfer, the former Chairman of the FCC, and James Durfee, the present Chairman of the CAB—both have accepted hospitality from persons subject to their regulation—since they came to Washington.

Both previously served as chairman of the Wisconsin Public Service Commission. Both discharged this responsibility in Wisconsin under Wisconsin law without engaging in any of the hospitality which has been criticized in Washington. These were the same men. Only the law had been changed.

3. Bill White's argument that you can't legislate honesty conveniently overlooks the obvious fact that most of the criminal statutes of this country and the 50 States are based on legislation against specific acts of dishonesty that cause injury to the public interest. Only the most naive and starry-eyed devotees of perfection in human nature would join White in the argument that legislation outlawing acts of bribery and fraud can be repealed without suffering an increase in bribery and fraud. In my book the purchase of legislative advantage by buying things of value for the legislator is bribery.

4. Let White answer how lobbyists can charge their clients hard cash for the entertainment of public officials and how the lobbyists' clients can deduct the cost of this entertainment from their income tax as a necessary business expenditure. Does White think that this hard cash is not being spent because the corporation and their lobbyists have a cold-eyed and well-justified understanding that the expenditure will get results? If they don't think they are spending their money for this purpose they are defrauding their stockholders and the U.S. Treasury.

No, Mr. White, there isn't any Santa Claus.

White concludes with the intimidating charge to—"keep a sharp eye" on the politician who tries to do anything about ethics—such a politician is probably an unethical scoundrel. As a matter of fact, the political life of the reformer is likely to be, to quote Hobbes, "nasty, brutish and short." It's both unpopular and dangerous. But it's also necessary.

WILLIAM PROXMIRE,
*Senator From Wisconsin.*

---

## PROPOSED AMENDMENT TO CONSTITUTION PROVIDING FOR NOMINATION OF CANDIDATES FOR PRESIDENT

Mr. PROXMIRE. Mr. President, on April 5 Wisconsin voters will have a chance to voice their preferences in the contest for the Democratic presidential nomination. Wisconsinites are among the small percentage of fortunate Americans who will have this opportunity, since only 15 States in 1960 will hold any kind of a presidential primary and in only five of these is the outcome binding on the delegates to the national convention. What is more, in only three of these five States—Wisconsin, Oregon, and Maryland—is there a contest, and in Wisconsin alone there is a contest between leading contenders where no favorite son is entered to dominate the voting. There even seems to be some trend away from these primaries, for since 1956 three States, Alaska, Minnesota, and Montana—have abolished their primary laws.

I am aware that there has been much criticism of primaries in recent weeks and months. Some of these attacks, such as that of Gov. Adlai Stevenson—who has elected not to enter any primaries this year—have been directed at the basic idea of the primary in which candidates are forced to get out and campaign for the nomination. Certainly it is true that such campaigns require much time, energy, and expenditure on the part of candidates; but in my mind, as one who has participated in five statewide campaigns in 9 years, there is no more important activity for those who seek or hold public office than to engage in this vital educational process with as many voters as possible. So far as the cost of these campaigns is concerned, if the nationwide primary which I am introducing were to be adopted, I would seek effective limitations on expenditures so that all candidates would be on equal footing in this respect.

Most of the other attacks on the presidential primaries have been on the ground that, given their incomplete coverage, the State contests are not very satisfactory tests of strength among prospective candidates. I would certainly not deny that this is the case, although I believe there has been some exaggeration of the so-called atypical character of those States such as Wisconsin where primaries are held. It seems to me, however, that the solution to this weakness is not just to abolish the State presidential primaries, but to adopt a truly nationwide primary. Yesterday I endorsed this idea in an article in the New York Times magazine. Today I am introducing a resolution to accomplish a national primary by a constitutional amendment.

Under the provisions of this amendment candidates who wished to seek their party's presidential nomination would file a petition with the Secretary of State bearing the signatures of at least 1 percent of the votes cast in the previous presidential election, and representing States of large, medium, and small populations.

On the first Tuesday after the first Monday in August of the presidential election years, a primary election would be held throughout the country. As in the operation of the electoral college, each State would be entitled to as many votes as it has Senators and Representatives. Whoever receives the most popular votes in a State would win all that State's electoral votes and any candidate who received a majority of these electoral votes in his party would be his party's candidate. If in any party no candidate received a majority there would be a runoff primary in September between the two candidates who had the most votes in the first ballot.

I would assume that the parties would continue to hold national conventions for the purpose of choosing vice presidential candidates and to write the party platforms.

The idea of a national presidential primary, first officially proposed by President Woodrow Wilson, deserves renewed consideration for several reasons:

First, in an age which seems to be increasingly apathetic and indifferent with regard to politics, the presidential primary is a colorful, exciting, significant contest for public office that will persuade the citizen to discharge the active responsibility which he is so rarely called upon to assume. This I believe, is good for the voter as a man and as a citizen.

Secondly, no one has as much right to say who should be the elected officials of a democracy as the plain voter—all the voters. Certainly this should apply most strongly to the elective office that is the most powerful in the country and constitutes the greatest and heaviest responsibility and authority the American people can give to any man. It should apply particularly to the primary which reduces the choices to two, and almost eliminates any real choice for the millions of Americans who are consistently devoted either to the Democratic or Republican Party. I believe, further, that, in spite of his shortcomings, the plain voter will usually give the better answer in casting his vote.

Finally, I am introducing an amendment for a national primary because the alternatives are no longer acceptable. Public opinion polls have shown that a great majority of the voters, no doubt disillusioned by the television spectacles of the last few national nominating conventions, want a more direct voice in choosing their presidential candidates. They no longer trust the conventions to produce the men they want, because they want a man whom they regard as best for the country, not one who happens to emerge from the political maneuvering of party leaders behind the scenes.

For all these reasons, Mr. President, I believe the time has come to build on the experience of Wisconsin and other States by creating a nationwide presidential primary.

I therefore ask that the proposed constitutional amendment be appropriately referred.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 177) proposing an amendment to the Constitution of the United States providing for the nomination of candidates for President, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. PROXMIRE. I ask unanimous consent that an article on the subject written by me and published in yesterday's New York Times Magazine appear at this point in the RECORD.

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

### APPEAL FOR THE VANISHING PRIMARY

(By WILLIAM PROXMIRE)

WASHINGTON.—This Sunday hundreds of thousands of Wisconsin citizens are fighting out the presidential primary campaign of 1960. On the steps of churches, over a beer in taverns, in dairy barns and kitchens and automobiles, the argument, the contradiction, the agreement, the joking are rolling along faster and faster as the April 5 deadline approaches, a deadline that may seal the fate of HUBERT HUMPHREY and JOHN F. KENNEDY.

The season of the primaries is upon us and the people of my State are happily engaged in what has become a rare—I think far too rare—American privilege: having a voice in deciding who is going to be either of the two (the nominees of the two major parties) who will have any chance to become the next President of the United States. In future weeks and months the people of some other States will have a similar opportunity.

There are a thousand reasons why this is a disorganized, irresponsible way for the country to be influenced in its choice of the occupant of so great an office. Many of the hundreds of thousands of conversations going on today in Wisconsin, for example, are

irrelevant to the issues. Thousands of votes will be influenced by Muriel Humphrey's homey and simple coffee-hour campaign for husband HUBERT, or racket-busting Bob Kennedy's tireless farm-to-farm barnstorming for brother JACK. And of course KENNEDY'S religion is constantly discussed and will persuade many.

Primaries have more serious inadequacies. Some were outlined by David Broder in this magazine a few weeks ago. Certainly the candidates may be hurting each other, and our Democratic organization in Wisconsin may be suffering a division that will take months to repair. And, as Adlai Stevenson pointed out in another recent article, the primaries impose a severe physical, financial, and time-consuming burden on the candidates.

A primary costs hundreds of thousands of dollars, while often exciting no contest at all. This year, for instance, will mark the first significant Democratic presidential contest in Wisconsin in 36 years.

It can be argued that a primary often fails to offer voters a meaningful choice. In 10 of the 15 States that permit presidential preferential polls, delegates to the national conventions are not bound, and often they are little influenced, by the voice of the people. In the remaining five States delegates are bound by the primary results. But in California a favorite-son delegation picked by the Governor will probably be unopposed. Indiana voters are expected to have no alternative to KENNEDY. In Maryland, WAYNE MORSE is the sole alternative to KENNEDY. In Oregon, MORSE will run as a favorite son.

And what kind of choice will the Wisconsin voter really have on April 5? Only two of the five leading Democratic candidates are entered in Wisconsin. How about Symington or Johnson or Stevenson supporters? What choice do they have?

This weakness is only partly answered by the obvious fact that only KENNEDY and HUMPHREY chose to enter in Wisconsin. All candidates were free to enter. Presumably, any candidate really interested in the Democratic nomination, and who thought he had a very good chance in Wisconsin, would try to pick up the delegation by submitting his name.

Another weakness of the Wisconsin primary is that normally Republican voters, recognizing that Vice President NIXON is unopposed and little needs the prestige of a big vote in Wisconsin, can cross over in the primary. If they do so in sufficient numbers and the contest is otherwise reasonably close, Republicans can pick the Democratic nominee.

One answer to this is that Republicans are American citizens, too. Why shouldn't they have a chance to influence the selection of a man who may be their next President? Of course, many Democrats won't buy this answer. They might, however, settle for the certainty that Republicans will be a minority, and probably a small one, in this Democratic primary.

In view of these serious weaknesses and imperfections, what can be said for the practice of having the plain voter play such a telling role in answering the big question?

There are three compelling arguments for the primary.

The first is that in an age of political apathy and indifference, of too much passive diversion and not nearly enough citizen responsibility, the presidential primary is exactly the kind of colorful, exciting, significant contest for public office that will persuade the citizen to discharge the active responsibility that he so rarely is called upon to assume. This is good for the voter as a man and as a citizen.

Besides, there is no more important activity for men who want to be President of the United States than to get out and talk about the Nation's problems with the Nation's citizens. It is too often a temptation for candidates to avoid this most essential obligation of democratic leaders.

Wisconsin today affords an excellent example of the benefits to the voters of a presidential primary campaign. In the past 9 years, I have campaigned intensively five times for statewide office in Wisconsin. I have met and shaken hands with well over a million Wisconsin citizens during this time. Since the presidential campaign began in earnest in Wisconsin, I have once again been out in the State talking with thousands of farmers and workers, tavern keepers, and hardware merchants, housewives, and college students. A sharp and exciting change has come over my State in the past few weeks.

Besides the irrelevant conversations, there is also a gratifying amount of talk about KENNEDY'S battle for labor reform and HUMPHREY'S fight for the dairy farmer, discussion of KENNEDY'S strikingly thoughtful, logical, informed replies to questions—his impressive mental equipment—and of HUMPHREY'S broad and deep competence in everything from fiscal policy to foreign policy.

Secondly, the primary makes sense because no one—not brilliantly informed delegates, not hard-working party leaders, not mayors or Governors or Senators—has as much right to say who should be the elected officials of a democracy as the plain voter—all the voters. And this should apply most strongly to the elective office that constitutes the greatest authority and heaviest responsibility the American people can give to any man. It should apply particularly to the primary system, because this reduces the choice of presidential candidates to two, and affords the only real choice for the millions of Americans who consistently vote for one or the other of the major parties in November.

This is true not only because of the faith all Americans presumably share in popular democracy. It is true also on the practical ground that the plain voter, with all his shortcomings, will usually give a better answer than the political professionals in casting his vote. He will do so because he will usually ask the right question.

It has been my experience through three losing and two winning statewide campaigns that the voter almost never votes for a man simply because he thinks he will win. On the other hand—as I will try to show a little later—this is by all odds the major consideration of the party leader, the public official, the delegate.

Instead, the voter usually tries to answer the following question with his ballot: Who will make the best President of the United States? Often he may not have enough information to arrive at the right answer, but frequently he will. Today there is the magic of television and radio. Newspapers are reporting more fully, fairly, and accurately than ever before. And both HUMPHREY and KENNEDY will have talked directly and personally to tens of thousands of Wisconsin citizens by election day.

After this kind of intensive campaign most plain voters may have a closer understanding of the characters, the minds, and the attitudes on big issues of the candidates than Americans have generally had throughout our 170 years of democracy.

The third reason I vote for the primary system is the extremely serious weaknesses of the alternatives. The prime alternative is the selection of delegates by a State convention. Thirty-five States do this exclusively with no public presidential poll.

Why should such delegates—enjoying the wise and personal influence of party leaders, Governors, Senators, newspaper editors, top business and labor officials—usually better informed and more deeply interested than other voters—why should these delegates be considered such a grim alternative?

The answer is evident to anyone who has thoughtfully attended a State convention. Often a party chairman, a Governor, or an unofficial but potent leader will actually select the delegation to the national presidential convention. In doing so, the leader, if his power is great enough, will pick delegates who will be amenable to his persuasion. Otherwise, he will unite with other party leaders until they can put together a strong enough combination to win convention approval. In any event, State conventions select the men and women who will represent the State in determining the presidential nominee on an emphatically partisan basis.

There is one all-pervasive and consistent principle: dedication to the welfare and success of the party as an entity. This is rarely the national party. Is is far more often the State party—or even the dominant faction of the party within the State. The convincing argument is: What candidate can do the party the most good? The answer to this is usually—though not always—which candidate can win? Even a nationally winning candidate may not be best for the leaders in each State.

This victory criterion is the dominant one, but it is not the only basis of selection. The criterion in some cases may be: Will he help the ticket most in our State? The answer in New York may be quite different from that in Mississippi.

In both State and National conventions idealism is obvious. There is earnest concern with the national interest and a desire to nominate the man who will serve the Nation most ably. But the cry that never fails to bring partisan delegates up fighting in the intensely partisan atmosphere of a convention is "the man who will win in November."

From years of experience in campaigns, from public opinion polls, from scattered primary election results the delegates in general make the best guess they can as to who will be most likely to win in November. Of course, their decision is tempered. Even the most popular candidate cannot win if he is not acceptable, for whatever reason, to enough powerful State leaders. But, by and large, the decision is a giant guess on who has the best chance in November.

How much better to go directly to the voter, as Wisconsin is doing, and let him decide. At least let him decide how the votes of his own State should be cast at the national convention, after the voter has asked himself, not who will win, but who will make the best President.

I vote for the primary with all its obvious weaknesses, and though it has been losing ground. From its high point of 22 States, it was down to 19 States in 1956. It has fallen to 15 this year, and in 1964 the number will probably be even less.

Even in my own Wisconsin, where the Nation began the process of popular participation in presidential campaigns by the first direct election of delegates to national conventions in 1905, the primary is in serious danger. The largest newspaper in Wisconsin has asked that State officials give earnest consideration to abolishing it. Top officials of both parties in Wisconsin will be sorely tempted to do so. With the grief the primary causes party organizations when it works, the wonder is that it has survived as long as it has.

For those who believe in popular democracy, the death of the presidential primary would be a tragedy. If the presidential primary disappears, a passive apathetic America will slumber deeper than ever, as the real decisions on who should be President of the United States are determined by a small group of deeply interested men and women in an atmosphere of almost irresistible partisanship.

No one would contend that the present, incomplete system of primaries is perfect, and many of us think the whole nomination process should be overhauled. To this

end I shall introduce in the Senate in the near future a proposal for a constitutional amendment for a nationwide presidential primary through which the rank-and-file voters could choose their own candidates.

Public opinion polls over the past few years have indicated that an overwhelming majority of Americans, no doubt disillusioned by what they have seen of the national conventions since televised coverage began in 1948, favor such a national primary and want a bigger share in choosing presidential candidates.

I propose that in August of presidential election years there be a nationwide primary vote to nominate the presidential candidate in each party which qualified by having polled at least 10 percent of the vote in the previous presidential election. To appear on the primary ballot, a candidate must submit a petition signed by qualified voters equal to at least 1 percent of the total vote cast for all presidential candidates in the previous election. These petitioners must be residents of at least six different States, including two of the States with the largest populations, two medium-sized States and two small States. If none of a party's candidates receives a majority, a runoff primary will be held in September between the two in each party with the greatest number of votes.

Tens of millions of American citizens would thus select the two men who would carry the banners of the Republican and Democratic parties in November. The parties would continue to hold national conventions following the primary, in order to nominate their vice presidential candidates and to write their platforms. Platform writing could then enjoy the attention it deserves. The party platform would also be, as it should be, the direct responsibility of the party's presidential nominee.

I would accompany this proposal with an election-spending law directly relating to these primaries. The law would (1) limit the amount that could be spent by, or on behalf of, all candidates, and (2) require full disclosure of all contributions and expenditures, above a modest minimum amount, 72 hours after being received or paid out.

This highly desirable reform will undoubtedly take some time to bring about—if, indeed, it is ever achieved—but in the meantime we should retain the primaries we have, so that there is at least some opportunity for plain people to influence the nomination.

The presidential primary is not yet dead. It desperately needs improvement. But it is well worth fighting for and saving.

The big issue in this Congress in 1960 has been the battle over the right of all Americans—specifically the southern Negroes—to vote. What a paradox it is that, at the very time we are so deeply and properly concerned with this fight, we are passively permitting almost all Americans to lose the big share of their presidential franchise.

In an America that was founded and has flourished on democracy and that is still dedicated at great cost and risk to fighting for democracy throughout the world, the right of at least some plain Americans to have a voice in the primary election of their President should be enlivened, not killed.

Mr. PROXMIRE. Mr. President, I also ask unanimous consent that a copy of the joint resolution be printed in the RECORD.

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

The joint resolution (S.J. Res. 177) is as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The official candidates of political parties for President shall be nominated at a primary election held in the various States as provided by this article. Voters in each State in such primary election shall have the qualifications requisite for voters in elections of members of the most numerous branch of the State legislature. The time of such primary election shall be the same throughout the United States and, unless Congress shall by law appoint a different day, such primary election shall be held on the first Tuesday after the first Monday in August in the year preceding the expiration of the regular term of President. The places and manner of holding such primary election shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations.

"The name of any person shall be included on the ballot as a candidate for nomination for President in any such primary election only if, within sixty days prior to the day of such primary election, such person shall have filed at the seat of the Government of the United States with the Secretary of State a petition containing the signatures of a number of qualified voters equal to at least 1 per centum of the total number of popular votes cast throughout the United States for electors of President and Vice President in the next preceding Presidential election, including the signatures of a number of qualified voters in each of two of the sixteen most populous States, a number of qualified voters in each of two of the sixteen next most populous States, and a number of qualified voters in each of two of the eighteen least populous States, equal in each case to not less than five per centum of the total number of popular votes cast in the State for electors of President and Vice President in the next preceding Presidential election.

"SEC. 2. Within fifteen days after any such primary, or at such other times as the Congress shall by law provide, the official custodian of the election returns of each State shall make separate lists for each political party of all persons for whom votes were cast as nominee for President and the number of votes for each, which he shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the Secretary of State. The Secretary of State shall open all certificates and determine the results of the primary election.

"For the purpose of such determination, each political party shall be entitled for each State to a number of nominating votes equal to the whole number of Senators and Representatives to which such State is entitled in Congress, and the person receiving the greatest number of popular votes in his political party shall be entitled to all of the nominating votes of such political party for that State. The person having a majority of the nominating votes of any political party for all the States shall be the nominee of that party for President. If in the case of any political party no person shall receive a majority of the nominating votes of all the States as nominee for President, than a second primary election for that political party shall be held and the names of the two persons seeking the nomination of that party for President who have received the greatest number of nominating votes in the first primary election shall appear on the ballot in the second primary election. The time of the second primary election shall be the same throughout the United States and, unless Congress shall by law appoint a different day, such primary election shall be held on the first Tuesday after the first Monday in September. The votes in the second primary election shall be counted in the same manner as in the case of the first primary election, and the person receiving the greater number of nominating votes of his political party shall be the nominee of that political party for President. The Congress may by law provide for the manner of choosing a successor in event of the death or resignation, prior to the election, of the nominee of any political party for President.

"This article shall apply to a political party only if its candidates received 10 per centum or more of the total popular vote cast in the next preceding Presidential election for electors of President and Vice President.

"SEC. 3. This article shall take effect at the beginning of the second calendar year following the year in which it is ratified.

"SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

## OPPOSITION TO TRANSFER OF NUCLEAR WEAPONS OR NUCLEAR WEAPONS SECRETS TO OTHER NATIONS

Mr. PROXMIRE. Mr. President, recently the winner of the 1959 Nobel Peace Prize, the eminent British statesman, Philip Noel-Baker, said:

I think it quite likely—if I were asked to bet I would say it was about even—that within 10 years the governments will not have disarmed. We shall have had a nuclear war; we, our children and grandchildren will all be dead, and the world will be spinning a lifeless, radioactive, incinerated globe throughout eternity.

Noel-Baker's odds may be a little short. But they deserve our respectful attention. Just last November the Washington Star wrote of Noel-Baker in part:

He is a man of peace who prefers to hope rather than despair, and to be affirmative in spirit rather than cynical or negative. So the Nobel award well becomes him in a world where his kind of faith—faith in the possibility of establishing a system of enduring international security—is needed in the effort to prevent a cataclysmic war.

Well, Mr. President, when the optimistic apostle of faith in establishing international security that will prevent war gives us, all of us, only a 50–50 chance of making it for 10 more years, this Senator thinks it is time for some good, hard, plain talk and action to do something about it.

Limiting the possession of nuclear weapons is one way of doing this. Keeping Mao and Castro out of the nuclear club is a worthy objective.

Mr. President, the task of effectively controlling the lethal power of nuclear weapons is the paramount problem of our time. The potential for destruction of human lives contained in atomic and hydrogen warheads is enormous. If we are to survive we must devise effective means to prevent any accidental triggering of a nuclear explosive.

An important safeguard that was built into our system for keeping control of nuclear explosive devices was the provision in the 1954 Atomic Energy Act which states that nuclear weapons located for strategic reasons outside our

continental limits shall stay in the exclusive custody of the United States. This was one important step toward preventing any unnecessary dispersion or diffusion of control over these explosives. It was wise legislation in 1954, when it was passed, and in my belief it continues to be wise legislation today. It does not in any sense indicate distrust of our allies. It is a prudent restriction which insures that control over our own weapons shall be rigorously centralized, thus subject to every vital safeguard against unwise, unwarranted, and accidental triggering.

Mr. President, I am today submitting a concurrent resolution for the consideration of the Senate, which expresses the sense of the Congress that it is opposed to the distribution or transfer of nuclear weapons and nuclear weapons secrets to other nations. In this I join a number of our colleagues in the House who have introduced similar resolutions. I take this action because I believe it is of the utmost importance that Congress reaffirm the stand it very carefully took in 1954. I believe that there is reason to fear that the dispersal and diversification of custody over our nuclear weapons will increase the danger of incredibly destructive explosions. The more widely nuclear weapons are dispersed, the greater is the danger of "accidental" war.

The resolution contains two provisions. First, it declares the sense of Congress that the United States should not transfer nuclear weapons and nuclear weapons secrets to other nations. Second, it calls on the President to begin negotiations with the Soviet Union, the United Kingdom, and France to achieve agreements prohibiting the transfer of nuclear weapons and nuclear weapons secrets from one nation to another.

I believe that both provisions are of great importance. Both are aimed at limiting diffusion of control over nuclear weapons. I recognize that such a policy requires understanding and cooperation from the nonnuclear powers, as well as a clear demonstration of good will and restraint by the nations which at present do possess the weapons and secrets.

The New York Times of March 20, in an article by William J. Jorden, reports that President Eisenhower has informed Premier Khrushchev that we have no present intention to share nuclear weapons with our allies. According to the article, the President denied allegations that the United States has plans to deliver our nuclear weapons to other nations. The President's statement came in response to a message from Mr. Khrushchev which warned that if we shared nuclear weapons with our allies, the Soviet Government would be forced to consider the same action toward its allies. The article further states that most experts believe that the Soviet leadership shares an opinion widely held in the West, that "the more countries there are with nuclear forces, the greater would be the chance for war resulting from accident or desperation."

I ask unanimous consent to include the entire New York Times article on the President's message to Mr. Khrushchev at the end of my remarks.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, President Eisenhower's correspondence with Mr. Khrushchev has helped settle the question of nuclear weapons dispersion. It is my hope that the resolution I am submitting today will further clear the air by putting the United States firmly on record against such weapons sharing.

There is little doubt that if we share our nuclear weapons and warheads with our allies, then the cold logic of power politics might compel the Soviet Union to take similar action. As the New York Times article states:

> Analysts concede that a spread of nuclear capability and of warheads inside the Western alliance would increase the pressure on Moscow to follow suit. This in turn convinces most officials here and in the alliance that it would be unwise at present to undertake any change in present policy.

The task of carefully controlling nuclear weapons to prevent any accidental or unintended triggering is one which we share with the Soviet Union. It is in the best interests of the entire unhappy fraternity known as the nuclear club to keep the custody of these awesome weapons rigidly centralized, with as little dispersion of control as can humanly be achieved. The present resolution reaffirms the sense of Congress that physical custody of our nuclear weapons should remain in American hands. It is my belief that this continues to be a wise and prudent policy.

I submit the concurrent resolution and ask that it be appropriately referred.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 98) was referred to the Joint Committee on Atomic Energy, as follows:

Whereas the dispersion and transfer of nuclear weapons to other nations will decrease the chance for negotiating effective international agreements for control of nuclear weapons; and

Whereas the dispersion and transfer to other nations of nuclear weapons will render it more difficult to reach agreement on disarmament; and

Whereas the dispersion of nuclear weapons will increase the chance of nuclear accidents, and of nuclear irresponsibility and nuclear blackmail; and

Whereas the dispersion and transfer to other nations of nuclear weapons will result in the heightening of international tensions; and

Whereas the dispersion and transfer to other nations of nuclear weapons threaten the survival of our civilization, and of the human race: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress (1) that the United States should not transfer nuclear weapons or nuclear weapons secrets to other nations, and (2) that the President should undertake negotiations immediately with the Soviet Union, the United Kingdom, and France to seek agreements prohibiting the transfer of nuclear weapons and nuclear weapons secrets from one nation to another.

EXHIBIT 1

[From the New York Times, Mar. 20, 1960]

UNITED STATES TELLS SOVIET A-ARMS WON'T BE GIVEN TO ALLIES—EISENHOWER IN LETTER TO KHRUSHCHEV DENIES PLAN TO SHARE SECRETS—AIM IS TO ALLAY MOSCOW FEARS

(By William J. Jorden)

WASHINGTON, March 19.—President Eisenhower has informed Premier Khrushchev that the United States has no present intention of sharing nuclear weapons with its allies.

Well-informed sources said the President had pointed out that U.S. law prohibits delivery to others of this country's nuclear weapons. He said that allegations that plans to do so had been adopted were groundless.

The President also has said the Government is hopeful that a comprehensive and enforceable system of disarmament can be worked out that would control nuclear weapons and gradually lead to their elimination.

The President's latest letter to Premier Khrushchev was delivered in Moscow within the last week. Its contents have been a carefully guarded secret in the higher levels of the administration and in restricted foreign diplomatic circles.

The letter was sent in response to a message from Mr. Khrushchev delivered here March 8. The Soviet leader warned that if the United States shared nuclear armaments with its allies the Soviet Government would be forced to consider the same action toward its friends.

Mr. Khrushchev cited plans announced March 2 by Gen. Lauris Norsad, Supreme Allied Commander in Europe, for establishment of a mobile task force of brigade size. In combat the force would be supplied with the most modern weapons. It is to be a multinational force, drawing at first on troops from the United States, Britain, and France.

The Russians in subsequent propaganda attacks have charged that the plan meant distribution of nuclear weapons by the United States to other members of the North Atlantic Treaty Organization.

It is understood that Premier Khrushchev, in his letter to the President, followed closely the line that has been laid down by his propaganda machine. He said the new NATO plan meant the further concentration of weapons of mass destruction and the heightening of tension in Europe.

ARMING OF GERMANS FEARED

Soviet propaganda has described the plan as "largely designed to serve as a new disguise for the nuclear arming of the West German militarists." Having made these allegations, the Soviet Premier said that if these plans were carried out he would have to consider doing likewise; that is, giving modern nuclear arms to Soviet allies.

General Norstad and other high officials here have denied these Soviet allegations. They have noted that in NATO now, and in the planned mobile task force, non-United States troops would get delivery systems but not atomic warheads.

Actual bombs and nuclear warheads for the modern weapons remain in U.S. custody.

President Eisenhower has indicated that this distinction has been misunderstood, whether deliberately or not, by the Russians. He has denied that there has been any change in U.S. policy on this matter.

The Soviet Premier contended that nothing should be done in advance of the May summit meeting that might cloud the atmosphere or heighten international tension. He suggested that the alleged arming of NATO allies with nuclear weapons would do just that.

The President has denied the allegation. But it is understood that he agreed with

the general principle that the major powers should avoid any unilateral action that might worsen relations.

BERLIN'S STATUS A FACTOR

In making this point, it is believed, the President was thinking primarily of the Berlin situation and the Allied hope that the Russians would not do anything in that area that might cause a crisis.

Diplomats here have noted that the Soviet campaign against sharing nuclear weapons is one of long standing. While the charges of the last month have been directed primarily at the planned NATO task force, the arguments themselves long have been made in the Soviet press and radio.

Most specialists doubt that Mr. Khrushchev has ever given serious thought to sharing nuclear weapons with his East European or Chinese allies. First, they doubt that most of the East Europeans would want to assume the risk entailed in controlling nuclear weapons.

They believe, too, that the Russians share an opinion widely held in the West that the more countries there are with nuclear forces, the greater would be the chance for war resulting from accident or desperation.

Finally, many authorities believe Moscow might feel uneasy if nuclear weapons were in the hands of other Communist states. They believe there must be genuine concern over the thought of another Hungarian revolt or a crisis in the Taiwan Strait if nuclear warheads and bombs were involved.

But analysts concede that a spread of nuclear capability and of warheads inside the Western alliance would increase the pressure on Moscow to follow suit. This in turn convinces most officials here and in the alliance that it would be unwise at present to undertake any change in present policy.

This is accepted in the West. With the exception of France, none of the NATO allies now is pressing to establish its own nuclear military force. This includes West Germany, about which the Russians are most concerned.

It was primarily to set at rest such feelings of worry as may exist in the Kremlin that President Eisenhower replied as he did to Mr. Khrushchev. All NATO governments were informed of the Khrushchev letter soon after its arrival here 11 days ago. The allies also have been given a summary of President Eisenhower's reply.

## DEATH OF REPRESENTATIVE RUSSELL V. MACK, OF WASHINGTON

Mr. MAGNUSON. Mr. President, I ask the Chair to lay before the Senate, resolutions coming over from the House of Representatives.

The Chair laid before the Senate the resolutions of the House of Representatives, which were read, as follows:

HOUSE RESOLUTION 489

In the HOUSE OF REPRESENTATIVES, U.S.,
*March 28, 1960.*

*Resolved,* That the House has heard with profound sorrow of the death of the Honorable RUSSELL V. MACK, a Representative from the State of Washington.

*Resolved,* That a committee of six Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved,* That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved,* That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved,* That as a further mark of respect the House do now adjourn.

Mr. MAGNUSON. Mr. President, I submit a resolution and ask that it be read, and I ask for its present consideration.

The PRESIDING OFFICER. The resolution submitted by the Senator from Washington [Mr. MAGNUSON] will be read.

The legislative clerk read the resolution (S. Res. 296), as follows:

*Resolved,* That the Senate has heard with profound sorrow the announcement of the death of Hon. RUSSELL V. MACK, late a Representative from the State of Washington.

*Resolved,* That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

*Resolved,* That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

*Resolved,* That, at the conclusion of its business today, the Senate, as a further mark of respect to the memory of the deceased, adjourn until 10 a.m. tomorrow.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 296) was unanimously agreed to.

The PRESIDING OFFICER. Pursuant to the second clause of the resolution, the Chair appoints as the committee on the part of the Senate the senior Senator from Washington [Mr. MAGNUSON] and the junior Senator from Washington [Mr. JACKSON].

## LET THE FEDERAL RESERVE BOARD MANFULLY ASSUME RESPONSIBILITY FOR THE INTEREST RATE

Mr. PROXMIRE. Mr. President, there has recently come to my attention an address delivered by Mr. Woodlief Thomas, delivered at the 15th annual conference for senior executives in mortgage banking, New York University, on the subject "Why the Government cannot control the interest-rate structure."

When the top economic adviser to the Board of Governors of the Federal Reserve System makes a public address on such a controversial issue as the level of interest rates, and which is then circulated to a wider audience, it is to be assumed that he is motivated by the laudable desire to promote a better understanding of a complicated subject. It would appear that this was the intention from the very outset of Mr. Thomas' statement.

There is—

He says—

a lack of general understanding of the causes of interest rate variations and of the role of interest rates in our economy. This failure to understand has given rise to many ill-conceived and potentially harmful proposals for preventing the fluctuations from occurring.

I am in wholehearted agreement that faulty analysis of a problem is likely to result in mistaken public policies. Consequently, it was with considerable interest that I turned to the section of Mr. Thomas' address on the casual factors determining changes in interest rates. In view of his emphasis on the widespread lack of understanding of the basic determinants of the level of interest rates, one would expect that the adviser to the Federal Reserve Board would take pains to clarify the subject for us. It was, therefore, quite disappointing, as I read on, to find that the discussion produced confusion rather than clarification.

We are told that interest rates like other prices are the result of the interplay of the forces of supply and demand. On the supply side it is the volume of current and past saving that is the important determinant at any given time, and on the demand side it is the "total of all credit wanted by borrowers of various sorts at that time." What is confusing as well as misleading is that when he speaks of "supply" this refers to savings, and when he speaks of "demand" reference is to the volume of credit. One does not have to be a profound student of economics to suspect that there is something wrong here.

In considering the determination of interest rates, what should be equated is the supply and demand of loanable funds at any given time. On the supply side one must take into account not only the volume of savings but also the amount of new credit created by the banks, and the extent to which people are prepared to activate their cash balances. And on the demand side it is important to take into account the loanable funds sought by the private sector of the economy, the public sector, and the extent to which people desire to augment their cash balances.

In examining the interaction of supply and demand in terms of loanable funds rather than savings one comes closer to the realities of the money market. It also puts a different light on the role played by the Treasury and the Federal Reserve System in the determination of interest rates—a role which Government officials only too frequently find it convenient to minimize. I might add that it is this minimization which is in large part responsible for the continuation of congressional ceilings on Government bonds, and on Government insured and guaranteed mortgage loans. But more on this later.

Mr. Thomas' discussion leads up to the main theme of his address which is posed in the form of the following question: "Can and should Government operating through the Treasury or the Federal Reserve or through acts of Congress, stabilize or control the level of interest rates?" The way in which the question is formulated indicates that he is engaged in building up strawmen which are then readily demolished. The keywords are "stabilize" and "control". They serve to create fictitious issues and to draw attention away from genuine problems raised by critics of official monetary, fiscal, and debt management policies. It will suffice to give two quotations that supposedly characterize the views of those who take a different position on the interest rate question from that of Mr. Thomas.

It is frequently suggested that the rise of interest rates should have been prevented from occurring by governmental action of some sort.

There are at least two things misleading about this statement. First, it implies that the critics believe that the Government should prevent any interest rate rise from taking place. Surely, he must know better than that. Those who differ with his point of view are well aware that interest rates are bound to fluctuate with changing economic conditions—they will be higher in times of expanding business activity than in times of declining business activity. Secondly, it makes no reference to the fact that the critics usually refer to a specific time period. It is not any rise but the magnitude of the rise and the extent to which official policies contribute unduly to intensifying or prolonging the rise that are the real issues. Examination of the problem in these terms would show that Federal Reserve and Treasury policies have a considerable impact on the level of interest rates. It would also reveal, to their embarrassment, that the policies adopted have had an adverse effect upon economic growth and stability.

Mr. Thomas' penchant for beclouding issues by misrepresenting the views generally held by critics of official policies is illustrated by the following quotation: "Some commentators have expressed the view that the rise in interest rates has been engineered by the Federal Reserve in a deliberate but futile effort to prevent inflation. Some advance the opinion that the Federal Reserve, instead of causing interest rates to rise, should take action to stabilize rates." Here the key expressions are "engineered," "futile effort," and "stabilize rates." It is simply not the case that those who have found fault with the tight money policy of the Federal Reserve attribute the rise in interest rates solely to the actions of the monetary authorities, nor are they in favor of pegging interest rates as was done prior to the Treasury-Federal Reserve Accord of 1951.

The top adviser to the Federal Reserve Board would hardly deny that his agency's restrictive policies have been defended on the grounds of preventing inflation. What the critics have attacked is the lack of timely flexibility of these policies and the fact that the Board's obsession with fears of inflation has resulted in unduly intensifying the rise in interest rates, in retarding economic growth, and in aggravating economic instability. Examples of such criticisms are the continuation and even intensification of restrictive monetary policies during the first 10 months of 1957, a period when the signs were multiplying that the economy was heading for a business recession. The failure to ease conditions contributed to making the 1957–58 business contraction the sharpest in the postwar period. Another example is the first half of 1953, when the Board's preoccupation with inflation resulted in the prolongation of tight monetary policies, even though the cumulative evidence was pointing to the early predominance of deflationary developments.

There are two propositions espoused by Mr. Thomas which require examination. First, is the statement that there is not much the Government can do to prevent interest rates from rising, except to adopt fiscal policies designed to create an adequate budgetary surplus. Second, even if it were possible for the Government to do more, he doesn't think it should, since its actions would represent an artifical interference with the functioning of interest in its role of distributing resources among various claimants.

It must be quite apparent that underlying these views is the dogma of a free money market in which the unregulated forces of private supply and demand determine the volume and cost of credit. This philosophy of the free market which was first vigorously expounded by the Chairman of the Board of Governors of the Federal Reserve System and by the Secretary of the Treasury, shortly after the present administration took office in 1953, runs counter to the very idea that was the basis for the creation of the Federal Reserve System. The American people had found from long and bitter experience that the best interest of the economy required that a mandatory authority be established that would take an active role in influencing the volume of credit and the course of interest rates.

In the light of the many changes that have taken place in the American economy in recent decades—the increased role of Government expenditures, the magnitude of public debt, the increased importance of consumer debt, the institutional changes in the capital markets—to name only a few, it is disturbing to find a top Federal Reserve economist adhering so rigidly to laissez-faire policies with respect to the money and capital markets and exhibiting such unwillingness to reexamine official doctrines in the light of the needs of our time. I suspect that it is this frame of mind that led one of the most respected men in the field of central banking, Mr. Allan Sproul, formerly president of the Federal Reserve Bank of New York, to declare:

We have excellent research staffs in the Federal Reserve System: able economists and statisticians and devoted students of money and banking problems. But their work needs more cross-fertilization and critical analysis by thoughtful and disciplined minds outside the System who can apply their talents to this special field without the bias of an organizational viewpoint. Not enough work has been done, I would say, on the monetary problems of a mixed Government-private economy, in the functioning and form of a fractional reserve banking system in such an economy, on the growing importance of other financial institutions, which crisscross both the fields of commercial banking and investment banking, and on the performance and characteristics of our money and capital markets. These are subjects which are becoming critical in the development of central banking.

The rigid adherence to the philosophy of the free securities market and the refusal of Government officials to explore new avenues for dealing with our changed financial environment have contributed to the progressive deterioration of the Government bond market during the past 7 years and to the acceleration of the upward climb of interest rates.

It is this attitude on the part of the present administration that has caused its opponents to insist that the 4¼ percent interest ceiling on Government bonds with maturities of over 5 years should not be lifted until major reforms in fiscal, monetary, and debt management policies are instituted. The critics have not found convincing such arguments as that advanced by Mr. Thomas—namely, that the interest ceiling has merely had the effect of forcing the Treasury to borrow on shorter-term obligations; that it has excessively increased the liquidity of the economy; and that it has prevented the Treasury from adopting debt-management policies that would contribute to the maintenance of sustained growth.

In this connection it is highly pertinent to recall the fact that no sooner did the present administration come into office than it launched upon a program of refunding the debt into longer maturities. As all of us know, it has not been very successful in this objective. As was recently pointed out by the report of the Joint Economic Committee on Employment, Growth, and Price Levels—page 39:

In 1952, the average length of the debt was 5 years and 8 months. Thus, the average maturity had fallen by 1 year and 1 month before the administration requested that the interest rate ceiling be removed. The average length of maturities had theretofore been greatly shortened before the administration felt hampered by the rise in the interest rate.

I submit that official policies and a closed mind toward the exploration of new approaches to monetary and debt-management policies have largely contributed to the failure of the administration's objective of lengthening the debt. It has seized upon the issue of the interest rate ceiling as a smokescreen to cover up its own inadequacies.

It will suffice to refer to two of the Federal Reserve policies in recent years which have contributed to weakening the Government bond sector and to the rise in interest rates. First, there is the Board's adherence to a bills-only policy of open-market operations. This was announced about the same time that the Treasury embarked on its debt-lengthening program, early in 1953. It is worth noting that it was Mr. Sproul, whom I have already quoted on the need for reexamining the basic ideas of central banking, who was opposed to this doctrine from the very beginning. It was he who characterized the bills-only policy as placing monetary management in a straitjacket. I see from the latest annual report of the Board, released a few weeks ago, that Mr. Hays, Mr. Sproul's successor at the Federal Reserve Bank of New York, has been continuing to register dissent at the open-market committee of the System concerning its rigidity in confining open-market operations solely to short-term Government securities.

The Federal Reserve Board would do well to ponder the following quotation

from the Joint Economic Committee's report referred to previously—page 42:

> One effect of the bills-only policy is to weaken the long-term market by letting harmful disparities develop between long- and short-term interest rates. There is no reason why the Federal Reserve, when it deems it advisable to buy and sell securities, should not buy or sell securities of varied maturities, including some long-term bonds.
>
> We are not advocating that the Federal Reserve peg the long-term bond market. We are advocating that the Federal Reserve System assume responsibility for the orderly behavior of our credit markets. Such improvement in behavior would make Government bonds more attractive to investors, and hence would lower interest rates on Federal securities.

Mr. President, it is no coincidence that the top official in the Federal Reserve System who fought for more flexible policies with respect to open-market operations was also the one who had a deeper understanding of the limitations of general monetary controls. It was Mr. Sproul who was a vigorous champion in 1955 for giving the System authority for selective controls over consumer credit when experience showed that it was a potent force for inflationary pressures and for economic instability. In contrast was the Board's position that general controls were adequate to deal with inflationary credit developments—a position that is rooted in the philosophy that Government cannot and should not interfere with market processes.

As long as this attitude of complacency toward the adequacy of existing monetary tools prevails it will not be possible to correct the increasing illbalance between the Government securities market and the private capital markets. It will take more than budget surpluses—as the Joint Economic Committee report has shown—to achieve a better balance and to contain inflationary developments and the hikes in interest rates that accompany such developments. What we need is a more open and experimental mind by those who have the responsibility for steering the course of monetary and debt-management policy.

Mr. President, I yield the floor.

## ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 10 a.m. tomorrow.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Without objection, it is so ordered.

## LEGISLATIVE PROGRAM FOR TOMORROW

Mr. JOHNSON of Texas. Mr. President, I had hoped that today the Senate would be able to complete its action on the unfinished business, the Department of Commerce appropriation bill, and then perhaps also act today on several additional measures of great importance. However, that has not been possible.

On tomorrow, after the Senate completes its action on the Department of Commerce appropriation bill, which I hope will be done at an early hour, it is our hope that the Senate will then consider and pass the Department of the Interior appropriation bill; and if sufficient time remains, we shall then attempt to bring up several other measures.

## COMMITTEE SERVICE

Mr. JOHNSON of Texas. Mr. President, I submit, and send to the desk, a resolution for which I request immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution, Senate Resolution 297, was read, as follows:

> *Resolved*, That the Senator from Oregon [Mr. LUSK] be assigned to service on the Committee on Interior and Insular Affairs and the Committee on Public Works; and
>
> That the Senator from West Virginia [Mr. RANDOLPH] be assigned to service on the Committee on Post Office and Civil Service.

The PRESIDING OFFICER. Is there objection to the request for the immediate consideration of the resolution?

There being no objection, the resolution—Senate Resolution 297—was considered and agreed to.

## U.S. MILITARY ASSISTANCE PROGRAMS

Mr. CHURCH. Mr. President, last year the Committee on Foreign Relations accepted the recommendation of the administration that authorizations for military assistance appropriations be placed on a long-range basis. The law was changed, so as to provide that for the fiscal years 1961 and 1962, such sums as might be necessary could be appropriated for military assistance. This is an open-end authorization. It means that the executive branch need not come to the Senate Foreign Relations Committee and the House Foreign Affairs Committee with the justification of an authorization request, but may go directly to the Appropriations Committees with an appropriation request.

In my judgment, the Congress made a mistake by changing the pattern of congressional action on the military-aid program which previously had prevailed for nearly 10 years. I think we ought to return to the previous arrangement, whereby military assistance funds were annually authorized and annually appropriated.

The purpose of military assistance is spelled out in the law. Section 101 of the Mutual Security Act states that the purpose of military assistance is "to promote the foreign policy, security, and general welfare of the United States."

It is the business of the Committee on Foreign Relations to consider whether the President's annual programs of military aid will in fact promote the foreign policy of the United States. In agreeing to an open-end authorization for military assistance appropriations, the Committee on Foreign Relations abdicated its responsibility.

Last year the Committee on Foreign Relations took pains to amend the Mutual Security Act so as to strengthen the control over military aid by the Secretary of State. The law now provides that:

> Under the direction of the President, the Secretary of State shall be responsible for the continuous supervision and general direction of the assistance programs authorized by this Act, including but not limited to determining whether there shall be a military assistance program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby

It is incongruous for the committee and the Congress to strengthen foreign policy direction over military aid within the executive branch while, at the same time, relaxing foreign policy review in the Congress.

The mutual security program has always been plagued by an overemphasis on military assistance. Thirty-nine separate countries are scheduled to receive grants of military assistance from the United States under the proposed program for the coming year.

Mr. President, it is a tragedy, in my opinion, that military programs of the United States in Africa are steadily increasing. Africa has been relatively free of armed conflict, and military establishments are exceedingly small compared with any other areas of the world. Africa needs economic development so badly. It needs help in all kinds of things, but it definitely does not need greater armaments.

Latin America is another area where the military justification for arms aid is very hard to find. It is another area where the burden of maintaining military forces directly diverts energy and resources from economic development.

I would call the attention of the Senate to the military assistance program which is proposed for Europe in the coming fiscal year. We know that the Marshall Plan bears a large share of the credit for the return of Europe to prosperity. Europe is prosperous, and becoming more so. Indeed, we are now embarked upon a program to obtain larger contributions of financial aid for the underdeveloped countries from our prosperous partners of Western Europe. Yet, in the face of this avowed objective, the President proposes to increase our military aid program for Europe next year by $100 million. The President is proposing a military assistance program of $459 million for the fiscal year 1961. I do not believe the President's proposal can be reconciled with Europe's growing capacity to pay its own way in providing weapons for its own defense.

Mr. President, perhaps one result of removing the controlling influence of the Committee on Foreign Relations is to be found in the very large increase in the military aid program for next year. Last year at this time the President was asking $1.6 billion for military aid. This year he is asking $2 billion. This is a jump of $400 million in his request

for military assistance appropriations since the authorization was made open-ended.

Expenditures for military assistance are currently running at the rate of $1.8 billion a year. I believe we should not go above that rate. Since there will be, at the end of the fiscal year 1960, a carryover of $2 billion in unexpended balances for military assistance, there is no need for a new appropriation of $2 billion in order to keep the expended rate at the current level.

Accordingly, Mr. President, I am proposing an amendment authorizing not more than $1.8 billion for military assistance in the coming fiscal year. This would effect no meat-ax cut, but it would hold our military aid program at present levels.

Mr. President, another result of the relinquishment of jurisdiction by the Committee on Foreign Relations over the military aid program has been that the desires of the committee, enacted into law, have been ignored. On the recommendation of the committee last year, the following new sentence was added to the Mutual Security Act:

> Programs of military assistance subsequent to the fiscal year 1960 program shall be budgeted so as to come into competition for financial support with other activities and programs of the Department of Defense.

The purpose of this new provision was to "insure that the budget process itself will approach military assistance and domestic defense funds as parts of a single program."

I am quoting from the report of the committee on last year's mutual security bill.

This new requirement in the law has been ignored ever since it was enacted. The chairman of the committee wrote a letter to the Bureau of the Budget and asked what had been done to insure that there would be competition for financial support between the military aid program and other programs of the Department of Defense. A long letter came back in technical language which, when interpreted, meant that nothing had been done. Last week, on March 23, the committee examined the Assistant Secretary of Defense in charge of the military assistance program on this point. He readily admitted the failure to carry out the law. I quote from an exchange between Assistant Secretary of Defense Irwin and the distinguished Senator from Tennessee [Mr. GORE]:

> Senator GORE. Now I have asked you if the General Counsel suggested any change in procedure and you do not have that information just now. Were there any changes in procedure whether on advice of General Counsel or not?
>
> Mr. IRWIN. Not that I know of, Senator GORE.

Mr. President, this is sufficient evidence, to my way of thinking, that the Department of Defense decided that, since the Committee on Foreign Relations was not any longer going to exercise its annual control over the authorization figure for military aid, the Department could relax about carrying out the wishes of the committee as embodied in the law.

I have concluded that there are two changes which should be made in the pending mutual security bill. The annual check on military aid programs by the Committee on Foreign Relations should be restored. Second, we should keep the authorization for military aid programs next year at a level no higher than currently in effect. I therefore submit an amendment to S. 3058 to accomplish these purposes. I send it to the desk, and ask that it be appropriately referred.

The PRESIDING OFFICER. The amendment will be received, printed, and referred to the Committee on Foreign Relations.

Mr. CHURCH. Mr. President, I should like to devote a few minutes to the subject of military aid to Latin America. The history of military aid to the American Republics is one of increasing limitation by the Congress. A good many years ago the Congress wrote into the law a requirement that military aid to Latin America be furnished "only in furtherance of missions directly relating to the common defense of the Western Hemisphere." That requirement was put in to prevent the furnishing of aid to countries in Latin America for the purpose of fighting each other.

The requirement, however, has not proved a very effective limitation. To avoid it, the practice developed that when a country in Latin America wanted some military equipment, a special defense mission would be contrived for the use of such equipment. This mission was then fitted into the Western Hemisphere defense plans so that the furnishing of the equipment by the United States could be justified under the law. A year or two ago, the Congress attempted to prevent this sort of evasion by requiring the President each year to review the previous findings as to the necessity of military missions for Latin American countries in Western Hemisphere defense plans.

Another abuse has been listing as a necessity for hemispheric defense the maintenance of internal security by Latin American countries. The rationale offered was that if war broke out involving the hemisphere it would be important for the Latin American countries to keep order at home. Since Latin American countries are capable of providing their own internal security weapons, and since the relationship of internal security to hemispheric defense was obviously so tenuous, the Congress, 2 years ago, wrote into the law the following additional limitation:

> Internal security requirements shall not, unless the President determines otherwise, be the basis for military assistance programs for Latin American Republics.

Mr. President, in spite of these successive restrictions on military aid to Latin America, the programs have continued to grow. Last year, on the recommendation of the Committee on Foreign Relations, the Congress placed a ceiling on military aid to Latin America. It was provided that the program for fiscal year 1960 should not exceed the program for fiscal year 1959. The idea was that if some military aid was necessary the total should not increase.

But even this direct attempt to limit military assistance in Latin America has proved inadequate. Not in conformance with the spirit of the new limitation, but in the technical letter of the law, the Pentagon concluded that by furnishing military aid on the basis of long-term credit the ceiling could be exceeded.

Mr. President, in view of this history, and for other reasons which I shall mention, the time has come to call a halt.

Purely military justifications for furnishing arms to Latin America are very hard to rationalize. Latin American countries can afford arms for internal security purposes. They do not need any help from the United States. They do not really need additional weapons to defend themselves against attack from another Latin American country. The cooperative defense arrangements which have been worked out by treaty among Western Hemisphere countries provide adequate protection against this kind of threat. If one Latin American country attacks another, the defending country knows that it can call on the Organization of American States, of which the United States is a member, to come to its aid.

What we are talking about, then, as regards military danger in Latin America, is the danger of aggression from outside the hemisphere. Ever since the first declaration of the Monroe Doctrine, the United States has furnished a shield to protect Latin America against attack from without the Western Hemisphere. If Latin America were ever attacked from abroad, world war III would obviously be in progress. And the power of the United States and the NATO countries would then be the chief reliance of all the Western World.

On the economic side, Mr. President, military aid to Latin America not only is not helpful, it has the effect of holding back economic development. Armies cost money to maintain. Weapons are expensive and troop pay is expensive. Latin American countries have urgent, overwhelming needs to develop their economies fast enough to keep up with their rapidly growing population. Every possible resource and energy should be devoted to peaceful economic growth.

In discussing these matters with State Department officials, the argument at this point usually shifts to political grounds. Two assertions are made. One is that military cliques in Latin America exercise great political power and must be appeased; the other is that if the United States does not furnish military equipment some other country will.

Mr. President, I think the importance of these considerations has been greatly overdrawn. It is my impression, from personal experience in Latin America, and it is the testimony of other Senators who have traveled more extensively there than I, that one finds the civilian leaders of Latin American countries pleading

with us to assist their countries to disarm. Some of these civilian leaders have governments which have overthrown military dictatorships, and they see disarmament not only as desirable for economic reasons, but as necessary if civilian control in their countries is to continue. Sometimes they are obliged to bow to pressure from the military within their countries to obtain additional arms, but they tell us privately that they wish we would say "No" more often.

Mr. President, I believe that the political considerations offered in support of military assistance can be met adequately by permitting Latin American countries to continue to buy arms from the United States. If they are determined to buy arms, we ought not to force them to make their purchases in Europe. I would agree to retain the existing authority in the law permitting the U.S. Government to sell military equipment to Latin American countries for dollars.

I would also retain our program of furnishing training assistance to Latin America. I think some good does result from having Latin American military personnel come to the United States to participate in our military schools, and to become acquainted with our way of life.

Mr. President, I likewise appreciate the fact that the executive branch has made commitments to furnish military equipment to Latin America which we cannot dishonor. I think myself that some of these commitments were unwise, but nevertheless they have been made. I agree, therefore, that we should fulfill our existing commitments, but I feel strongly that no new commitments, other than in the training category which I have mentioned, should be made.

Accordingly, Mr. President, I introduce the following amendment which I shall read because it is short:

SEC. 101. Section 103 of the Mutual Security Act of 1954 as amended, which relates to authorizations for military assistance, is amended by adding the following new subsection:

"(d) Beginning with the date of enactment of this subsection, the authority in this title to furnish military assistance to American Republics may be used only to fulfill prior commitments to foreign governments: *Provided*, That this limitation shall not apply to training assistance or to sales under section 106."

This language will accomplish the following purposes: It will, with certain exceptions, stop new commitments to furnish military equipment to Latin America. It will stop the furnishing of weapons on a grant basis or on a credit basis. It will not stop sales of military items for dollars. It will not stop our giving further training assistance.

Mr. President, my amendment is not a rigid cut off of military aid to Latin America. The flow of arms can continue through sales of military equipment. I would also point out that if an emergency arises requiring a grant of arms, the President always retains the power given to him in section 451 of the act to make an exception to the amendment which I am offering, through the use of his contingency fund.

Mr. President, military aid to Latin America has become a habit, I fear. It is a habit which we ought to break. Our neighbors to the South do not need arms. They need help in building their economies, in improving their standards of living, and in increasing their trade. We should help them in these things, while avoiding at the same time, any inducement of our own, which tends to increase the size of their already swollen military establishments.

Mr. President, I send the amendment to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER. The amendment will be received and printed, and referred to the Committee on Foreign Relations.

Mr. CHURCH. Mr. President, I suggest the absence of a qurorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

---

## METROPOLITAN MASS TRANSPORTATION

Mr. WILLIAMS of New Jersey. Mr. President, I have introduced a bill, together with Senators CLARK, JAVITS, KEATING, ENGLE, HUMPHREY, SYMINGTON, MORSE, HENNINGS, HARTKE, and YOUNG of Ohio, to assist State and local governments and their public instrumentalities in improving mass transportation service in metropolitan areas.

This bill represents a modification and conceptual expansion of a proposal originally conceived by members of the railroad industry and the American Municipal Association, which represents approximately 13,000 cities and towns throughout the United States.

For one thing, the bill calls for a smaller expenditure than had originally been proposed and the program would be administered by the Housing and Home Finance Agency—the closest thing we have to a Department of Urban affairs—rather than by the Department of Commerce, as had been suggested.

I believe this more modest measure is a constructive and logical approach to the critical problem of urban strangulation and paralyzing traffic congestion.

And I am pleased that the American Municipal Association has given its full backing and support to this measure in preference to its original proposal.

I am also gratified that a number of members in the House have joined with me in introducing the bill. The widespread interest in the bill is very encouraging.

I believe it indicates a growing recognition that we cannot postpone action much longer.

I would like now to describe briefly the main provisions of the bill and then discuss, at some length, why such legislation is necessary.

### PROVISIONS OF THE BILL

The bill provides for a two-part program of planning and loans in recognition of the fact that the wise, economical, and most efficient expenditure of Federal funds depends heavily on adequate and comprehensive planning. The day has long since passed when we can afford—literally and financially afford—the luxury of ignoring the men and women who do our planning, as there seems to be a tendency to do.

The first part of the bill would authorize the use of current Federal planning grants, the so-called section 701 urban planning grants of the Housing Act, for the following purposes:

First. To help determine the total transportation needs of metropolitan areas.

Second. To help formulate programs for the most efficient and economical coordination, integration, and joint use of existing mass transportation facilities.

Third. To help coordinate the planning activities of all the public bodies and agencies responsible for regulating or providing mass transportation services in such areas.

Fourth. To encourage study of the interrelationship between metropolitan area growth and the development of a total transportation system, including especially study of the impact of land use on the total transportation needs of our urban areas, and conversely the effect of transportation on land use.

The second part of the bill would broaden the scope of the Housing and Home Finance Agency's community facilities administration to permit this bureau to make long-term, low-interest loans up to a total of $100 million to State and local governments and their public instrumentalities in order to:

First. Help coordinate and integrate the construction of highway, bus, surface-rail, underground, and other mass transportation facilities in large, metropolitan areas, and

Second. Help finance the acquisition, construction, or improvement of equipment and facilities for use in mass-transit or commuter service.

Mr. President, it should be noted that both of these programs would be administered by the Housing and Home Finance Agency. At first glance this might seem unusual, but in fact this agency has more to do with metropolitan problems than probably any other agency or department in the Government.

As Dr. William L. C. Wheaton, president of the National Housing Conference, recently wrote:

If we examine the Housing Agency we find that it is no longer a housing agency. It contains programs of housing and urban renewal. It contains the Bureau of Community Facilities with a program of aids to local community facilities and public works. The Housing Agency administers a program of grants for local, county, and State planning assistance and assorted other functions, all affecting the development of urban areas. Indeed, the only major development

aids of the Federal Government to urban areas which are not now contained in the Housing Agency appear to be urban roads and highways and aids for school buildings and hospitals, to the extent that we have such programs. In short, I would contend that the Housing and Home Finance Agency has already become a department of urban development and housing in all but name and prestige.

It would seem only reasonable, then, that the metropolitan problem of providing adequate mass transportation services would properly belong in such an agency as the HHFA.

And I was interested to note that the transportation report just recently submitted by the Department of Commerce gave support to this contention.

The Department's recommendation No. 49 states that the Federal Government should "encourage urban long-range community planning, including total transportation planning to make full use of highway, transit, rail commutation, and all other capacity to minimize total transportation cost and congestion, in full coordination with activities under the Housing Act of 1949 as amended."

But to conclude that this Agency is best equipped and most competent to administer any Federal activity in the field of metropolitan mass transportation does not answer the question whether such activity is necessary or desirable in the first place.

That is the central question: Should the Federal Government concern itself with the problem of insuring adequate metropolitan mass transportation services?

In my judgment, the great weight of evidence and argument leads inevitably to the answer, "Yes."

The problems of skyrocketing metropolitan area growth, the paralysis of traffic congestion, and the obstacles to the free flow of interstate commerce are of such magnitude and consequence—both in human and economic terms—that it just does not make sense to call the problems of urban transportation "a merely local concern" or even "primarily a local problem."

The stakes are so enormous to the Nation as a whole that all levels of government—local, State, and Federal—must accept equal responsibility and must all exert their fullest efforts to achieving a solution to the problem.

I am interested to note that our colleague and friend the senior Senator from Pennsylvania [Mr. CLARK] has suggested in a talk at George Washington University, following through with earlier suggestions he had made, that he proposes the creation of a new department from the present Housing and Home Finance Agency, to serve as a spokesman within the Government for urban communities.

### THE NATIONAL INTEREST

There is a tendency, I think, to visualize the problem of metropolitan mass transportation in terms of the convenience of the sleep-eyed resident in Greenwich, Conn., waiting for the 7:15 train to New York City.

However, there are some 16 million people like the one I have described who are totally dependent on some form of public transportation to get to and from work each day. Another 40 million people have less frequent need for mass transportation services.

These are no trifling numbers, but the national interest in this problem is far greater than the convenience and comfort of even this many people.

However, the extent of the national interest cannot be properly appreciated until it is fully realized that transportation and urban life are inseparable.

Modern transportation, the advent of trains, automobiles, and airplanes, have—more than any other single force—made the city what it is today.

Transportation is the bloodstream of an urban, cosmopolitan nation. And we are, as everyone knows, undergoing a national hardening of the arteries.

The transportation system that made our urban life possible now threatens to strangle the major metropolitan areas of the Nation.

This cannot be permitted to continue. The human and economic consequences are too great.

### WELFARE OF THE PEOPLE

It is an often repeated fact that the great majority of the people in the United States—over 100 million—now live in the major metropolitan areas of the Nation. By 1975 our population is expected to reach 215 million, and the urban population concentration will be nearly 80 percent of all the people living in the United States.

Their welfare is obviously a prime national concern, and their welfare will depend to a great degree on the transportation systems that are available. And the key to all forms of transportation in the urban areas of the Nation lies in the adequacy of our mass transportation facilities.

Another aspect to the national interest lies in the free flow of interstate commerce.

### FREE FLOW OF COMMERCE

The economic activity and growth of the Nation are greatly dependent on transportation. The Nation depends on the movement of goods, all kinds of goods, from missiles to motorboats. And again a tremendous increase in the movement of goods is expected by 1975.

It has been estimated that for every dollar of gross national product in the United States, 3 tons of freight are moved 1 mile. By 1975, if the gross national product reaches $750 billion, approximately 2 trillion ton-miles of freight will have to be moved that year. This is three-quarters of a trillion more freight movement than we have at present.

Again, as a Nation, we have a vital interest in insuring the free flow of that freight. If it is slowed down and impeded because of inadequate urban transportation systems, the whole Nation will be the loser.

### FEDERAL HIGHWAY INVESTMENT

A third area of national interest lies in protecting our huge $41 billion investment in the current Federal highway program, about half of which will be spent in the urban areas of the Nation.

The primary objective, of course, is to achieve the best possible transportation system with the lowest and most efficient expenditure of money.

The future development or decline of mass transportation services will play a major role in determining the scope of the highway program and the amount of money that will ultimately have to be spent on it.

It is well recognized, I think, that the loss of our mass transportation services would throw an unbearable burden on our streets and highways. Conversely, the development of better mass transportation systems would more than pay for itself by greatly reducing the need for other costly public expenditures, like urban highways.

Finally and most important there is the critical national interest in the economic welfare of our metropolitan areas as a whole.

### URBAN ECONOMIC WELFARE

In 1958 the people living in the metropolitan areas of the Nation held $203 billion, or 66 percent, of the total disposable personal income in the United States.

It seems that we tend to forget that the major metropolitan areas are the major wealth producing centers of the Nation. And wealth production means tax production. Can we, in this day and age of international competition and struggle, afford to allow our metropolitan centers to deteriorate and decay?

The answer would seem obvious. Yet it is happening.

### DECLINE OF THE CITIES

The decline of our cities—our major wealth producing centers—began when people decided they wanted to live in urban areas and drive automobiles as well.

Today our cities are being physically and financially crushed by the onslaught of the automobile. Since 1930 the number of cars in the Nation have increased five times as fast as the population. In 1959 there were 68 million cars on the road. In 1975, if present trends continue, the number of cars will be 100 million.

The cost of this development is staggering and will continue to be so unless some hard thought is given to the matter.

The most obvious cost is in the construction of highways, access roads, bridges, tunnels, and parking facilities. These costs in highly developed areas, as we all know, run up into the millions of dollars for the construction of just 1 mile of road.

And to make matters worse, despite our greatest efforts to provide adequate facilities for auto traffic—and the Federal highway program is the largest public works project this country has ever undertaken—there seems to be no hope that in the end traffic congestion will be reduced. In fact, there are many who say that when the highway program is completed in 1975 the congestion will be just as great, or even worse.

There are also other less conspicuous but no less important costs that result from our metropolitan traffic paralysis.

COST OF TRAFFIC JAMS

According to a survey conducted by the New York Times in 1957, it was estimated that the habitual traffic jams that occur in nearly every city cost the Nation $5 billion a year.

The Times also reported that "the economic cost of automobile accidents last year was estimated by the Association of Casualty and Surety Companies at $6.5 billion."

In New York City alone the traffic jams cost over a billion dollars a year. These losses are reflected in wages that are needed to cover time lost in traffic, in the loss of retail sales, new construction, tax revenue and the overly rapid depreciation of vehicles and extra fuel costs.

Certainly this is money that could be put to much better use by a nation in global conflict with a hostile form of government.

WASTE OF LAND

Another serious form of erosion and waste is the amount of land that is being devoured on behalf of the automobile.

In another series of articles appearing in the New York Times last year, Harrison Salisbury wrote: "About two-thirds of downtown Los Angeles is already in thrall to the gods of gasoline."

About 28 percent of the land of that city is taken up by streets, freeways, and service ways. Another 38 percent of the land is devoted to garages, loading facilities, gas stations, and so forth.

Downtown Detroit is another example with 56 percent of all available land in bondage to the streets and parking lots.

Elsewhere across the country the picture is much the same. The percentages may vary. But they have this in common; they are all going up.

Unfortunately, however, our roads pay no Federal or local taxes. The huge costs of our traffic jams and the exhorbitant waste of potential wealth-producing land are bad enough. But this is only the beginning of the proverbial vicious circle.

COMMUTATION AND URBAN SPRAWL

With the advent of the automobile, the "flight to the suburbs" and the "urban sprawl" began.

As one suburb after another filled up, the builders and the bulldozers moved on to the next vacant pasture, thus intensifying the need for automobile commutation.

Although more and more people are moving to increasingly far-out suburbs, they are still continuing to work in the central cities. In fact, New York City is undergoing a commercial renaissance even though its core population is declining.

Thus the congestion continues to mount as more and more people come from suburbs where the density of population is so low that no other transportation than the private car is possible.

Unless, then, adequate and convenient mass transportation facilities are made available closer in to the central city where the population density is high enough, the commuter will have no other choice than to drive his car all the way to work, and governments at all levels will have no other choice than to make his trip possible through road, bridge, tunnel, and parking area construction.

But it does not take much imagination to see that this solution is ultimately and inevitably self-defeating.

Congestion will get worse, highway construction costs will become greater, more revenue-producing land will be wasted, and our once-proud cities will grow weaker and poorer.

At the same time, an enormous amount of money will have to be spent in far-out suburbs to provide duplicate roads, sewers, hospitals, shopping centers, schools, fire departments, police service and so forth.

But no matter how much each community is willing to spend, it can never become a world unto itself. The major employment center will remain in the core city, as will most of the other amenities of an urban civilization.

As the executive director of the New York Metropolitan Rapid Transit Commission, Frank Simon, has said:

> The stock exchange will not move to Englewood. "My Fair Lady" will not have a 3-year run in West Hempstead and the Metropolitan Museum of Art will not move to Tarrytown.

With all these problems before us, it is evident, I think, that transportation is the key to urban civilization.

As Luther Gulick, one of our leading authorities on urban affairs, has written:

> So central to metropolitan life is this problem of physical circulation of men and goods that it might be said that all the rest of our metropolitan problems would become tractable if only we might find out how to solve the transportation problem.

NEED FOR MASS TRANSPORTATION

The question is, How? By reliance on the automobile alone?

The answer is conclusively "No."

Again, to quote from Harrison Salisbury's article last year:

> No matter what the cost, public transit facilities must be provided. Otherwise chaos lies just ahead. That is what the west coast Cassandras—often yesterday's prophets in the freeway temples—are saying today.
>
> Los Angeles provides a classic example of the Malthusian principle applied to the automobile. As cited by Dr. Lyle C. Fitch, first deputy administrator of New York City, this is the law:
>
> "Today's automobile population continually outruns its lebensraum."

Dr. Wilfred Owen, another leading authority on metropolitan transportation problems, writes in his book "Cities in the Motor Age":

> It is clear that even the current extraordinary roadbuilding effort will fall short of meeting all the transport requirements of the big metropolis in rush hours. Often it seems that the more roads we build the heavier the congestion becomes. By 1975 we may find ourselves with a highway system that can handle more vehicles than ever before, yet one that will be just as overburdened as ever.
>
> The answer to the transportation problems of our densely built-up urban centers does not lie in the private car alone. It is becoming more and more difficult to acquire land for rights-of-way and parking. Any real effort to make our vertical cities completely accessible by automobile would eliminate much of the downtown development that makes access worthwhile. In order to preserve the core of the large city, there should be a more balanced attention to all methods of movement—and this means that an adequate public-transit system is essential. Without it the motorist in today's big city may strangle in his own congestion.

Unquestionably, then, metropolitan mass transportation is imperative.

It is vital to the continued welfare of the great majority of people who live in our urban areas.

It is vital to the economic welfare and wealth-producing capacity of the metropolitan areas.

It is vital to the free flow of goods in interstate commerce.

It is vital to the efficient and economical expenditure of Federal funds for highway construction.

For the fact is that it takes 80 lanes of highway to carry the same number of people in 1 hour as can be carried on 2 tracks of rail.

The impact of this difference in capacity can be seen in the estimate that if half the people who now use public transportation to get to work in New York City were to switch to private car, 10 square miles of more parking space would be required, and the street, bridge, and tunnel capacity leading to the city would have to be doubled.

In dollars and cents, it has been calculated that it would cost over $30 billion to provide highway facilities for the people who presently use mass transportation in just the five cities of New York, Philadelphia, Chicago, Boston, and Cleveland.

NEED FOR SOUND PLANNING

If mass transportation is essential and if the Federal Government has a definite interest in, and responsibility for, its development, it is essential that there be sound planning prior to any significant expenditure of Federal funds that may become necessary.

This need is clearly recognized by the Commerce Department's report on transportation. In the section on urban transportation, the question is asked: How can the Federal Government assist in the problem of urban transportation congestion? It should "encourage local authorities to do more long-range land-use planning, in which transportation has a critical part."

The bill I have introduced is designed, first, to encourage comprehensive planning to determine total transportation needs and planning to coordinate existing transportation systems within the development of the city as a whole.

It might be asked: Are we not already doing a lot of planning with the 1½ percent funds available under the Federal highway program?

It is probably true that the Bureau of Public Roads and the highway departments in some States are doing the lion's share of overall planning. But it is questionable whether they are doing all the planning that needs to be done in urban areas, in planning for the proper relationship between roads and the other as-

pects of urban development. In fact the law prohibits the use of these funds for land-use planning.

And it is questionable whether it is desirable that they should do such planning. A number of experts are inclined to feel that this planning should not be divorced from the agencies and officials with primary political responsibility for the total development of the community or urban area.

It is my hope that the city and regional planners who now receive section 701 grants for urban planning will be encouraged to do more areawide transportation planning on their own. And it is my understanding that very little of this is now being done.

The bill would, secondly, encourage the coordination of the planning of all the various public bodies and agencies that have responsibility for transportation services within a single metropolitan area. And they are many.

Nationwide, there are some 46,000 governmental units with some degree of control over our whole transportation structure.

A more graphic description of the balkanization of jurisdiction can be found in a fine transportation study of the Newark area, completed last year by the New Jersey Highway Department and the Department of Conservation and Economic Development. The report states that:

A list of those active in providing transportation in the Newark area include, among others: The State government acting through the highway departments; the four county governments; the municipal governments, of which there are 34; the New Jersey Turnpike Authority; the Garden State Parkway Authority; private transit companies providing bus and rapid transit services under franchises regulated by the State public utilities commission; the Port of New York Authority; and a number of railroads regulated by the State public utilities commission and the Federal Interstate Commerce Commission.

The result for the Newark area is that at present there exists no mechanism to insure the recognition of the area's total transportation need or to formulate policies for meeting that need in an efficient manner.

IMPACT OF LAND USE ON TRANSPORTATION

Finally and most importantly, the bill would encourage more study of the interrelationship between transportation and urban development.

As Wilfred Owen so well stated, there are two sides to the transportation problem—supply and demand.

"To date," he points out, "attention has been directed exclusively to supplying additional transport capacity. The futility of this one-sided approach is plain."

What we need to do is start tackling congestion at its source.

And unquestionably one of the main reasons people have been fleeing to the suburbs has been to escape the decay and deterioration of the central city, to escape the confinement and the lack of open space and recreation areas, to escape the noise and congestion, the crime and juvenile delinquency.

As Dr. Owen says:

The ultimate solution to this problem is not to build more and more transport capacity. The central city needs to be redesigned to permit more people to live as well as work there. Transportation problems could be alleviated, for example, if cities would restore close-in areas and make them fit to live in.

In other words there must be an extremely close relation between the development of land uses and the development of transportation systems. There should be much greater effort toward bringing the home and the factory closer together and insuring the proper balance between them.

In Dr. Owen's words, the new highway program, which constitutes our major urban transportation effort, "will be a major influence in renewing the city, and the renewal program may prove to be equally effective in attacking congestion.

At the very least there is need for a close working relation between road and renewal programs * * * (but) no such unity exists.

COMMUTER EQUIPMENT LOANS

In addition to the types of planning I have outlined, there is a critical and immediate need for Federal assistance to help finance the purchase of new equipment and facilities for use in mass transit or commuter service, especially on rails.

This assistance is based on the premise that, no matter what the future of intercity rail passenger service, the existing suburban rail network must be preserved wherever possible.

This form of travel is by all odds the most efficient, but most important, the enormous capital investment in tracks, stations, and rights-of-way has already been made.

Perhaps the relative inflexibility of rail service is such that further expansion for mass transportation service would be undesirable, except in special instances where the population density is high enough.

But surely it makes economic sense to maintain existing suburban rail service where it is needed and now exists.

ROLE OF RAIL SERVICE

As Dr. Owen concludes:

Where rapid-transit lines already exist, facilities and equipment should be preserved and modernized to meet the requirements of present users. Subsidies for this purpose are warranted where they will mean a net saving in total outlays for the transport system as a whole.

This bill does not provide for subsidies, however, despite the fact that suburban rail and rapid transit service is unquestionably a heavy money-losing proposition, in most cases.

The bill would provide long-term, low-interest loans of up to $100 million to assist in the purchase, for example, of railroad passenger cars, which in 1958 were on an average of 28½ years old.

There are of course many things that will have to be done to get commuters out of their cars and back onto rapid transit systems, including faster and more frequent service and possibly lower fares.

But modernization of our commuter equipment is a prime requisite.

CONVENTIONAL LOAN COSTS

The problem is that conventional loans carry such high fixed charges that they only tend to increase the loss on what is already a money-losing operation. It is as if you were to try to convince a button manufacturer who was losing a penny on each button to try producing in greater volume.

The current terms on railway passenger equipment, on the basis of the recent purchases of the Chicago & Northwestern, are 15 years and 6 percent.

The importance of fixed costs on metropolitan transportation were clearly shown in the recent report on the transportation plan for the National Capital region here in Washington.

In forecasting the operation of the proposed "Express Transit System," at a time when the regional population is 3 million, the report estimated that fare revenues would amount to $63 million. Operating expenses would be $39 million and amortization of the financing costs would be $31 million, or nearly 50 percent of the estimated revenues.

LOANS FOR UNIFIED FACILITIES

Another important need is for assistance to help finance the coordination and integration of existing highway, rail, bus, subway, and other mass transportation facilities.

Convenience and door-to-door service are two features that have drawn people away from mass transportation and into cars. In fact, these advantages probably in many cases far outweigh comparative costs of public and private transportation.

Certainly, then, it is important to make mass transportation as convenient and rapid as possible in an effort to regain public transportation riders.

As Mayor Richardson Dilworth, of Philadelphia, said just the other day, the goal is "to unite our entire mass transportation system—that is, our surface traction system, our subways and commutation service into one system to serve the entire area."

And I might add that the city of Philadelphia has been undertaking some very bold and interesting steps in the field of mass transportation.

The city's "Operation Northwest" gave the people of Philadelphia added commuter service on two railroads, lower fares, coordinated feeder bus service and free transfers in the city. After 6 months of the experiment, the two railroads had an increase of passengers of 12 and 11.5 percent. It was estimated that the project brought 3,000 fewer cars into the downtown area each week, which represented a saving of about $2,400,000 in parking facilities alone.

The American Municipal Association, in a recent policy statement, also emphasized the need for integrated services.

It stated that "maximum use of feeder services by automobile and bus should be encouraged by locating (railroad) stations at points readily accessible to highways, and by providing ample parking facilities."

The future will inevitably see a great amount of activity, I believe, toward constructing the kind of facilities that will encourage the commuter to leave his car on the outlying fringes of the city and change over to a form of mass transportation.

But even now there is much worthwhile work that could be undertaken to make existing facilities serve the commuter better.

PHILADELPHIA AREA

The situation in the Philadelphia-South Jersey area is a good case in point.

At present the commuter from the Haddonfield-Kirkwood area in New Jersey, if he elects to use public transportation, must either use a bus all the way or ride an infrequent service on the Pennsylvania & Reading Sea Shore line to the station in Camden. He must then transfer to the single track Bridge Line and then transfer again to the subway in Philadelphia.

Under recently proposed plans, there would be a through service on a double track line from Kirkwood to 17th and Locust in Philadelphia, a route that would make maximum use of present facilities and rights-of-way.

BOSTON AREA

In Boston, the Old Colony riders were brought into south station where they had to leave the building and enter the Boston MTA subway through regular street entrances if they wished to continue beyond the south station area. A rider survey showed that 90 percent of the people needed transportation to reach their downtown Boston destination, but that only 20 percent used the MTA subway.

A proposed plan in 1959 called for the integration of the Old Colony line with the MTA subway which would provide single car rides through to Cambridge.

SAN FRANCISCO AREA

San Francisco provides another good illustration of the haphazard growth of metropolitan transportation services.

There are two lines into the San Francisco downtown area, the Southern Pacific from the south and the Key System Bus Line from the east. These two lines have separate terminals and both terminals are 8 to 15 blocks from the area where most of the riders wish to go, and where there is no connecting rapid transit service.

Low-cost loans, then, for the purchase of commuter equipment and construction of integrated mass transit facilities are an essential part of the program that must be undertaken to rejuvenate mass transportation services in our metropolitan areas.

Both the loans and the planning grants represent, I believe, a modest and constructive approach toward the problem.

But perhaps even more important than the dollar and cents value of the legislation I have introduced is the symbolic value.

Passage of this legislation would represent, I believe, an important recognition on the part of the Federal Government that it, too, has a tremendous interest and stake in the survival of our major metropolitan areas—a survival that will in no small part depend on the establishment of good, modern mass transportation systems.

Mr. President, the time for this recognition is now.

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 28, 1960, he presented to the President of the United States the enrolled bill (S. 607) for the relief of the estate of Sinclair G. Stanley.

## ADJOURNMENT TO 10 A.M.

Mr. WILLIAMS of New Jersey. Mr. President, in accordance with the order previously entered, and as a further mark of respect to the memory of the late distinguished Representative from Washington, RUSSELL V. MACK, I move that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was unanimously agreed to; and (at 7 o'clock and 40 minutes p.m.) the Senate, under order previously entered, adjourned until tomorrow, Tuesday, March 29, 1960, at 10 o'clock a.m.

## NOMINATIONS

Executive nominations received by the Senate March 28, 1960:

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Paul Lamar Freeman, Jr., O17704, Army of the United States (brigadier general, U.S. Army), in the rank of lieutenant general.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Elizabeth R. Bosarge, Bellamy, Ala., in place of C. G. Watkins, retired.

GEORGIA

Melvin L. Burke, Millen, Ga., in place of R. E. Womack, transferred.

HAWAII

Mitsua Watanabe, Kaunakakai, Hawaii, in place of J. D. Lewis, Jr., retired.

IDAHO

E. Ione Clark, Challis, Idaho, in place of M. A. Morrow, retired.

Milan M. Casper, Rigby, Idaho, in place of Willard Adams, retired.

ILLINOIS

Edna M. Parker, Cedarville, Ill., in place of Lorraine Fry, resigned.

Marie A. Billerbeck, Cullom, Ill., in place of H. E. Altig, retired.

Allen J. Gharst, Loda, Ill., in place of H. E. Goodell, retired.

John W. Magnuson, Wilmette, Ill., in place of L. J. Orr, retired.

INDIANA

George L. Reitz, Chrisney, Ind., in place of R. T. Jones, deceased.

Freda L. Tyler, La Fontaine, Ind., in place of R. S. Roberts, retired.

Opal W. LaFollette, New Market, Ind., in place of P. L. Smith, deceased.

Thomas F. Kinder, Rockport, Ind., in place of C. H. Wetzel, retired.

IOWA

G. Elaine Thompson, Hinton, Iowa, in place of W. A. Spies, transferred.

KANSAS

Nolen E. Bond, Dodge City, Kans., in place of C. V. Houlton, retired.

Daryl E. Daniels, Johnson, Kans., in place of A. M. Nall, retired.

Lloyd K. Camp, Sharon Springs, Kans., in place of E. M. Gough, retired.

KENTUCKY

Manie B. Greene, Park City, Ky., in place of C. B. Neville, resigned.

MARYLAND

Walter F. Coppersmith, Jr., Aberdeen Proving Ground, Md., in place of E. F. Provost, retired.

MICHIGAN

Ralph W. Menerey, Brimley, Mich., in place of N. K. Zeigler, retired.

Irene J. Awrey, Oxford, Mich., in place of M. G. Dunlap, retired.

William F. Johnson, Quincy, Mich., in place of N. D. Potter, retired.

Pearl M. Rattray, Rapid City, Mich., in place of C. K. Guy, removed.

MISSISSIPPI

Herbert A. Thompson, Doddsville, Miss., in place of J. M. Parks, deceased.

Ellen G. Feigler, Dublin, Miss., in place of C. E. Feigler, Jr., retired.

Margaret B. Rogers, Falkner, Miss., in place of J. E. Rogers, deceased.

Lillie R. Yelverton, Hattiesburg, Miss., in place of C. N. Yelverton, deceased.

MISSOURI

Fay L. Warren, Larussell, Mo., in place of L. H. Thomas, transferred.

NEBRASKA

Ruth M. Harrison, Beemer, Nebr., in place of F. C. Buhk, retired.

Enlowe E. Harvey, Inavale, Nebr., in place of M. M. Dunn, retired.

Oliver T. Brown, Kenesaw, Nebr., in place of G. E. Brown, transferred.

NEW JERSEY

Aldo J. Rabbu, Bound Brook, N.J., in place of L. J. Bowlby, retired.

NEW YORK

Francis J. Finnick, Canandaigua, N.Y., in place of F. R. Cougevan, deceased.

Bruce H. Busch, Caroga Lake, N.Y., in place of Burton Yates, retired.

Donna A. Dort, Kennedy, N.Y., in place of C. R. Ericsson, deceased.

Franklyn J. McCoy, Lake George, N.Y., in place of H. J. Smtih, retired.

Olga C. Bennett, Mayfield, N.Y., in place of W. F. Agnew, retired.

William A. Pipes, Nesconset, N.Y., in place of W. S. Commerdinger, Jr., retired.

Stanley Wolak, New York Mills, N.Y., in place of Michael Pasternak, deceased.

Ralph H. Walker, Westfield, N.Y., in place of F. S. Richardson, retired.

NORTH CAROLINA

James C. Dial, Pembroke, N.C., in place of J. R. Lowry, retired.

Fred W. Harper, Wake Forest, N.C., in place of J. R. Wiggins, retired.

OHIO

Donna L. Griffith, Pedro, Ohio, in place of Sarah Griffith, retired.

Robert G. Stephenson, Wellston, Ohio, in place of G. W. Rupp, retired.

OREGON

Vernetia M. Hadley, Bly, Oreg., in place of G. G. Casebeer, retired.

PENNSYLVANIA

Gordon R. Hockenbrock, McAlisterville, Pa., in place of L. I. Leister, retired.

Henry W. Weldaw, Jr., Skytop, Pa., in place of F. W. Thomas, deceased.

TENNESSEE

James W. Price, Cornersville, Tenn., in place of V. T. Tankersley, deceased.

TEXAS

James E. Watson, Barry, Tex., in place of C. O. Williams, retired.

James W. McMillan, Kingsville, Tex., in place of P. D. Cauley, Sr., retired.

Walter D. Stephens, Sabinal, Tex., in place of W. C. Giffin, deceased.

UTAH

LeRoy Soelberg, Jr., Grantsville, Utah., in place of P. G. Johnson, deceased.

Jack E. Christensen, Logan, Utah, in place of Eugene Yeates, retired.

VERMONT

Raymond L. Domey, Marshfield, Vt., in place of A. M. Bullard, retired.

VIRGINIA

Austin F. Robinson, Great Falls, Va. Office established November 1, 1959.

WEST VIRGINIA

William R. Hudnall, Marmet, W. Va., in place of M. K. McIntyre, retired.

# HOUSE OF REPRESENTATIVES

## MONDAY, MARCH 28, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

II Timothy 4: 7: *I have fought a good fight, I have finished my course, I have kept the faith.*

God of all grace and goodness, in our prayer, at this noon hour, we are beseeching Thee to make our hearts the sanctuaries of Thy presence and to lift our minds to a clearer vision of Thy will and way for us.

May these days of crisis, which try our souls and tend to harden them, create within us new resources and capacities, enabling us to follow the loftiest ideals without fear and without faltering.

Inspire us with Thy divine truth and may it lead us in the way of the blessed life and the road of the loving heart girded with a victorious faith and a conquering hope.

Expand and enrich our souls with sympathy and good will toward all men that we may do unto others as we would that they should do unto us and so fulfill the law and the prophets in the spirit of our Lord and Master.

Hear us in His name. Amen.

## THE JOURNAL

The Journal of the proceedings of Thursday, March 24, 1960, was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H.J. Res. 621. Joint resolution making supplemental appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1960, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10233. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1961, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. HAYDEN, Mr. KEFAUVER, Mr. FREAR, Mr. BIBLE, Mr. YOUNG of North Dakota, Mr. HRUSKA, and Mr. BEALL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10743. An act making supplemental appropriations for the fiscal year ending June 30, 1960, and for other purposes.

The message further announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. MAGNUSON, Mr. HOLLAND, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mr. MUNDT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) entitled "An act for the relief of the estate of Sinclair G. Stanley."

## MEDICAL CARE

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

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

There was no objection.

Mr. HARRISON. Mr. Speaker, on the 2d day of December, the Secretary of Health, Education, and Welfare in a public speech endorsed the principle of the Forand bill when he said he would present to the Congress a positive program for the payment of medical care to OASI beneficiaries. Since then he has not presented such a plan but repudiated his endorsement of it. Later he let it be known that he favored a scheme of medical care for the aged through public assistance on the needs test. Since then he has abandoned that. Later he talked of a subsidy to insurance companies to pay for premiums for medical care, and nothing more has been heard of this. On the 28th day of December he said a voluntary insurance program will provide inadequate protection, but today he announced he is at work on a program to solve this problem by voluntary insurance.

A year ago he was asked by the Ways and Means Committee to submit his recommendations in this field. He has never done so. Several weeks ago he told the committee he would tell us his recommendations last Wednesday. Last Wednesday he said he had no recommendations. Today he says he will have recommendations.

Mr. Speaker, it is fair to ask what kind of game Secretary Flemming is playing with the Congress.

## FOODPOWER—U.S.A.

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

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

There was no objection.

Mr. ADAIR. Mr. Speaker, on Tuesday evening, March 22, a number of Members of Congress and officials of the executive departments of Government as well as other interested people had the opportunity to attend the premiere of "Tomorrow's Foodpower."

This film was produced for the Central Soya Co., Inc., Fort Wayne, Ind., along with a fine brochure entitled "Foodpower—U.S.A." Both the film and the brochure are interesting and colorful. They point up the problems which our growing population will create with respect to the production of food in the coming years. I commend them to the attention of all.

## DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from South Carolina [Mr. MCMILLAN], chairman of the Committee on the District of Columbia.

Mr. MCMILLAN. Mr. Speaker, I ask unanimous consent to insert in the RECORD an explanation of each of the bills I propose to call up today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## AMENDING THE LIFE INSURANCE ACT OF DISTRICT OF COLUMBIA

Mr. MCMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (H.R. 10964) to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

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 chapter III of the Life Insurance Act, as amended (sec. 35–501, et seq., D.C. Code, 1951 edition), is amended by adding a new section 41 as follows:

"SEC. 41. (a) Every domestic life insurance company which issues contracts providing for payments which vary directly according to investment experience shall establish one or more separate accounts in connection with such contracts, as directed by the Superintendent. All amounts received by the company which are required by contract to be applied to provide such variable payments shall be added to the appropriate separate account, and the assets of any such separate account shall not be chargeable with liabilities arising out of any other business the company may conduct. Any surplus or deficit which may arise in any such separate account by virtue of mortality experience shall be adjusted by withdrawals from or additions to such account so that the assets of such account shall always equal the assets required to satisfy the company's obligations for such variable payments.

"(b) A foreign or alien life insurance company authorized to do business in the District may be authorized to issue or deliver contracts in the District providing for payments which vary directly according to investment experience only if authorized to issue such contracts under the laws of its domicile.

"(c) No domestic life insurance company shall be authorized to issue such variable contracts, and no foreign or alien life insurance company shall be authorized to issue or deliver such contracts in the District, until such company has satisfied the Superintendent that its condition and methods of operation in connection with the issuance of such variable contracts will not be such as to render its operation hazardous to the public or to its policyholders in the District. In determining the qualification of a company to issue or deliver such variable contracts in the District, the Superintendent shall consider, among other things, the history and financial condition of the company; the character, responsibility, and general fitness of the officers and directors of the company; and, in the case of a foreign or alien company, whether the regulation provided by the laws of its domicile provides a degree of protection to policyholders and the public substantially equal to that provided by this section and the rules and regulations issued by the Superintendent pursuant thereto.

"(d) Every life insurance company which issues or delivers such variable contracts in the District shall file with the Superintendent, in addition to the annual statement required by section 8 of the Act of June 19, 1934 (48 Stat. 1132; sec. 35–407, D.C. Code, 1951 edition), such other periodic or special reports as the Superintendent may prescribe.

"(e) The provisions of this section shall not apply to any contracts which do not provide for payments which vary directly according to investment experience.

"(f) The Superintendent shall have the authority to issue such reasonable rules and regulations as may be necessary to carry out the purposes of this section.

"(g) In the case of a domestic life insurance company which issues contracts providing for payments which vary directly according to investment experience—

"(1) the 2 per centum limitation of clause (1) of subsection (7) of section 35 of chapter II of the Life Insurance Act, as amended (sec. 35–535, D.C. Code, 1951 edition), shall be enlarged to include an additional 2 per centum of the assets held by such company in the separate account or accounts established pursuant to subsection (a) of this section.

"(2) the 1 per centum limitation of subsection (9) of said section 35 shall be enlarged to include an additional 2 per centum of the assets held by such company in the separate account or accounts established pursuant to subsection (a) of this section.

"(3) the 1 per centum limitation of subsection (10) of said section 35 shall be enlarged to include an additional 2 per centum of the assets held by such company in the separate account or accounts established pursuant to subsection (a) of this section."

Mr. McMILLAN. Mr. Speaker, a recent development in the life insurance business is a new type of insurance contract under which life insurance contracts provide for payments which vary in amount depending upon the investment experience of the insurance company. Previously, the most common type of life insurance contract provided for specified premium payments in return for which the insured or his beneficiary would receive a fixed amount when the policy became payable. The variable contract differs in that there is no fixed amount specified as payable to the insured or his beneficiary at the time the contract becomes payable but that the amount payable will be directly related to the investment income experience of the insuring company.

The purpose of H.R. 10964 is to provide in the District of Columbia law, and enable the Superintendent of Insurance of the District of Columbia, to issue regulations concerning companies which write such life insurance contracts in the District.

The bill provides that any life insurance company which issues contracts of insurance calling for payments which vary with investment experience must establish separate accounts for such insurance contracts. All funds received by such company on such contracts must be added to the separate account. Such separate account may not be charged with any liabilities connected with any other business which the company may conduct. In the case of a surplus or deficit, the account is adjusted by withdrawals or additions to the account so that the value of each account is always equal to the amount required to meet the obligations of the insurance company for payments on such contracts.

Foreign life insurance companies may issue variable contracts in the District of Columbia only if authorized to issue such contracts under the laws of the jurisdiction where it is legally domiciled. It must, however, like domestic life insurance companies in the District, first satisfy the Superintendent of Insurance that its financial condition and methods of operation will not be hazardous to the policyholders in the District, and that its history and the character and fitness of the officers and directors qualify it under the law and regulations of the District as enforced by the Superintendent of Insurance. Foreign or alien companies must further satisfy the Superintendent of Insurance that the laws and regulations of the jurisdiction in which it has legal domicile provide at least an equal degree of protection to the policyholder as that provided by the laws and regulations of the District of Columbia.

Under District of Columbia law, domestic life insurance companies are limited as to the percentage of the assets of the company which may be invested in the bonds, stocks, and other evidences of indebtedness of any single legal entity. Since this bill provides that separate accounts must be established for insurance contracts providing for variable payments, this bill carries amendments limiting the percentages of such investments in any single legal entity which may be purchased for the separate accounts by the insurance company.

At the committee hearings no witness presented any objections to the proposal. It was supported not only by the domestic insurance companies but representatives of other life insurance companies from other States. The Superintendent of Insurance of the District of Columbia urged approval of the measure. The bill was likewise approved by the Commissioners of the District of Columbia.

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.

## REPRESENTATION OF INDIGENTS IN DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (H.R. 10761) to provide for the representation of indigents in judicial proceedings in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

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 this Act may be cited as "The District of Columbia Legal Aid Act of 1959."

SEC. 2. There is hereby created a Legal Aid Agency (hereinafter called the Agency) for the District of Columbia, to provide legal representation of indigents in judicial proceedings in the District of Columbia, as provided in section 3.

SEC. 3. The Agency shall accept assignments to represent indigents in criminal proceedings in the United States District Court for the District of Columbia and in preliminary hearings in felony cases, and in cases involving offenses against the United States in which imprisonment may be for one year or more in the municipal court of the District of Columbia, in proceedings before the Coroner for the District of Columbia and the United States Commissioner, in proceedings before the juvenile court for the District of Columbia, and in proceedings before the Mental Health Commission of the District of Columbia and proceedings in the courts arising therefrom.

The Agency shall from time to time advise each of the courts and tribunals named in this section of the names of the attorneys

employed by the Agency who are available to accept assignments in said court or tribunal. The judges or other presiding officers of the several courts and tribunals may assign attorneys employed by the Agency to represent indigents, such assignments to be upon a case-to-case basis, a group-of-cases basis, or a time basis, as the assigning authority may prescribe. Each such court and tribunal will make every reasonable effort to provide assignment of counsel as early in the proceeding as practicable.

SEC. 4. The legal representation services hereinbefore described shall be provided only to such persons who first subscribe and state in writing upon oath that such person has been unable to hire an attorney and is further unable to pay modest attorney's fee. This oath may be administered by any person under law authorized and empowered to administer oaths. The Board of Trustees may provide more detailed standards and procedures consistent with the rules and policies of the respective courts and tribunals, to carry out the provisions of this section: *Provided further,* That any person making a false oath on any material matter required herein shall be fined not more than $1,000 or imprisoned not more than one year, or both.

SEC. 5. The powers of the Agency shall be vested in a Board of Trustees composed of seven members, each serving a term of three years. Each trustee shall be appointed, for a full term or for the balance of an unexpired term, by a panel (of which four members shall be a quorum) consisting of—

the Chief Judge of the United States Court of Appeals for the District of Columbia;

the Chief Judge of the United States District Court for the District of Columbia;

the Chief Judge of the Municipal Court of the District of Columbia;

the Chief Judge of the Municipal Court of Appeals of the District of Columbia;

the President of the Board of Commissioners of the District of Columbia; and

the Chief Judge of the Juvenile Court of the District of Columbia.

Said panel shall be presided over by the Chief Judge of the United States Court of Appeals (or his designee, in his absence).

The Board of Trustees of the Agency shall be appointed initially as follows: three members for three-year terms, two members for two-year terms, and two members for a one-year term. Thereafter each appointment (except an appointment for the balance of an unexpired term) shall be for a three-year term. Each appointee shall hold office until his successor is appointed and qualifies.

SEC. 6. The Board of Trustees of the Agency shall appoint a Director of the Agency, who shall be responsible for the supervision of the legal work of said Agency, and perform such other duties as the Board of Trustees may prescribe. The Board may delegate to the Director such powers of the Board as the said Board may find in the interest of good administration. Said Director shall receive compensation of $16,000 per annum, and shall hold office at the pleasure of the Board of Trustees.

SEC. 7. The Director, with the approval of the Board of Trustees, shall employ such professional and office staff as may be necessary properly to conduct the business of the Agency, subject to the availability of appropriated funds. The Director shall, with the approval of the Board of Trustees, make assignments of the professional personnel of the Agency so as to provide the best practicable handling of the caseload involving indigents in the courts and other tribunals specified in section 3. All attorneys employed to represent indigents by the Agency shall be members of the bar of, and qualified to practice law in, the District of Columbia. The salaries of all employees of the Agency, except the Director, shall be fixed by the Board of Trustees, following the salary scale for employees of similar qualifications and seniority in the office of the United States attorney for the District of Columbia.

SEC. 8. The Director, with the approval of the Board of Trustees may employ volunteer attorneys, without salary, who shall be reimbursed their out-of-pocket expenses properly incurred in the course of their employment.

SEC. 9. All salaried employees of the Agency shall give full time to the Agency work. The Director, with the approval of the Board of Trustees, shall fix the requirements upon the time of volunteer attorneys, and shall fix the office hours of the Agency. No salaried employee of the Agency, including the Director, shall engage in any private practice of the law, and no such employee shall receive a fee for any legal service.

SEC. 10. The Board of Trustees of the Agency shall, on June 1 of each year, submit a report of the Agency's work for the past year to the Congress of the United States, to the Chief Judge of the United States Court of Appeals, to the Commissioners of the District of Columbia and to the Administrative Office of the United States Courts. Said report shall include a statement of financial condition, revenues, and expenses for the past year, prepared by a certified public auditor or by a designee of the Administrative Office. Said Board shall also forward a copy of the report required by this section to each member of the panel described in section 5, and such panel shall meet with the Board of Trustees and Director not later than August 1 of each year to review the work and financial needs of the Agency in the light of the report submitted the previous June 1, as required by this section.

SEC. 11. There is authorized to be appropriated, out of any moneys in the Treasury to the credit of the District of Columbia, not to exceed $75,000 per fiscal year to carry out the provisions of this Act. Such sums shall be appropriated for the judiciary, to be disbursed by the Administrative Office of the United States Courts to carry on the business of the Agency. The Administrative Office in disbursing and accounting for said sums will follow, so far as possible, its standard fiscal practices. The budget estimates for the Agency shall be prepared in consultation with the Commissioners of the District of Columbia, and the appropriations therefor shall be for the judiciary, to be disbursed by the Administrative Office of the United States Courts to carry on the business of the Agency.

SEC. 12. (a) Except as provided in subsection (b), this Act shall take effect on the date of its enactment.

(b) Sections 6, 7, and 8 shall take effect on the date of enactment of the first Act appropriating moneys to carry out the purposes of this Act which is enacted after the date of enactment of this Act, and section 3 shall take effect on the sixtieth day after the date of enactment of such appropriation Act.

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

Mr. McMILLAN. I yield.

Mr. GROSS. Do I understand that all of these bills came out of the committee unanimously?

Mr. McMILLAN. That is correct.

Mr. GROSS. I thank the gentleman.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to provide for the representation of indigents in certain judicial proceedings in the District of Columbia. At the present time the administration of justice in such cases has grown to critical proportions.

As interpreted by the courts, one accused of crime in the District of Columbia is entitled to be represented by an attorney. The courts have recognized similar rights in the case of juveniles and in the case of persons involved in mental health proceedings.

Many of these persons cannot pay even a modest attorney's fee. For them legal representation has to be provided.

During the last several years, with the great growth in the District's population, the provision of this representation on any satisfactory basis has become impossible. Different tribunals have resorted to different methods. Despite every good intention, these methods have been inadequate and grossly inefficient and unfair. The courts themselves, the prosecutors, the bar, and the community agencies are united in judging present methods to be intolerable.

Methods now used all rest on the willingness of private attorneys to accept assignments. In district court, the assigned attorney is prevented from charging a fee. In other tribunals, when a party has no attorney, one is assigned and can charge a fee if he can devise means to get it.

The result is that some people get free representation when they could and should pay for it; some people who should not be required to pay, actually have to pay; and some people who cannot and do not pay, have to depend upon chance to get adequate representation Moreover, increasingly the burden of uncompensated representation falls on a narrow segment of the bar, imposing extreme hardship. These results occur because there is no way that the courts can organize the provision of representation or effectively guard against abuses.

This problem has engaged the concerned attention of the judiciary, the bar, and community agencies in the District for many years. Various suggestions for meeting the problem have been studied. Finally, in 1956 the Bar Association of the District of Columbia created a commission of distinguished citizens to investigate the matter thoroughly and to formulate recommendations. This commission reported in 1958, after an exhaustive study, that it was essential that the problem be met by a properly organized agency with a paid staff of full-time attorneys, depending upon volunteers only to supplement the work of a regular staff. This conclusion was reached after extensive inquiry into experience in other large metropolitan centers throughout the country and a close scrutiny of conditions peculiar to the District.

The statistics demonstrate, in themselves, the staggering proportions of the problem. Applying most conservative standards of estimating, the commission found that each year there were at least 7,500 appointments of attorneys for indigents in criminal cases and the related juvenile and mental health proceedings. Of these about 1,000 were in felony cases in the district court, and about 4,500 in the U.S. branch of municipal court, where preliminary hearings in felony

cases and the more serious misdemeanor cases are conducted. It is obvious that this huge load cannot be handled by the normal case-by-case assignment of a volunteer attorney.

A subcommittee of the House District Committee held hearings on the proposed legislation on May 15 and June 16, 1959. At these hearings prominent judges, public officials of the Federal and District Government were heard. Included among these were E. Barrett Prettyman, chief justice of the U.S. Court of Appeals; David A. Pine, judge of the U.S. District Court for the District of Columbia; Hon. Leonard P. Walsh, chief judge of the municipal court; Hon. Oliver Gasch, U.S. attorney for the District of Columbia; Hon. Joseph P. O'Hara, a former member of the House District Committee and now a member of the Judicial Conference Committee; Chester A. Gray, Corporation Counsel of the District of Columbia; Charles S. Rhyne, past president of the American Bar Association; and W. Cameron Burton, vice chairman of the Committee on Judicial Conference of the District of Columbia Circuit on the Representation of Indigents.

The same subcommittee of the House District Committee which conducted the hearings held executive meetings on the legislation on July 13, 1959, and at a meeting of the subcommittee on February 25, 1960, the subcommittee agreed to report a bill to the full committee for consideration. The full House District Committee, at a meeting on March 2, 1960, after divers points of view, has approved a bill, introduced by its chairman, which incorporates the best features of the various suggestions made to it. It provides for an agency to be governed by a board of trustees to be made up of seven private citizens who will serve without compensation and who will be selected by a panel composed of the chief judges of the several courts of the District and the president of the District Commissioners. Once a year, moreover, this Board will meet with the panel to review its work. The agency will have a director to supervise its activity, and a complement of full-time attorneys, supplemented by volunteers. None of the tribunals will be required to assign cases to the attorneys of this agency, but the agency will make its attorneys available for assignment, except in the appellate courts. Exclusion of the appellate stage is due to the fact that the problem there has not become acute.

Such availability for assignment is confined to criminal cases in the district court, preliminary hearings in felony cases, and in cases involving offenses against the United States in which imprisonment may be for 1 year or more in the municipal court of the District of Columbia, the more serious misdemeanors involving Federal crimes, matters before the coroner and the U.S. commissioner, juvenile cases, and mental health proceedings. This will exclude traffic matters and other less serious or relatively trivial cases.

Assignment, moreover, will be confined to persons able to swear to indigency, and false swearing will be severely punishable—thus filling a gap in present procedure.

The expense of the agency will be met by funds appropriated for the judiciary, but credited against the District's budget, and the appropriation is to be limited to $75,000 a year. There is careful safeguard against improvident expenditure, including disbursal by the Administrative Office of the U.S. Courts and provision for an annual audit.

The committee's proposal has three cardinal virtues. First, an organized means to meet the problem is provided for under competent direction, without imposing an unfair burden on one limited segment of the bar. Second, a governing board of private citizens, with the freedom of a private agency in its personnel policies and methods, assures most efficient and at the same time vigorously independent performance of its duties. And third, service will be confined to those who are truly indigent, thus eliminating abuses inherent in present methods, and will be limited to those types of cases which are sufficiently serious to be of concern to the community.

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.

---

## DISTRICT OF COLUMBIA TAX LAWS RELATING TO OVERPAYMENTS AND REFUNDS

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 10000) to amend further certain provisions of the District of Columbia tax laws relating to overpayments and refunds of taxes erroneously collected, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 14 of title IX of the District of Columbia Revenue Act of 1937, as added by the Act of July 10, 1952, is amended to read as follows:

"SEC. 14. (a) Where there has been an overpayment of any tax, the amount of such overpayment shall be refunded to the taxpayer. No such refund of taxes other than inheritance and estate taxes shall be allowed after two years from the date the tax is paid unless before the expiration of such period a claim therefor is filed by the taxpayer. The amount of refund of taxes other than inheritance and estate taxes shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim, or if no claim is filed, then during the two years immediately preceding the allowance of the refund. No such refund of inheritance and estate taxes shall be allowed after three years from the date the tax is paid unless before the expiration of such period a claim therefor is filed by the taxpayer. The amount of refund of any such inheritance and estate taxes shall not exceed the portion of the tax paid during the three years immediately preceding the filing of the claim, or if no claim is filed, then during the three years immediately preceding the allowance of the refund. Every claim for refund must be in writing, under oath, must state the specific grounds upon which the claim is founded, and must be filed with the assessor. If the assessor disallows all or any part of the claim for refund, he shall send to the taxpayer by registered or certified mail a notice of such disallowance. Within ninety days after the mailing of the notice of disallowance, if the claim is acted upon within six months after the filing thereof, or within ninety days after the termination of such six months' period, if the claim is not acted upon within such period, the taxpayer may appeal to the Board in the same manner and to the same extent as set forth in sections 3 and 4 of this title: *Provided,* That this subsection shall not apply to the taxes imposed by title II, District of Columbia Revenue Act of 1939, as amended, or by titles I and II, District of Columbia Revenue Act of 1949, refunds of which are otherwise provided for by law and that it shall not apply to the real estate tax."

With the following committee amendment:

Page 3, following line 3, insert the following language: "by the District of Columbia Income and Franchise Tax Act of 1947, as amended."

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to extend the period for making refunds of District of Columbia inheritance taxes from 2 years to 3 years and thereby to bring such period into line with the period of 3 years allowed for refunds of Federal estate taxes.

The law relating to the period for the making of refunds of District of Columbia inheritance and estate taxes provides that where there has been an overpayment of any tax, the amount of such overpayment shall be refunded to the taxpayer, but that no such refund shall be allowed after 2 years from the date the tax is paid unless before the expiration of such period a claim therefor is filed by the taxpayer.

The Federal law allows a period of 3 years from the time of the filing of a Federal estate tax return within which to file claims for refund of such taxes. The Federal law provides that Federal estate taxes shall be assessed within 3 years after the return was filed. As a result of the 3-year period allowed by Federal law, it sometimes happens that a Federal estate tax return will not be audited and the tax finally determined until more than 2 years after the District of Columbia inheritance and estate taxes have been paid. If on audit of the Federal estate tax return the net taxable estate is reduced and a refund allowed, it usually follows that a corresponding adjustment in the District of Columbia returns will result in a refund of District of Columbia tax being due to the taxpayer. Under existing District of Columbia law, the refund must be made within 2 years from the time the tax was paid. This sometimes results in a serious injustice where the audit of the Federal return is not completed until more than 2 years after the District of Columbia taxes were paid. The purpose of the proposed legislation is to prevent such injustices.

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.

## ACQUISITION OF PROPERTY UNDER DISTRICT OF COLUMBIA ALLEY DWELLING ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1159) to facilitate the acquisition of real property under the District of Columbia Alley Dwelling Act, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (d) of section 3 of the District of Columbia Alley Dwelling Act, as amended (D.C. Code, sec. 5–105), is hereby repealed.

SEC. 2. That subsection (a) of section 5 of the District of Columbia Alley Dwelling Act, as amended (D.C. Code sec. 5–107), is amended to read as follows:

"(a) The Authority shall make a report to the President, which he shall transmit to Congress at the beginning of each regular session, giving a full and detailed account of all operations under the provisions of this Act for the preceding fiscal year, including an itemization of all properties purchased during such fiscal year, setting forth the assessed value of such properties, together with the purchase price therefor.".

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to repeal subsection (d) of section 3 of the District of Columbia Alley Dwelling Act, which requires that when the National Capital Housing Authority acquires real property in any square by purchase the total amount paid shall not exceed 30 percent over and above the current assessed value of all property or properties acquired in such square.

The Authority must acquire real property in the District of Columbia to carry out its statutory responsibilities of providing decent, safe, and sanitary housing for families of low income in the District, and in so doing it has experienced a longstanding handicap in performing its duties because of the limitation in existing law on the prices the Authority can pay for real property, except by condemnation proceedings.

The result of this limitation is that all acquisitions by the Authority are by condemnation proceedings, instituted by the Department of Justice in the U.S. District Court for the District of Columbia. In most instances, this is a more expensive and time-consuming operation than a direct purchase of the required property on the basis of agreements with property owners. This is especially true since the current assessed value of many properties does not exceed 50 percent of market value.

Section 2 of the bill amends subsection (a) of section 5 of the District of Columbia Alley Dwelling Act, as amended—section 5–107, District of Columbia Code, 1951 edition—so as to require an itemization of all properties purchased during each fiscal year by the National Capital Housing Authority, setting forth the assessed value of such properties together with the purchase price thereof.

The enactment of this measure would result in more efficient and economical administration of the land-acquisition activities of the Authority without removing adequate controls with respect thereto, and, at the same time, would relieve the Department of Justice of additional work with its incidental costs.

The bill was requested by and has the approval of the National Capital Housing Authority and the Board of Commissioners of the District of Columbia. The Commissioners have also been advised by the Bureau of the Budget that there is no objection on the part of that office to this bill.

Enactment of this legislation will involve no additional expenditure by 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.

## AMENDMENT OF FIRE AND CASUALTY ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 10183) to amend the Fire and Casualty Act regulating the business of fire, marine, and casualty insurance in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

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 20 of the Fire and Casualty Act (D.C. Code 35–1323) is amended by adding at the end thereof the following new sentence: "Any company chartered by special act of the legislature of its State or domicile prior to the effective date of this Act, as provided in section 48 of this Act, as a company without capital stock but doing business exclusively on the stock plan and maintaining at all times a surplus of not less than $300,000 shall, in the administration of this Act, be considered as a stock company."

Mr. McMILLAN. Mr. Speaker, section 20 of the Fire and Casualty Act of October 9, 1940, provides that—

Upon complying with the provisions of this act, a foreign or alien company organized as a stock, mutual, or reciprocal company, or as a Lloyd's organization, but not otherwise, may be authorized by certificate of authority to transact in the District the kind or kinds of business which a domestic company similarly organized may be authorized to transact under this act.

The purpose of this legislation is to permit any company chartered by a special act of the legislature of its State of domicile prior to the effective date of the Fire and Casualty Act as a company without capital stock but doing business exclusively on the stock plan and maintaining at all times a surplus of not less than $300,000 to be considered as a stock company for purposes of the administration of the Fire and Casualty Act.

This legislation has the approval of the Superintendent of Insurance for the District of Columbia as well as the Commissioners of the District of Columbia.

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.

## RETAIL INSTALLMENT SALES OF MOTOR VEHICLES

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 10683) to provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia, and for other purposes, and ask that the bill be considered in the House as in Committee of the Whole.

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

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 for purposes of this Act, unless the context requires a different meaning—

(1) "Commissioners" means the Commissioners of the District of Columbia, or their designated agent.

(2) "District" means the District of Columbia.

(3) "Finance charge" means the total amount to be added to the principal balance to determine the balance of the buyer's indebtedness to be paid under a retail installment contract.

(4) "Governmental charges" means the excise tax, personal property tax, inspection fee, registration fee, recording fee, and such other fees charged by any government, or otherwise authorized by law, incident to the transfer of title to a motor vehicle as the Commissioners may by regulation include within such term.

(5) "Instrument of security" means any promissory note, retail installment contract, or other written promise to pay the unpaid balance of the total amount to be paid by a retail buyer of a motor vehicle.

(6) "Motor vehicle" means any automobile, mobile home, motorcycle, truck, truck tractor, trailer, semitrailer, or bus, but shall not include any boat trailer or any vehicle propelled or drawn exclusively by muscular power or designed to run only on rails or tracks.

(7) "Person" means an individual, firm, partnership, joint stock company, corporation, association, incorporated society, statutory or common law trust, estate, executor, administrator, receiver, trustee, conservator, liquidator, committee, assignee, officer, employee, principal, or agent.

(8) "Principal balance" means the cash sale price of a motor vehicle, including accessories and equipment, plus the amounts, if any, included in the retail installment contract, if separate identified charges are stated therein, for insurance and governmental charges, less the amount of the purchaser's downpayment, if any, in money or goods or both.

(9) "Retail installment contract" means a contract entered into in the District or entered into by a seller licensed or required to be licensed by the District evidencing a retail installment transaction pursuant to

which the title to or a lien on or security in the motor vehicle, which is the subject matter of such transaction, is retained or taken to secure the retail buyer's obligations. The term includes a chattel mortgage, conditional sale contract, and a contract in the form of a bailment or a lease if the bailee or lessee contracts to pay as compensation for use a sum substantially equivalent to or in excess of the value of the motor vehicle sold and it is agreed that the bailee or lessee is bound to become, or, for no further or a merely nominal consideration, has the option of becoming, the owner of the motor vehicle upon full compliance with the provisions of the bailment or lease.

(10) "Retail installment transaction" means any transaction in which a retail buyer purchases a motor vehicle for a price in excess of the cash sale price and agrees to pay part or all of such price in one or more deferred installments.

SEC. 2. (a) Notwithstanding the provisions of any instrument of security, refinancing contract, or other instrument to the contrary, made or entered into on or after the effective date of this Act, no person shall charge, contract for, receive, or collect a finance charge if such charge exceeds the larger of $25 or an amount determined under the following schedule:

Class 1. Any new domestic motor vehicle designated by the manufacturer by a year model not earlier than the year in which the sale is made and any new foreign motor vehicle—$8 per $100 per year.

Class 2. Any new domestic motor vehicle not in class 1 and any used domestic motor vehicle designed by the manufacturer by a year model of the same or not more than two years prior to the year in which the sale is made and any used foreign motor vehicle not more than two years old—$11 per $100 per year.

Class 3. Any used motor vehicle not in class 2, and, if a domestic motor vehicle, designated by the manufacturer by a year model not more than four years prior to the year in which the sale is made, and, if a foreign motor vehicle, not more than four years old—$14 per $100 per year.

Class 4. Any used motor vehicle not in class 2 or class 3—$16 per $100 per year.

(b) The finance charge authorized by the preceding subsection shall be computed on the principal balance payable for a motor vehicle from the date of the instrument or contract until the maturity of the final installment, notwithstanding that the balance thereof is required to be paid in installments.

(c) For a period less or greater than twelve months or for amounts less or greater than $100, the amount of the maximum charge set forth in the foregoing schedule shall be decreased or increased proportionately.

(d) The Commissioners shall from time to time investigate the economic conditions and other factors relating to and affecting finance charges, and shall ascertain all pertinent facts necessary to determine what maximum charges should be permitted in such transactions. Upon the basis of such ascertained facts, the Commissioners, notwithstanding the provisions of the preceding subsections, shall from time to time by regulation or order determine and fix the maximum finance charges sufficiently high to result in a fair return on investment to persons engaged in the business of financing retail installment transactions, but not so high as to constitute an unreasonable economic burden on the purchasers of motor vehicles under retail installment contracts. The Commissioners may from time to time, upon the basis of changed conditions or facts, redetermine and refix any such maximum finance charge, but, before determining or redetermining any such maximum charge, the Commissioners shall give reasonable notice of their intention to consider doing so, and provide a reasonable opportunity to persons desiring to be heard with respect to any such proposed determination or redetermination. Notice of the action proposed by the Commissioners shall be published once a week for two consecutive weeks in one or more of the daily newspapers published in the District. Any such changed maximum finance charge shall not affect any preexisting instrument of security lawfully entered into between the seller and the purchaser of any motor vehicle.

(e) (1) The Commissioners are hereby authorized to make and enforce such regulations as they in their discretion deem appropriate to carry out the purposes of this section and to prevent unconscionable practices in connection with retail installment transactions, including, without limitation, provisions:

(i) governing the form and substance of instruments of security;

(ii) requiring that installment payments under instruments of security be made in such relative amounts and at such intervals as the Commissioners may determine;

(iii) requiring that amounts due under instruments of security may be prepaid in full and that the unearned charges, whether for finance, insurance, or for other purposes, attributable to or resulting from such prepayments shall be refunded or credited;

(iv) establishing maximum delinquency, collection, repossession and other charges;

(v) specifying the types and maximum amounts of insurance which may be required, at the expense of the retail buyer, to protect from loss the seller in a retail installment transaction or his assignee or any other person entitled to payments from a retail buyer under an instrument of security;

(vi) respecting the manner and methods of the sale or disposition of repossessed motor vehicles under such conditions, including, without limitation, rights of redemption, as the Commissioners deem advisable;

(vii) requiring the books and records of persons engaged in the business of financing retail installment transactions to be subject to production for examination by the Commissioners.

(2) The Commissioners are further authorized, in their discretion, to make and enforce such additional regulations as they deem necessary to insure that purchasers of motor vehicles under instruments of security are not being required, directly or indirectly, to pay finance, insurance, or other charges in excess of those authorized by this Act or by the Commissioners pursuant to the authority vested in them.

(3) In exercising their powers and authority under this subsection (e), the Commissioners are authorized, in their discretion, to make reasonable classifications (i) according to the parties to retail installment transactions, or (ii) according to the parties to the instruments of security, or (iii) according to the parties involved in repossessions, or (iv) according to other bases, or (v) according to two or more of the foregoing clauses (i) through (iv), and to exercise such powers and authority under this subsection with respect to any one or more of any classifications so made or with respect to all of said classifications.

(f) No provision shall be inserted in any retail installment contract whereby the buyer waives or purports to waive any provision of this Act, and any such waiver of purported waiver shall be void and of no effect. The Commissioners are authorized in their discretion, by regulation (1) to prohibit the inclusion in any retail installment contract of any provision waiving or purporting to waive any provision of any regulation promulgated by the Commissioners relating to retail installment transactions, and (2) to provide that any such waiver or purported waiver, shall be void and of no effect.

SEC. 3. (a) In connection with the licensing of persons under the authority of section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended (title 47, ch. 23, D.C. Code 1951 ed.), the Commissioners are authorized to require either bonds or such other security as they may by regulation deem necessary, of persons licensed to engage in the business of buying or selling motor vehicles and of persons licensed to engage in the business of purchasing contracts for the retail installment sales of motor vehicles, and the Commissioners may, from time to time, and in their discretion, establish classes and subclasses of such persons and, subject to subsection (b) of this section, specify the amount and conditions of the bond to be deposited by each of the members of any such class or subclass. In connection with the licensing of said persons, and the bonding of the members of any class or subclass of the said persons, the Commissioners, in their discretion, may by regulation require applicants for licenses:

(1) to furnish and keep in force a bond running to the District, or other security, to protect members of the public against financial loss by reason of the failure of the licensee or of any officer, agent, employee, or other person acting on behalf of said licensee, to observe any law or regulation in force in the District of Columbia applicable to the licensee's conduct of the licensed business;

(2) to procure and keep in force public liability insurance or property damage insurance, or both;

(3) to appoint the Commissioners as their true and lawful attorney upon whom all judicial and other process or legal notice directed to such person may be served.

(b) The bonds authorized by this section shall be corporate surety bonds in amounts to be fixed by the Commissioners, but no bond shall exceed $25,000, and such bond shall be conditioned upon the observance by the licensee and any officer, agent, employee, or other person acting on behalf of said licensee, of all laws and regulations in force in the District applicable to the licensee's conduct of the licensed business, for the benefit of any person who may suffer damages resulting from the violation of any such law or regulation by or on the part of such licensee or any officer, agent, employee, or other person acting on behalf of the licensee.

(c) Any person aggrieved by the violation of any law or regulation applicable to the licensee's conduct of the licensed activity shall have, in addition to his right of action against such licensee, a right to bring suit against the surety on a bond authorized by this section, either alone or jointly with the principal thereon, and to recover in an amount not exceeding the penalty of the bond any damages sustained by reason of any act, transaction, or conduct of the licensee, or of any officer, agent, employee, or other person acting on behalf of said licensee, which is in violation of law or regulation in force in the District relating to the licensed activity. The provisions of the second, third, and the fifth subparagraphs of paragraph (b) of the first section of the Act entitled "An Act to grant additional powers to the Commissioners, and for other purposes", approved December 20, 1944 (58 Stat. 820; sec. 1-244(b), D.C. Code, 1951 edition), shall be applicable to each bond authorized by this section as if it were the bond authorized by the first subparagraph of such paragraph (b) of the first section of said Act approved December 20, 1944: *Provided*, That nothing in this subsection shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished after any prior recovery or recoveries.

SEC. 4. Subparagraph (a) of paragraph 46 of section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1902, and for other purposes", approved July 1, 1902, as amended (sec. 47–2345, D.C. Code, 1951 edition), is amended by striking the words "to revoke" and inserting in lieu thereof the words "to suspend or revoke".

SEC. 5. With the exception of the function of making regulations to carry out the purposes of this Act, the Commissioners are authorized to delegate, with power to redelegate, any of the functions vested in them by this Act.

SEC. 6. The Commissioners are authorized to promulgate regulations to carry out the purposes of this Act: *Provided*, That no such regulation shall become effective until after a public hearing has been held thereon.

SEC. 7. No person shall make any statement required or authorized by this Act to be filed with the Commissioners, knowing that the information set forth in such statement is false.

SEC. 8. Any person who shall willfully violate any provisions of this Act or of any regulation promulgated by the Commissioners under the authority of this Act, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $500 or by imprisonment for not more than six months, or both.

SEC. 9. Prosecutions for violations of this Act, or of the regulations made pursuant thereto, shall be conducted in the name of the District by the Corporation Counsel or any of his assistants. As used in this Act the term "Corporation Counsel" means the attorney for the District, by whatever title such attorney may be known, designated by the Commissioners to perform the functions prescribed for the Corporation Counsel in this Act.

SEC. 10. The authority and power vested in the Commissioners by any provision of this Act shall be deemed to be additional and supplementary to authority and power now vested in them, and not as a limitation.

SEC. 11. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or the application of this Act which can be effected without the invalid provision or application, and to this end the provisions of this Act are severable.

SEC. 12. This Act shall take effect on the thirtieth day after the date of enactment of this Act.

With the following committee amendments:

On page 6, strike lines 17 to 20, inclusive, and insert in lieu thereof the following:

"(ii) requiring that installment payments under instruments of security be made in substantially equal amounts and at regular intervals except (1) that the interval for the first installment payment may be longer than the other intervals; (2) that the final installment payment may be less in amount than the preceding installment payments; (3) that where a buyer's livelihood is dependent upon seasonal or intermittent income, one or more installment payments in the schedule of payments included in any such instrument of security may be reduced or omitted; and (4) that any contract covering a new motor vehicle to be used primarily as a demonstrator sold to a bona fide motor-vehicle salesman employed by the seller shall be exempt from the requirement that installment payments be in substantially equal amounts;".

On page 12, line 12, strike the word "willfully".

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia.

At the present time in the District of Columbia there is no regulation of the rate of finance charges made in connection with sales of motor vehicles on time. The Commissioners of the District of Columbia have the authority to require motor vehicle dealers to be licensed and to be regulated in respect to many phases of their activity. However, the Commissioners are without authority to fix and regulate the rates of finance charges made for installment sales of motor vehicles. The Commissioners also lack the authority to require bonds of motor vehicle dealers or of persons licensed to engage in the business of financing installment sales of motor vehicles. This legislation would take care of these problems.

This legislation would give the Commissioners of the District of Columbia the power to, first, deal with the problem where motor vehicle dealers advertise a car for sale with no down payment or with only a nominal down payment. Within a few days of the purchase the purchaser is required to make a payment in a substantial amount. Because the purchase of an automobile on a deferred payment plan cannot be financed unless about one-third of the purchase price is paid in cash, the amount of the down payment must be raised or "picked up" to this minimum. This requires the customer in many instances to go to a small loan company outside the District to borrow the money necessary for the "pick up" payment. This has resulted many times in failure of the customer to make the installment payments on both loans. Repossession of the vehicle follows and sometimes a deficiency judgment is obtained against him for the unpaid balance due on the motor vehicle.

Second. The evil in connection with the installment selling of automobiles referred to as "balloon" payments. This term is descriptive of a situation where a contract calling for a series of period installment payments in substantially equal amounts includes a provision for one of the payments, generally at the end of the series of installments, to be in a very large amount which the customer frequently cannot make, resulting either in a repossession of the vehicle or a refinancing of the debt. Refinancing is frequently not possible, however, because of the age of the vehicle, and, even if the vehicle can be refinanced, the purchaser is required to pay a substantial charge therefor. This legislation requires that installment payments under instruments of security be made in substantially equal amounts and at regular intervals with the following exceptions: First, the interval for the first installment payment may be longer than the other intervals; second, the final installment may be less in amount than the preceding installment payments; third, where a buyer's livelihood is dependent upon seasonal or intermittent income, one or more installment payments in the schedule of payments included in any such instrument of security may be reduced or omitted; fourth, and any contract covering a new motor vehicle to be used primarily as a demonstrator sold to a bona fide motor-vehicle salesman employed by the seller shall be exempt from the requirement that installment payments be in substantially equal amounts.

Third. The improper practice in the field of automobile financing where a purchaser who has obligated himself to make a series of installment payments acquires sufficient cash to pay off the entire debt before the installments are due, some of the dealers and finance companies will accept the prepayment in full of the installments but refuse to make any refund of the unearned finance, insurance or other charges resulting from such prepayments.

This legislation also authorizes the Commissioners to require of motor vehicle dealers and of persons licensed to engage in the business of purchasing retail installment sale contracts for motor vehicles, bonds, or other security. This is deemed a most important measure for the protection of motor vehicle purchasers from any motor vehicle dealer or finance company inclined to be unscrupulous and overreaching in their dealings with members of the public.

The Commissioners are also authorized to require licensed dealers and finance companies to carry public liability or property damage insurance or both and also the Commissioners are empowered to name themselves as the true and lawful attorney upon whom all process or legal notices directed to any such licensee may be served.

This legislation has the approval of the Board of Commissioners of the District of Columbia.

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.

## AMENDMENT OF LIFE INSURANCE ACT FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 10684) to amend sections 1 and 5b of the Life Insurance Act for the District of Columbia, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) subparagraph (i) of paragraph (1) of subsection (c) of section 1 of chapter V of the Life Insurance Act (D.C. Code, sec. 35–701(c)(1)(i)) is amended to read as follows:

"(i) For all ordinary policies of life insurance issued on the standard basis, excluding any disability and accidental death benefits in such policies, the Commissioners 1941 standard ordinary mortality table for such policies issued prior to the operative date of the last paragraph of section 5b(d) of

this chapter, and the Commissioners 1958 standard ordinary mortality table for such policies issued on or after such operative date; provided that for any category of such policies issued on female risks all modified net premiums and present values referred to in this section may be calculated according to an age not more than three years younger than the actual age of the insured."

(b) Clause (B) of paragraph (2) of such subsection (D.C. Code, sec. 35–701(c)(2)(B)) is amended to read as follows:

"(B) A net one-year term premium for such benefits provided for in the first policy year.

"Reserves according to the Commissioners reserve valuation method for (i) life-insurance policies providing for a varying amount of insurance or requiring the payment of varying premiums, (ii) annuity and pure endowment contracts, (iii) disability and accidental death benefits in all policies and contracts, and (iv) all other benefits, except life insurance and endowment benefits in life-insurance policies, shall be calculated by a method consistent with the principles of this paragraph (2), except that any extra premiums charged because of impairments or special hazards shall be disregarded in the determination of modified net premiums."

SEC. 2. (a) Subsection (d) of section 5b of chapter V of the Life Insurance Act (D.C. Code, sec. 35–705b(d) is amended to read as follows:

"(d) The adjusted premiums for any policy referred to in subsection (a) shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year, excluding any extra premiums charged because of impairments or special hazards, that the present value, at the date of issue of the policy, of all such adjusted premiums shall be equal to the sum of (i) the then present value of the future guaranteed benefits provided for by the policy; (ii) 2 per centum of the amount of insurance, if the insurance be uniform in amount, or of the equivalent uniform amount, as hereinafter defined, if the amount of insurance varies with duration of the policy; (iii) 40 per centum of the adjusted premium for the first policy year; (iv) 25 per centum of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less: *Provided, however,* That in applying the percentages specified in (iii) and (iv) above, no adjusted premium shall be deemed to exceed 4 per centum of the amount of insurance or uniform amount equivalent thereto.

"In the case of a policy providing an amount of insurance varying with duration of the policy, the equivalent uniform amount thereof for the purpose of this subsection shall be deemed to be the uniform amount of insurance provided by an otherwise similar policy, containing the same endowment benefit or benefits, if any, issued at the same age and for the same term, the amount of which does not vary with duration and the benefits under which have the same present value at the date of issue as the benefits under the policy: *Provided, however,* That in the case of a policy providing a varying amount of insurance issued on the life of a child under age ten, the equivalent uniform amount may be computed as though the amount of insurance provided by the policy prior to the attainment of age ten were the amount provided by such policy at age ten.

"Except as otherwise provided in the next succeeding paragraph of this subsection, all adjusted premiums and present values referred to in this section shall for all policies of ordinary insurance be calculated on the basis of the Commissioners 1941 standard ordinary mortality table, provided that for any category of ordinary insurance issued on female risks, adjusted premiums and present values may be calculated according to an age not more than three years younger than the actual age of the insured. Such calculations for all policies of industrial insurance shall be made on the basis of the 1941 standard industrial mortality table. All calculations shall be made on the basis of the rate of interest, not exceeding 3½ per centum per annum, specified in the policy for calculating cash surrender values, if any, and paid-up nonforfeiture benefits: *Provided, however,* That in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may be not more than 130 per centum of the rates of mortality according to such applicable table: *Provided further,* That for insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the Superintendent.

"In the case of ordinary policies issued on or after the operative date of this paragraph as defined herein, all adjusted premiums and present values referred to in this section shall be calculated on the basis of the Commissioners 1958 standard ordinary mortality table and the rate of interest, not exceeding 3½ per centum per annum, specified in the policy for calculating cash surrender values, if any, and paid-up nonforfeiture benefits, provided that for any category of ordinary insurance issued on female risks, adjusted premiums and present values may be calculated according to an age not more than three years younger than the actual age of the insured: *Provided, however,* That in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may be not more than those shown in the Commissioners 1958 extended term insurance table: *Provided further,* That for insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the Superintendent. After the effective date of the amendatory Act of 1960, any company may file with the Superintendent a written notice of its election to comply with the provisions of this paragraph after a specified date before January 1, 1966. After the filing of such notice, then upon such specified date (which shall be the operative date of this paragraph for such company), this paragraph shall become operative with respect to the ordinary policies thereafter issued by such company. If a company makes no such election, the operative date of this paragraph for such company shall be January 1, 1966."

(b) Clause (iv) of the second sentence of subsection (e) of such section (D.C. Code, sec. 35–705b(e)) is amended by striking out "decreasing".

(c) The last sentence of subsection (g) of such section (D.C. Code, sec. 35–705b(g)) is amended by inserting immediately before the period at the end thereof the following: ": *Provided, however,* That the operative date of the last paragraph of subsection (d) shall be as stated therein".

With the following committee amendments:

On page 1, line 10, strike "standard ordinary mortality table" and insert "Standard Ordinary Mortality Table".

On page 2, lines 1 and 2, strike "standard ordinary mortality table" and insert "Standard Ordinary Mortality Table".

On page 4, line 19, strike "standard ordinary mortality table" and insert "Standard Ordinary Mortality Table".

On page 4, line 25, strike "standard industrial mortality table" and insert "Standard Industrial Mortality Table".

On page 5, line 18, strike "standard ordinary mortality table" and insert "Standard Ordinary Mortality Table".

On page 5, line 19, strike "cenutm" and insert "centum".

On page 6, lines 4 and 5, strike "extended term insurance table" and insert "Extended Term Insurance Table".

On page 6, line 20, strike the word "second" and insert the word "fourth".

Mr. McMILLAN. Mr. Speaker, the purpose of H.R. 10684 is, first, to provide for the use of the most modern mortality tables by insurance companies in the District of Columbia; second, to give effect to the lower mortality on female lives; and third, to make some corrections and clarifications in the Standard Valuation and Standard Non-forfeiture provisions of the District of Columbia insurance laws.

In 1958, the National Association of Insurance Commissioners prepared new mortality tables making adjustments which recognize the improvement in life expectancy of the American public. Legislation enacted by Congress in 1948 called for the use of the 1941 standard mortality table of 1941 by insurance companies established in the District of Columbia. To make use of the 1958 revised and more favorable tables in the District, it is necessary to amend the present law.

A majority of the States of the Union have approved the use of the new 1958 mortality tables and it is expected that the other States will make these tables effective within the coming year. Language in this bill will enable insurance companies in the District of Columbia to use the same mortality tables now being used in most other States.

For many years the more favorable longevity of females has been known and recognized in the insurance business. In recent years, methods have been developed to take this into consideration as that the cost of insurance to females might be adjusted to reflect this lower mortality experience. The method used is that of charging the female life the same premium and provide the same reserves, and cash values for such a policy as would apply in the case of a male 3 years younger. All States permit this method but it cannot be used under the present law of the District of Columbia. This bill would permit the use of the "3-year setback" for female lives in connection with the 1941 mortality table or the 1958 mortality table. The District of Columbia law would then be in harmony with all other States as to the use of this formula in connection with insurance on female lives.

Another amendment relates to the issuance of insurance policies which call for temporary extra premium payments because of some temporary special hazard or a minor temporary health impairment of the insured. At the time the standard nonforfeiture law became a part of the insurance law of the District of Columbia, the language of the amendment excluded the extra premium

for special hazard from the calculation of nonforfeiture benefits where the extra premium ran for the duration of the policy. The clarifying amendment provides that the same exclusion would apply to policies where the extra premiums for special hazard are temporary. This change has been proposed and enacted in some States.

Another clarifying amendment would exclude premiums on level term insurance riders of life insurance polices from the calculation of nonforfeiture values where no such calculation is required when a level term policy is issued as a separate policy.

Finally, there is a minor language change in connection with the use of the word "uniform" and the word "level" in the existing law. The clear intent of the District insurance law was that the two terms be synonymous. Accordingly, the bill provides that the word "uniform" be substituted for the word "level" in the existing law.

In summary, H.R. 10684 carries two major proposals which would make possible the use of the 1958 revised and more favorable mortality tables now in use in a majority of States and permit the use of the "3-year setback" now permitted in all States reflecting the more favorable longevity of females. The remaining changes are corrective and clarifying in nature. The bill is in the interest of the insuring public and will enable insurance companies organized in the District to transact business more nearly competitively with other insurance companies both in the District and in the other States. The bill was endorsed by the Superintendent of Insurance of the District of Columbia, the major life insurance companies of the District, the Life Insurance Association of America, and the American Life Convention. No opposition to the bill was expressed at the committee hearing.

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. McMILLAN. Mr. Speaker, that concludes the business of the Committee on the District of Columbia.

---

## GENERAL GOVERNMENT MATTERS APPROPRIATION BILL, 1961

Mr. ANDREWS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11389) making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1961, and for other purposes; and, pending that, I ask unanimous consent that general debate continue for not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Pennsylvania [Mr. FENTON] and myself.

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

There was no objection.

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 consideration of the bill H.R. 11389, with Mr. ALBERT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ANDREWS. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Chairman, I rise to pay tribute to a Member of this House who last Friday received the highest award that a university can confer—an honorary degree of doctor of humanities.

Receiving the award was the Honorable MICHAEL J. KIRWAN, of Ohio—the man we all know affectionately as "MIKE" KIRWAN; but the presentation to the gentleman from Ohio does us all honor. In a sense it is the House of Representatives and the American way of life which are honored by the award to Congressman KIRWAN.

This award expresses democracy as it is practiced in our country. Congressman KIRWAN was born in Pennsylvania of working folk and at the age of 7 was employed in the coal mines of that State. At that tender age he was already a member of the miner's union.

He was a breaker boy picking slag in the mines. More important, he was an agile, fast runner and his task in the mine workers' union was to act as messenger to let the members know where their meetings were to be held. This was necessary because the coal operators of that day were alert for any opportunity to break up union organization meetings with club and gun.

MIKE, the breaker boy, the union messenger of the turn of the century, is now a Congressman being honored with a degree of doctor of humanities. This is a measure of how far we have come in our search for understanding between those who work for, and those who manage, industry—a furtherance aided immeasurably by men like MIKE KIRWAN. And Congressman KIRWAN has never forgotten his union background, for today he still pays union dues and has paid them without a break since boyhood.

Congressman KIRWAN went no further in school than third grade. Yet today MIKE KIRWAN is an educated man—educated by his own efforts—pulled up, if you will, by his own bootstraps, and today the boy who never saw school from the age of 9 has received a degree of doctor of humanities—as Dr. J. Stauffer Wilkes, president of Oklahoma City University, stated in announcing the award, "The highest honor this institution can confer." This, too, is a measure of the progress made in America.

Congressman KIRWAN is a Roman Catholic and the university that does him honor is a Methodist university. I think this bare statement illustrates the tremendous strides made in our Nation in the field of religious tolerance.

These items would be regarded as paradoxical in any other civilization that the world has known. Yet in America—in our country—they are normal. Perhaps too often, we fail to realize how far we have come and only when our friend, the gentleman from Ohio, has such an honor conferred upon him do we see a yardstick applied to progress.

Mr. Chairman, why did the Oklahoma City University single out Congressman KIRWAN for this signal honor?

In my office I have a newspaper which takes four columns of type to tell. The CONGRESSIONAL RECORD might be a better testimonial. Those of us who have had the privilege of collaborating with Congressman KIRWAN over the 23 years he has been a Member of this body could testify as to chapter and verse.

Let me cite only a few of the accomplishments of Congressman KIRWAN over the years which have brought him this recognition. Oklahoma City University in conferring this degree mentioned, among many other things, Congressman KIRWAN's contribution to the welfare of the American Indian.

Only recently the Christian Century pointed out that the American Indian is outnumbered 400 to 1 and attains a very low priority on the scale of our social activities. Of all the minorities in this land of minorities the Indian has the poorest health, the least opportunity for education, and occupies the bottom of the economic heap.

But Congressman KIRWAN, with a true Irish love for the underdog, has championed the Indian's cause. When a move was made to cut the appropriation for education and welfare of the Indians in the 1959 budget because of military emergencies, Congressman KIRWAN said, and this, too, is a measure of his devotion to mankind, "Every time we start to do something for the Indians some sort of an emergency comes along and their funds go out the window."

Mr. Chairman, I remember on one occasion our colleague told this House that "No amount of money can wipe away the shame of the way this Nation has treated the Indians—but money would help."

Since Congressman KIRWAN became chairman of the subcommittee which handles appropriations for Indian affairs in 1948 more Indians are in school and college than ever before, more tribes run their own affairs, more timber is being scientifically harvested from Indian lands, thus aiding their economic development; and more roads have been built to and through the reservations than in the entire period of our history before our colleague's time. At the insistence of Congressman KIRWAN this year's funding of Interior appropriations will complete a program which for the first time in 141 years will provide classrooms, buses, roads, and other facilities to allow every Indian child to attend school.

Mr. Chairman, this is one measure to apply to Congressman KIRWAN's humanity.

There are many others. I have cited the Indian problem at length because it illustrates Congressman KIRWAN's love of mankind. But think of the benefits achieved by all American citizens by his efforts.

Since Congressman KIRWAN began his fight to protect the natural resources of the Nation, Congress has voted nearly three-quarters of a billion dollars for the National Park Service. In 1936 only 11,900,000 Americans visited our parks. This year 66 million will get maximum enjoyment and protection from our country's 183 parks.

Mr. Chairman, the recipient of this award from Oklahoma City University has done inestimable service to mankind by his endeavors in pushing through for completion the greatest program of conservation and reclamation ever known to man. Whole States, entire regions, have benefited by the foresight of Congressman KIRWAN. The great Central Valley project in California and the Hungry Horse Dam in Montana are testimonials to his vision. There are other such testimonials just as magnificent.

Yet, in almost every case the projects he has had the vision to press have been national in concept—for Congressman KIRWAN believes that what helps America helps all Americans.

I could cite other things, his record of insistence on mine safety, which has aided in reducing mine casualties—a subject dear to KIRWAN's heart. His record on land management—the record on timber conservation, his record in helping build up the Fish and Wildlife Service.

All of these things have advanced the cause of mankind in our Nation, they have made life easier, safer, more pleasant, and economically more bountiful for millions upon millions of Americans. And in doing so he has reflected great credit on the House of Representatives, for what he has sought, we in the House of Representatives and in the other House as well, have passed. We have helped our country and ourselves in following the leadership of this dedicated man.

Mr. Chairman, Congressman KIRWAN has been honored in Oklahoma. I am proud to do him honor here in the House of Representatives which he loves so well; for he has a deep and abiding affection for this House and the Members of it. Yet, the measure of the man lies in the humility with which he accepts this honor. He told a reporter who interviewed him:

> I am an honorary chief of five Indian tribes in Oklahoma. I guess being a doctor won't hurt that.

Congressman KIRWAN has come far from being a breakerboy picking slag in the mines. I am proud to serve with him in this House and to call him friend, for in my judgment, this man merits the adjective great and he illustrates, better than most, the greatness of the democratic system which produced him.

Mr. FOGARTY. Mr. Chairman, I yield to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I wish to join in paying tribute to our colleague from Ohio.

He is one of the great conservationists of our day, and I believe that in future years the contributions he has made to our natural resources and to their defense and protection will be recognized as among the finest made by any American.

He is, above all, a valued friend to his colleagues in the House, and wise adviser on the intricacies of legislation and of politics. I am certainly not at all surprised that he has been singled out for great academic recognition, and I join in extending my congratulations.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I wish to join the gentleman from Rhode Island in paying tribute to our distinguished colleague from Ohio, MIKE KIRWAN, on receiving recognition from the University of the City of Oklahoma.

Congressman MICHAEL J. KIRWAN, of the 19th District of Ohio, more than any other Member of the House of Representatives, represents a life success story which is typical of opportunities available to every American boy. His life success story has been a magical narration of hardships and perseverance.

He was born in Plains, Pa., on December 2, 1886, and was compelled to leave grade school at an early age to work in the coal mines to aid in the support of his family. He later worked for the Pennsylvania Railroad and continues to pay membership dues in the Brotherhood of Railway Trainmen. During World War I he was an artillery sergeant in France. Before his election to Congress in 1936, he served in the city council of his home city of Youngstown, Ohio.

MIKE KIRWAN has the distinction of being the first Democrat to be elected to Congress from the 19th Congressional District of Ohio. Since 1936 Republican voters in large numbers have joined the Democratic voters in returning MIKE to Congress every 2 years by increasing majorities. The people of his district have learned that MIKE's heart beats in tune with the interest and welfare of the masses of people and especially the taxpayers. His formula for political success is his philosophy that honesty, hard work and loyalty to his friends and constituents is not forgotten when the voters cast their franchise on election day. He is a firm believer that the best politics is the use of ordinary common sense on legislative problems and service to the people.

After becoming a Member of Congress, his ability was soon recognized and he was assigned to the powerful Appropriations Committee. For many years he has been chairman of the Subcommittee on Interior Appropriations. This committee has jurisdiction over the budget requests for reclamation, natural resources, the preservation of forests, national parks, minerals, Indian affairs, fish and wildlife. He is senior member of the Committee on Public Works Appropriations which appropriates for all water projects in the United States and its territories such as flood control, navigation, low flow water for industries, dams and reservoirs. He has discharged the responsibilities of this important congressional work with sincerity and great distinction. His fairness and exhaustive knowledge of all angles connected with these various governmental departments is recognized by all his House colleagues in both political parties. By reason of his insight and knowledge of our natural resources, his decisions and recommendations on controversial matters have rarely been questioned by Members of Congress. His forthright and uncompromising stand against unnecessary "pork barrel" appropriations is admired even by those Members whose congressional districts stand to lose by his steadfast determination to protect the American taxpayers. Congressman KIRWAN's unusual talent to express righteous indignation in an unoffensive manner when he detects a betrayal of public trust or observes a violation of Government policies in the protection of natural resources to the detriment of future generations.

The Democratic Members of Congress, recognizing his political sagacity and knowledge of issues, elected him chairman of the Democratic congressional campaign committee 10 years ago. During his leadership, the Democratic Party has won control of the House of Representatives with but one exception which was the Eisenhower landslide in 1952.

The above narration of MIKE's accomplishments are but a few during his adult life. His career has been sprinkled with disappointments and failures along with his successes. In the true American spirit, since his days as a youthful coal miner, he at no time allowed failures or disappointments to form a barrier to continue working for not only his success but also for the betterment of his community, city, county, State, and Nation.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Chairman, the honor recently bestowed upon MICHAEL J. KIRWAN, is well deserved.

MIKE KIRWAN is a man of fine judgment with the courage to carry out his convictions. He is a considerate, able, industrious Member of Congress, always serving his country in a diligent and conscientious manner.

He is a master of many subjects. His commanding talents, his great political eminence and his long and faithful service as a Representative has earned for him the respect and admiration of the Members of the Congress. His contributions to better government, his rugged integrity, and his unfailing sense of humor and good commonsense are always appreciated by his colleagues and especially by our Committee on Appropriations. His record clearly discloses the fact that he is a friend of the working people, the farmer, industry, and the veteran.

MIKE KIRWAN has no sectionalism in his makup. When the people in any

section of our country need help he is always present and leading the fight to bring about the assistance required.

Mr. Chairman, today I salute a great Member of the House—my friend MICHAEL J. KIRWAN.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from Indiana [Mr. DENTON].

Mr. DENTON. Mr. Chairman, I want to join in extending felicitations to our distinguished colleague, MIKE KIRWAN, on receiving the degree of doctor of humanities from the Oklahoma City University.

It has been my privilege to have known MIKE KIRWAN since first coming to Congress a decade ago. As one who has had the honor of a close association with him, I truly can say that he richly deserves the high honor he has just received.

Two years ago, I became a member of the Appropriations Subcommittee of which he is chairman. At that time, I recall how amazed I was at his detailed knowledge of the interior of our country, and at his fairminded approach to all problems. A man of intellect and vision, MIKE KIRWAN is determined that development of national parks, forests, mines, and so forth, be on a countrywide or broad scale, rather than on a local, or narrow scale.

Although there are no Federal installations in his district, and for that matter, there is only one as I understand in the State of Ohio, nevertheless, he has supported all worthwhile Federal projects, regardless of their location.

Moreover, my distinguished colleague is determined that there be no toleration of waste or catering to special interests. I believe that I speak for all of my colleagues in saying that MIKE KIRWAN is one of the most able men whom the State of Ohio, or for that matter, any State, has sent to the U.S. Congress.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. BURKE].

Mr. BURKE of Massachusetts. Mr. Chairman, I am happy to join in with the most distinguished gentleman from Rhode Island [Mr. FOGARTY], in congratulating a great Congressman, the Honorable MICHAEL J. KIRWAN, of Ohio, upon his receiving an honorary degree from Oklahoma City University.

The announcement pleased me greatly because MICHAEL KIRWAN has accomplished more in a lifetime than most men. He is truly a dedicated public servant. He has unusual qualities of leadership. MICHAEL KIRWAN has always placed the interest of our Nation above all other considerations as a Member of the U.S. Congress.

Coming from humble beginnings, he has grown greater in stature each succeeding year. His life is typical American. His success is a living example to the average everyday American on what can be accomplished in this wonderful country of ours.

Yes, MICHAEL J. KIRWAN can truthfully be called "the greatest Roman of them all" and like the great St. Michael, he is a real worker in the Vineyard. I am personally proud to have the privilege to serve with him.

Blessed with the milk of human kindness, MICHAEL J. KIRWAN has made many contributions to our Nation's welfare.

I know I express the sentiments of all who know MICHAEL J. KIRWAN when I say, we are proud of the action by Oklahoma City University in conferring upon him this honorary degree.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I wish to associate myself in the tribute paid by the distinguished gentleman from Rhode Island to our colleague from Ohio.

I wish to remind the membership that MIKE KIRWAN in his early days lived in Monongah, W. Va. Mention has been made of his great accomplishment in getting action on mine safety laws. May I remind my colleagues that Mr. KIRWAN was living in Monongah at the time of the greatest explosion in the history of mining operations of the world, in which 395 miners were killed. He had an early impression of the necessity for mending our mine safety laws.

Being very much of a conservationist myself, I am very much interested in his activities in connection with the development of our natural resources and the enlargement of our national parks so as to furnish recreational opportunities.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I should like to join the gentleman from Rhode Island and previous speakers in commending the distinguished gentleman from Ohio [Mr. KIRWAN] upon his having been awarded on Friday last the degree of doctor of humanities by Oklahoma City University.

I had not learned of the conferring of this honor which has come to my good friend, MIKE KIRWAN, until I heard the remarks of the gentleman from Rhode Island this afternoon. Permit me to say that I am happy that Oklahoma City University selected as the recipient of the honor a man who is respected and admired by every Member of this House on both sides of the aisle. He has had an outstanding career here in the House of Representatives.

I am now in my 16th year serving alongside MIKE KIRWAN as a member of the House Committee on Appropriations. We are presently fellow members of the Subcommittee on Deficiencies. My first assignment to a subcommittee was to the Subcommittee on the Department of the Interior of which MIKE is now and has for some years been the chairman.

I came to know him intimately in 1945 when we were together every day, all day, on a 7-week trip to Alaska and the Pacific Northwest. We have traveled together in many parts of the world. Knowing MIKE KIRWAN as intimately as I do and having the respect that I have for him I congratulate Oklahoma City University upon their having selected him as the recipient of their doctorate.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, I, too, would like to join in the remarks that have been made about the distinguished gentleman from Ohio [Mr. KIRWAN]. My colleague and I both arrived together on the convening of the 75th Congress on January 3 of 1937, and it has been my good fortune to come to know him well and favorably ever since. It is, indeed, a source of inspiration to serve with him and to work with and under him. This latest recognition of his obviously sterling qualities is a pleasure to his many friends in and out of the House as I am sure it must be to him. My hope and prayer is that he shall continue for many years in the vibrant, constructive, and serviceable life. He has earned his place among the great in the service of his country, his Congress, and his party.

Mr. FENTON. Mr. Chairman, I appreciate the remarks that have been made here today about my very good friend and colleague, the gentleman from Ohio [Mr. KIRWAN]. I have had the privilege of serving with him for many years on both the subcommittee on Interior Department appropriations and also on the Public Works Subcommitee on Appropriations.

MIKE was born and raised in the anthracite coal region of Pennsylvania the same as myself.

He is not only familiar with the problems of the coal industry in general and sympathetic, but he has a vast knowledge of other sections of our country and their particular problems. To be with MIKE in our committee hearings and to listen to his vast experience and knowledge of the projects, especially in the Interior Department, is to be convinced of his humanitarianism and his love of America.

MIKE KIRWAN deserves everything that has been said about him here today. He is one of my closest friends; he is really a fine American and I want to congratulate him on receiving such high honors from Oklahoma City University, and I wish for MIKE many happy, happy days in the years to come.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to my distinguished colleague.

Mr. ALBERT. Mr. Chairman, I desire to join the distinguished gentleman from Rhode Island in this word of tribute to one of the outstanding Members of the House, the gentleman from Ohio [Mr. KIRWAN]. If anyone in this body deserves a degree of doctor of humanities by reason of a life of service to humanity, it is the distinguished gentleman from Ohio. As an Oklahoman I am particularly pleased that one of the great universities of my own State has recognized his service and has awarded him this degree. As a Methodist I am happy that it was one of the leading Methodist institutions of the country that has seen fit to recognize Congressman KIRWAN.

MIKE came up through life the hard way. He earned his bachelor's degree in the university of hard knocks. He has seen life in all its phases. He has made a contribution worthy of the recognition of the great schools of learning of our country.

An honorary degree is one of the highest awards that can come to a distinguished person. Bishop Angie Smith, of the Methodist Church of Oklahoma, has been quoted as saying that an honorary degree is more important in many ways than an academic degree. The latter can be obtained by anyone of normal intelligence who has the opportunity to pursue his education. The former can only be obtained by recognition for outstanding service.

In this House and in his party leadership MIKE KIRWAN has distinguished himself in more ways than I could possibly mention. Not a man in the United States has done more for the original American than MIKE KIRWAN. The great advances in the standards of Indian education in the last two decades are due in a great measure to the time, effort, and sympathetic understanding that MIKE KIRWAN has put into the problem.

Nobody in this House or elsewhere has done more to advance this country as a whole. MIKE has served with distinction on appropriations subcommittees having to do with the development of the resources of America.

As everyone knows, MIKE'S service to his party has been second to none for more than a decade. His work as chairman of the Democratic congressional campaign committee represents, in my judgment, the finest performance of its kind ever contributed by a Member of Congress.

I am happy to welcome this eminent Ohioan to the fold of those who have been honored by Oklahoma schools. MIKE went to Oklahoma as a young man. He knows, and Oklahoma knows, that he is always welcome back. We claim him as an adoptive "favorite son." To paraphrase an expression made popular through the title song of the musical hit "Oklahoma," we proudly say, "You're doing fine, Dr. KIRWAN—Dr. KIRWAN, OK."

Mr. MORRIS of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I am delighted to yield to my friend and colleague, the gentleman from Oklahoma.

Mr. MORRIS of Oklahoma. Mr. Chairman, all of us in Oklahoma, I am sure, as well as all of us from all over the Nation are greatly appreciative of the fact that one of our most distinguished colleagues, MICHAEL J. KIRWAN, has recently been accorded the high honor of being awarded doctor of humanities, by the Oklahoma City University. This morning I asked my administrative assistant, Miss Ella Marice Ryan, to call the Library of Congress for a full definition of the term "humanities." There are apparently a number of facets in the definition of that term, but I would like to read this one and comment upon it very briefly. Among other things, the definition of "humanities" is "Whatever concerns man, as distinct from physical nature, especially as expressed most adequately in the great or classic achievements of humanity in literature and art."

I would like to make this very brief comment—that good literature and art, dealing with this subject matter, inspire us to follow the humanities which in essence means the golden rule. But Congressman KIRWAN'S great contribution along this line lies in the fact that he has helped so ably to put this inspiration into practical application and to cause it to become a reality by hard, dedicated, efficient work.

I know of no one who follows this philosophy of high service to humanity more faithfully than the recipient of this great honor, Hon. MICHAEL J. KIRWAN, whom we affectionately refer to so often as just "Mike."

Mike is a graduate with high honors of the university of hard knocks, the greatest university of all, whose pupils learn and retain in memory so well the greatest lessons of life.

The Honorable MIKE KIRWAN, Member of Congress, is truly a great man and one of the most outstanding and effective Members of Congress today—and has been for many years.

His great service in behalf of all of our American people including our Indian citizens and other humble minority groups sets him apart, in my judgment, as one truly entitled to this great honor. May God bless him for his kindly Irish heart and his noble work.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from Texas.

Mr. THOMAS. Mr. Chairman, I join our friend and colleague the gentleman from Rhode Island [Mr. FOGARTY] in paying this tribute to our friend from Ohio. MIKE KIRWAN is a statesman and a philosopher and, above everything else, he is a son of the people. He is a great American and we all love him and admire him.

Our colleague—we affectionately call him "MIKE"—was given a doctorate by the Oklahoma City University several days ago. Certainly, I know of no man who more richly deserves this outstanding and signal honor than our beloved colleague from Ohio.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I am delighted to join with the distinguished gentleman from Rhode Island [Mr. FOGARTY] in congratulating our beloved colleague from Ohio, the Honorable MICHAEL J. KIRWAN, upon his receiving an honorary degree from Oklahoma City University. I thrilled to the announcement that this great honor was conferred upon him. Such a tribute comes to few men in their lifetime. It comes to fewer men with the kind of a background that is Mr. KIRWAN'S. From a humble, austere, education-lacking beginning, he fought his way to the top by sheer force of his own character and personality. His character was forged by hard-working, loving, and devoted parents. It was nurtured in the school of hard knocks and experience. It developed because of an ingrained concern for the problems that beset mankind.

Born in the coal mining area of Pennsylvania, laboring in the wheatfields of the Oklahoma Panhandle, toiling in the oilfields and lumber camps of the great West, ranching, politicking—all have contributed to the sum total of the man honored by Oklahoma City University. His vast experiences and and his wide travel throughout the length and breadth of these United States have given to him a knowledge of this Nation that few are privileged to possess. He understands so exquisitely the values of reclamation, public works, our great natural resources, the magnificent forests and national parks, the Indian reservations. Congressman KIRWAN has transposed this magnificent recognition into legislative action that marks a glorious part of the history of these United States. His name will always enjoy a place of prominence whenever there is talk of the natural resources and beauty of our land. As a matter of record, Mr. Chairman, the name of MICHAEL J. KIRWAN will be inscribed forever, as an honorary member of the National Cowboy Hall of Fame and Museum soon to be built in Oklahoma City. This unique institution will honor those who pioneered the development of the West. Travelers, builders, cowboys—all who have given something to the progress of the West will be enshrined for eternity in this institution. We who know MIKE KIRWAN are proud of his honorary membership in this great project. We are prouder still of the honorary degree of doctor of humane letters that Oklahoma City University presented to him on last Friday, March 25, 1960.

Mr. Chairman, I extend my own personal congratulations to Congressman KIRWAN. It is a high honor richly deserved.

Mr. FOGARTY. Mr. Chairman, I yield to our beloved Speaker, the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I cannot let this moment pass without adding my feeling of great pleasure at the honor accorded our colleague, MIKE KIRWAN, of Ohio. I have served with more than 2,700 men and women in the House of Representatives since I have been a Member. I have never served with a more devoted man than MIKE KIRWAN. Coming up, as many of us did, from small farms and poor neighborhoods, he has made the grade. Oklahoma City University could not have conferred a degree upon a grander fellow than MIKE KIRWAN.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman.

Mr. EDMONDSON. Mr. Chairman, I want to joint in the tribute to a truly great American, whom we regard as an adopted Oklahoman. The Daily Oklahoman of the 26th of March 1960 states that—

> Representative MICHAEL J. KIRWAN, of Ohio, Friday received an honorary degree of doctor of humanities from Oklahoma City University for his "efforts to better the lot of all Americans."

I do not think any degree could have been more aptly conferred. I do not know of any man who has devoted more time and energy trying to improve the lot of humanity than MIKE KIRWAN.

I am grateful for this opportunity to join in the salute to a great Member of this body.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Tennessee.

Mr. EVINS. Mr. Chairman, I should like to join with my colleagues in commending and congratulating our colleague and friend, Congressman MIKE KIRWAN, on the honor which has been bestowed upon him—an honorary degree as doctor of humanity. Hereafter, we shall have to call our friend "Dr." KIRWAN. I congratuate him and I congratulate the Oklahoma City University on selecting Congressman KIRWAN for this honor and for conferring this degree upon him. It has been my privilege for a number of years to serve with MIKE KIRWAN on the Public Works Subcommittee on Appropriations, and I can say, as all of you know, that there is no Member of Congress more devoted and more dedicated than is the gentleman from Ohio, MIKE KIRWAN. He is a faithful representative of the people—of his district, State, and Nation. He is dedicated to the cause of water resource development in America—among the other important issues which he champions. MIKE KIRWAN is in no respect sectional, narrow, or provincial but is broad in his point of view and perspective.

Mr. Chairman, someone has said that democracy is a system of government in which citizens of humble origin can rise to great heights. Certainly, this is true in the case of our colleague and friend MIKE KIRWAN who has risen to great heights, and I commend him and congratulate him. He is a grand gentleman, a patriot, and an all-American.

Mr. FOGARTY. Mr. Chairman, I yield to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, I just want to add a word of appreciation for the fine service rendered by the gentleman from Ohio [Mr. KIRWAN]. He has shown himself to be interested in all sections of the country and in things which I think have a lot to do with the strengthening of our country in the future. The gentleman from Rhode Island [Mr. FOGARTY] in his remarks touched on things which have to do with our natural resources. He, himself, has had a lot to do with the improving health of our citizenry and other aspects of their welfare now and in the future, and I am very happy to join in paying tribute to both of these fine men for the wonderful work they are doing for America not only in our day but for generations to come.

Mr. McCORMACK. Mr. Chairman, one of the hardest working and most valuable and ablest Members of the Congress of the United States is our distinguished friend and colleague the gentleman from Ohio [Mr. KIRWAN]. There is no finer legislator or more dedicated American than Congressman KIRWAN. His life is like a Horatio Alger story. There are so many things I could say about Congressman KIRWAN, that it would take a book to write about him.

Within the past few days our mutual friend MIKE KIRWAN received the honorary degree of doctor of humanities from the Oklahoma City University of Oklahoma City, Okla. There is no person who deserves such an honor more than our mutual friend. In honoring MIKE KIRWAN, the university honors itself.

I extend to my dear friend, Congressman KIRWAN, my hearty congratulations on receiving this great honor, and in congratulating my dear friend, I also congratulate the university for conferring the honor upon him. I repeat, there is no person this university, or any other college or university, could honor more than MIKE KIRWAN.

Mr. HORAN. Mr. Chairman, it is indeed a pleasure for me to join with my colleagues in honoring MIKE KIRWAN. But first I want to pay tribute to the Oklahoma City University for that institution's thoughtfulness. The title "Doctor of the Humanities" really fits MIKE KIRWAN. His first and compelling thoughts have always been, "What is for the constructive good of this great Nation of ours." MIKE knows that serving and building America serves and builds all else.

Mr. O'BRIEN of Illinois. 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 Illinois?

There was no objection.

Mr. O'BRIEN of Illinois. Mr. Chairman, I was both surprised and delighted to learn that my old friend MIKE KIRWAN had been given the degree of doctor of humanities by the University of Oklahoma City last Friday. I say surprised, because MIKE and I went to the same college—the college of hard knocks—where the classroom is the world and the teachers are the thousands and thousands of people we encounter from all walks of life. There were many lessons that we learned through all the years of our experiences, but they all can be summed up in one fundamental concept—the Golden Rule.

There never was a finer man, a finer friend or a finer legislator than MIKE KIRWAN. He analyzes every question by the practical test of common sense, and he has a knack of getting to the heart of the issue and of coming up with the right answer. No man in this House is held in higher respect or esteem by his colleagues.

It is rare that a graduate of our alma mater is selected for advance degree and we are all proud that one has been given to MIKE. He has joined the great teachers and great scholars of our country in having received recognition for his outstanding contribution to the advancement of our Nation's affairs. It is an honor he richly deserves. In honoring MIKE KIRWAN, the university has honored itself.

Mr. YATES. 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 Illinois?

There was no objection.

Mr. YATES. Mr. Chairman, I want to join my colleague, Congressman JOHN FOGARTY, in expressing my profound appreciation for the high honor that has come to our good friend Congressman MICHAEL KIRWAN, of Ohio. It is most appropriate that he should receive the degree of doctor of humanities inasmuch as he is such a profound student of humanity. No Member of this House has a greater insight nor a more sympathetic feeling for his fellow man and his problems than MIKE KIRWAN. The experiences of a long, fighting, eventful life have given MIKE an understanding of the needs of the people that few possess.

Although MIKE would be the first to minimize the honor which has come to him, this comes more from an innate sense of modesty than lack of appreciation of education. He knows its value. His formal schooling was limited, but formal education is only one means of arriving at truth. Innumerable contacts and personal relationships with people from the four corners of the globe have given him a mature perspective and deep knowledge of human affairs. He is one of the true philosophers in the House.

I am delighted to pay tribute to him upon the occasion of his receiving this outstanding citation for his fine work on behalf of the people of his community and the country.

Mr. LANE. 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 Massachusetts?

There was no objection.

Mr. LANE. Mr. Chairman, it was good news to hear that Representative MICHAEL J. KIRWAN has been awarded the degree of doctor of humanities by Oklahoma City University.

With typical Irish courage and generosity, he has spent so much of his time in helping worthy causes and battling for the underprivileged that he never gave thought to the recognition and the credit that was due him.

The biography which he submitted in the Congressional Directory is one of the shortest on record, for MIKE is too busy a man to be thinking of himself. His colleagues know of the hard and constructive work that he has put in as one of the veteran members of the Appropriations Committee.

They will never forget the shovel that hangs on the wall of his office reminding every visitor of the men who toil in the mines and of the need for doing everything possible to insure the safety of the miners.

We know of his interest in the only natives of our country, the American Indians. But self-effacing as he is, MIKE could not expect to hide his light forever under a bushel. Good deeds speak for themselves in the most genuine voice of all.

Oklahoma City University has done for MIKE that which he could never do for himself by saying, "This is an honor which you well deserve." And this gives

his many friends in the Congress the opportunity to join in a chorus of appreciation for Representative MICHAEL J. KIRWAN who devotes his life to the welfare of his constituents and to the progress of our Nation.

Mr. GROSS. Mr. Chairman, I am pleased to have this opportunity to join with many of my colleagues this afternoon in complimenting the Honorable MICHAEL J. KIRWAN in connection with the honor recently bestowed upon him.

The life history of MIKE KIRWAN is in part the story of America for it was in this land of opportunity and through his own faith and perseverance that this man of humble origin has been able to win high recognition—recognition that is richly deserved.

Mr. MONAGAN. Mr. Chairman, I want to join in congratulating the gentleman from Ohio [Mr. KIRWAN] on this well-deserved honor which has come to him and to congratulate the University of Oklahoma City on electing such an outstanding public servant for this honorary degree.

MIKE KIRWAN has been particularly helpful to new Members in the quality and the character of the advice which he is always willing to impart.

In addition, he has furnished a superlative example to those of us who are here for the first time, in his constant attention to appropriations bills and the breadth of his information in this vitally important field.

Mr. PHILBIN. 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 Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Chairman, Horatio Alger in his palmiest days never conceived a greater or more fabulous hero than MIKE KIRWAN.

Jack London never created a more interesting or appealing character.

Shakespeare never portrayed a man with a more agile, inquiring mind, capable of penetrating right to the root of a problem.

And certainly nowhere in the world or in contemporary life is there a more noble Christian gentleman, a more devoted public servant, a more loyal friend, or a man with a greater heart than MIKE KIRWAN.

Like Alger's hero in "Only an Irish Boy," MIKE KIRWAN started at the humblest level and worked and fought his way through the ranks until he reached one of the highest stations in national political life and one of the loftiest pinnacles in the respect, esteem and affection of his fellow countrymen.

Like the great Irish preacher and orator, the eloquent Father Tom Burke, of another era, who, while talking to a monstrous audience in New York City, declared that if his mother came into the hall she would not even know her son, Tom. Reportedly MIKE KIRWAN'S closest friend of boyhood days, Duffy, could not recognize, let alone bring himself to believe, that MIKE had been elected to Congress. He vented his surprise and stupefaction with characteristic raillery, graphically expressing his incredulous state of mind.

But the Members of Congress with whom MIKE KIRWAN has served have unanimously marked MIKE KIRWAN as one of the most beloved, and naturally gifted men who ever served in this body. To a man, we know he belongs here, serving the people of his district and the Nation with an unselfishness, militancy, and effectiveness that virtually knows no peer.

It was with special approbation and feelings of gratitude, therefore, that the House received word that the great University of Oklahoma City had conferred an honorary degree upon Congressman MICHAEL JOSEPH KIRWAN last Saturday, a degree deservedly in the humanities, probably better known in academic circles as doctor of humane letters.

I hasten to join my many colleagues in offering sincerest and heartiest congratulations to MIKE upon this great occasion in his life.

I do not know whether the newly invested academic doctor responded to the conferring ceremony in Latin, as has sometimes been the custom, or not; but of two things I am certain—that the degree in humane letters was never conferred upon a more worthy recipient, and that, on the noteworthy occasion, the Oklahoma air crackled with the lightning of Dr. KIRWAN'S keen wit and some of his listeners squirmed under the pressure of his sharp scalpel, while the most of the enthusiastic audience roared its approval.

This new honor will be borne gracefully by the political prophet of the Mahoning Valley steel district, who left school and started his sensational career before he was 10 years of age to labor in the coal mines, the wheat fields, the oil fields, on ranches and in lumber camps, who gallantly served in World War I as an artillery sergeant in France, and then forged his way through the Youngstown City Council and a maze of obstacles sheerly by the force of his own ability, zeal, and patriotism to the greatest parliamentary body in the world.

The degree of humane letters fits MIKE KIRWAN like a glove because his love of humanity and his humane characters, next to his faith in his God and love of his country, are his most distinguishing characteristics.

His service in the Congress has been conspicuous for its devotion to the cause and needs of the common people of America. His contributions on the old Rivers and Harbors Committee and his many years as member and chairman of the Subcommittee on Interior Appropriations have given MIKE KIRWAN a glorious niche in the history of the American Congress.

Zealous protector and developer of natural resources; diligent preserver of forests; and builder of our great national parks; wise conserver of our minerals, fish and wildlife; generous custodian and benefactor of the American Indian whose various tribes have honored him with membership, sagacious champion of flood control, navigation, water conservation and use for human consumption, industry and recreation; this happiest and kindest of wise legislators has won an enviable place in the hearts of innumerable friends and in the hearts of the American people.

His now famous St. Patrick night parties are testimony to his loyalty and devotion to his Fenian forebears and the cause they represented, who bore the torch of liberty, faith, and peerless love of country.

To his high post as chairman of the Democratic National Congressional Committee, he has given untiring, dedicated and outstanding service and has received the unreserved gratitude of his fellow members and his party.

He is a proud father of a large, talented and lovely family. He treads his way bravely and indomitably through an exceptionally busy life and career, giving a shining example of loftiest American citizenship and public service to his colleagues, his admiring district, his devoted and affectionate friends and the American people.

The new academic doctor will carry his fresh laurels with typical modesty and humility. But he will continue to exemplify for all of us the shining example of what great natural talents can do when they are combined with unflinching character, determination, the spirit of charity and kindness, love of freedom, and dedication to human brotherhood.

May our new doctor of the humanities, carry on his great work with continued good health, success and the joys of family, friendship and service to others which bring happiness to those who strive.

Mr. RIVERS of South Carolina. Mr. Chairman, everybody in this body was thrilled and delighted to hear that our beloved colleague, MICHAEL KIRWAN, is now known as Dr. MICHAEL KIRWAN. Mr. KIRWAN'S great service to his Nation has been recognized by Oklahoma City University. No tribute could have come to any finer person on the face of the earth. MIKE, as we affectionately know him, is beloved and revered by all who know him. His understanding of all people in this great country knows neither north, east, south or west. He understands the conditions, the problems and the vicissitudes of us all. Never have I known him to give an unregarded word, cause or reason to offend the sensibilities of anyone in this great body.

Mr. Chairman, I am proud that Mr. KIRWAN has been recognized for his worth, rewarded for his industry and honored for his great service to mankind. He will wear this distinction to the everlasting credit of the great university which made this honor possible.

Mr. DONOHUE. 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 Massachusetts?

There was no objection.

Mr. DONOHUE. Mr. Chairman, it is a particular privilege to join with the

Members here in extending warmest congratulations to our distinguished colleague, Congressman MICHAEL J. KIRWAN, for the great honor that has been bestowed upon him by the Oklahoma City University.

I personally think the officials of this fine educational institution should also be given our congratulations for their selection of a man so preeminently deserving of the official degree of doctor of humanities.

Those of us in this House, and thousands of people beyond this Chamber who have been associated with MIKE KIRWAN, have long esteemed him in our minds, in our friendship, and in our affection unofficially, you might say, as a practicing, learned, doctor of all the humanities; of course, we are all overjoyed that our judgment has been substantiated by the formal degree recognition of this great university.

If there is any living man who knows as much as our distinguished colleague about the foundation and superstructure of what we call humanity, I have never met or heard of him. I know there is not a living man who exercises such knowledge for the benefit of his fellow men with a truer character, more generous heart, more genial nature, more inspiring spirit, more unselfish humility, or more understanding encouragement and sympathy, than the Honorable MICHAEL J. KIRWAN.

Mr. Chairman, not only is this a very joyful day for us and our honored colleague but it is also, in a deep and significant sense, a great day in the educational history of this blessed Nation. MIKE KIRWAN would be the first to simply tell you of the limits imposed by fate on his own early formal educational ambition. Deprived of average opportunities he has, by sheer integrity of character, determination of will, and persevering industry, moved to the heights of public responsibility and formal educational recognition. His knowledge and practice of the art of living and the science of government have indeed been hard earned. The Oklahoma City University has done a distinct service to the people of this country by demonstrating that the custodians of formal educational awards can apply their most rigid standards to the essential work and superior achievements of uncommon character and rightfully and realistically bestow their academic laurels accordingly. Congressman MICHAEL J. KIRWAN has helped mightily to make and keep this country great; the directors of Oklahoma City University, by their action, have helped to prove its greatness, once again.

MIKE, you have once again brought great distinction upon yourself and this House. Sincere congratulations to you and may God grant many more long years of heavenly blessings to you and yours.

Mr. LIBONATI. Mr. Chairman, a true friend of man, Representative MICHAEL JOSEPH KIRWAN, was honored by the University of Oklahoma City, receiving the honorary degree of doctor of the humanities. It was a fitting tribute to one who struggled against every adversity to climb to the pinnacle of power and success that he enjoys today.

Yes, the degree of doctor of the humanities was earned by him many years ago—the years of sacrifice in early youth, working in the coal mines of Pennsylvania. His entire career is a living testimonial to the opportunities that are presented to the youth of America to make good. Hard work is the keystone of success.

We are proud of our colleague and congratulate him on this merited honor. The University of Oklahoma City has made a worthy selection in honoring our distinguished Member of the Congress—a truly great American and a powerful leader in Government.

Mr. FLOOD. Mr. Speaker, it gives me a great deal of personal pleasure to warmly congratulate our distinguished colleague from Ohio, the Honorable MICHAEL JOSEPH KIRWAN, upon his receiving the honorary degree of doctor of humane letters from Oklahoma City University.

Though MIKE has served well the 19th district of Ohio since the 75th Congress, some 24 years, I am sure, Mr. Speaker, that our colleagues would be very much interested in learning that MIKE was born and raised in my congressional district, the 11th Pennsylvania, and we hold MIKE in great endearment and respect for the fine career which he made in the halls of Congress.

In my district we consider MIKE KIRWAN as one of our own and we are delighted that he has received this distinction from Oklahoma City University. Moreover, that university should be congratulated for its wise selection of candidates to whom it awards such degrees.

I am sure, Mr. Speaker, you and the Members of this body join me in these remarks to our colleague from the Buckeye State.

Mr. LEVERING. Mr. Speaker, I greatly appreciate this opportunity to join with my colleagues in adding a word of tribute to the distinguished gentleman from my State of Ohio [Mr. KIRWAN] in connection with the conferring upon him of an honorary degree of doctor of humanities, by the Oklahoma City University.

I never think of this good man—an honest to goodness self-made man—a fighting man with a heart of gold, who made his way from a breaker boy of 7 years of age, picking slag in the mines, to the greatest legislative body in the world, without taking increased pride in our American system that recognizes the freedom and the ability of the individual. MIKE KIRWAN is a living testimonial of this great democracy in which we live.

Because our colleague to whom we pay our respects today did end his formal schooling at an early age, we know that not all education is found in schools. Congressman KIRWAN is a graduate of the college of hard knocks, where the class colors are black and blue. Long before I was elected to this body, I learned from my father-in-law, Usher L. Burdick, a former Member from North Dakota, that MIKE was a real pillar in the House. I leave it to my colleagues as to whether former Congressman Burdick is a judge of men.

Mr. Speaker, I know of no degree more fitting than that of doctor of humanities to be bestowed on our friend and colleague. Congressman KIRWAN is known to all of us as one of the outstanding conservationists of our time. He not only champions the preservation of our natural resources of soil, water, timber, and wildlife, but he is on the firing line year after year for the protection of human resources. I will never forget the calm that came over the House on September 8 last year when the gentleman walked into the well on the question of flood control funds in the public works bill and said:

We must remember that we also have a responsibility to take care of our own country. I saw thousands being put out of their homes last January—families with children being held in the arms of their parents in zero weather looking at the water coming in the second-floor windows. I urge everyone here to do something for your country. God gave us this country. God gave us the soil, the rocks, the mountains, the woods, the streams. Let us do a good job protecting and preserving them. Let this be one of the times in history that we do something in and for America.

Mr. Speaker, with all the honors his country has bestowed upon him MIKE KIRWAN is a man of humility. In words suggested by Kipling our friend has walked and talked with Presidents, but never lost the common touch. He can "fill the unforgiving minute with 60 seconds' worth of distance run" and "the earth is his and everything that's in it," because he is a man, my friends.

Mr. CANNON. Mr. Speaker, it was my misfortune not to be on the floor the morning the announcement was made of the academic honor conferred on our distinguished colleague from Ohio by one of the great universities of the Nation. And of course with his customary modesty he did not enlighten me.

I was not aware of it until I read of it belatedly in the CONGRESSIONAL RECORD and so am taking advantage of the first opportunity to extend felicitations to him and to the House, which is also honored by this well deserved tribute to one of its outstanding Members.

MIKE KIRWAN is one of the great men of the House and the Nation. The congressional committee of which he is chairman does not contribute to my campaign. He is a typical American and his career might well be an inspiration to every American youth in the land.

From the other side of the track, as a breakerboy working 10 hours a day for 50 cents a day—without formal schooling—without pull or favor or help from anyone—through his own unaided efforts, he has come to membership in the greatest parliamentary body in the world.

But to every assignment along the way he gave the best that was in him. Wherever he found his niche, he worked, indefatiguably and loyally.

Seest thou a man diligent in business; he shall stand before kings.

What he has achieved the humblest boy who walks the meanest street of the

smallest hamlet in the remotest corner of the land may, under our free American institutions, aspire to achieve.

Mr. Speaker, no academic authority has ever conferred a degree more worthily. If anyone here feels the need of a mental checkup you could do no better than consult Dr. KIRWAN. He is the best judge of human nature I have known. I would rather have his diagnosis of the personality and character of a man than that of the most eminent psychiatrist of the day—and he will not charge you $50 a visit. In fact one of his most notable characteristics is that he does so much for so many, without asking for himself. He loves his fellow man.

Abou Ben Adhem (may his tribe increase!)
Awoke one night from a deep dream of peace,
And saw, within the moonlight in his room,
Making it rich, and like a lily in bloom,
An angel writing in a book of gold:
Exceeding peace had made Ben Adhem bold,
And to the Presence in the room he said,
"What writest thou?"—The vision raised its head,
And with a look made of all sweet accord,
Answered, "The names of those who love the Lord."
"And is mine one?" said Abou. "Nay, not so,"
Replied the Angel. Abou spoke more low,
But cheerly still; and said, "I pray thee then,
Write me as one that loves his fellow men."
The angel wrote and vanished. The next night
It came again with a great wakening light,
And showed the names whom love of God had blessed.
And lo! Ben Adhem's name led all the rest.

Mr. ANDREWS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I would like to pay my respects to MIKE KIRWAN. I have known him intimately ever since I have been a Member of this House. I am familiar with his many fine traits, and above all his sincerity. In my opinion, he is a Congressman's Congressman.

Mr. Chairman, this bill provides funds for the Executive Office of the President and sundry agencies. There are 14 appropriated items in the bill, and in addition a limitation on travel funds in connection with construction of memorials and cemeteries.

The total appropriation for 1960 for these same items was $13,463,500. So that the funds recommended in this bill represent an increase of $324,000 over the current appropriation. This amount is the net result of increases in the Executive Office of the President and a substantial decrease for the Foreign Claims Settlement Commission.

A total of 1,510 permanent positions are provided for in this bill, and that is a decrease or 51 below 1960. About one-half of this reduction was planned in the budget estimates, and one-half has been imposed by the committee in its recommendations. There is actually a net increase of four positions in the Executive Office of the President, with substantial reductions in the Foreign Claims Settlement Commission and the program for construction of memorials and cemeteries.

The primary increases in appropriations are in the White House Office and in the Bureau of the Budget. The increase requested for the White House Office does not provide for any increase in staff, but the Budget Director indicated that a rather high turnover was anticipated in that staff for the ensuing year, and that additional funds would be needed to make terminal leave payments.

The increase of $235,000 for the Bureau of the Budget includes about $135,000 for increased costs of operating with their present staff, and about $100,000 to increase their staff by about 11 positions. The Budget Director asked for 33 new positions to help him do a better job on the budget. The increase recommended by the committee will permit him to add personnel for the most essential functions, including an expert on automatic data processing equipment.

And I might say, Mr. Chairman, that the Director of the Bureau of the Budget has been working for the last 2 years on the biggest budgets in peacetime history. The record will show that the Bureau has had a substantial reduction in personnel over the past 10 years. The Director told our committee frankly that he had cut his working force too deeply to get the job done.

I should point out to the House that the workload of the Subversive Activities Control Board may increase substantially.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. GROSS. Before the gentleman leaves the subject of the Bureau of the Budget, the Bureau of the Budget cut its work staff, yes, but turned around and hired a lot of management and counseling firms. Is that not correct?

Mr. ANDREWS. That is true.

Mr. GROSS. So it is a question as to whether it was a savings or not.

Mr. ANDREWS. I was speaking of the Bureau of the Budget itself.

I should point out to the House that the workload of the Subversive Activities Control Board could increase substantially in the event of decisions from the Supreme Court which would permit action to be taken under the provisions of the Subversive Activities Control Act of 1950. The appropriation requested in the budget estimates and recommended by the committee will support present operations of the Board, but an affirmative ruling in the Communist Party case could change this situation dramatically. However, the amount carried in the bill is adequate under present circumstances.

One item appears in this bill which was not included in the 1960 act. This is the item for extraordinary alterations and repairs. Even though this did not appear in last year's act, it is not a new appropriation item. This item has been included intermittently and the purpose of the appropriation this year is to restore an operating balance within this fund for possible emergencies in the physical plant of the White House.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. MONAGAN. Do I understand that there is an increase in the amount for the Executive Office of the President of $517,000?

Mr. ANDREWS. Yes.

Mr. MONAGAN. I should first say that the budget estimate represented an increase of $722,000.

Mr. ANDREWS. For the White House?

Mr. MONAGAN. Yes; the Executive Office of the President. The 1961 estimate was $722,000 over the 1960 appropriation.

Mr. ANDREWS. The total amount in this bill for the Executive Office of the President is $10,722,500.

Mr. MONAGAN. As against $10,235,000?

Mr. ANDREWS. That is correct.

Mr. MONAGAN. And as against an estimate of $10,977,000?

Mr. ANDREWS. That is right.

Mr. MONAGAN. So that the estimate was about three-quarters of a million dollars over the appropriation allowed?

Mr. ANDREWS. That is right.

Mr. MONAGAN. And there is recommended an amount in this bill which is a 5-percent increase over the appropriation last year?

Mr. ANDREWS. That is right.

Mr. MONAGAN. Where does that item come in?

Mr. ANDREWS. For the White House offices there is an increase of $177,500. That does not mean there will be additional employees there, but it makes allowance for the possibility that at the end of this administration many of those employees will be separated from the service and they will be entitled to terminal leave.

Mr. MONAGAN. It is an item for compensation of employees in the Executive Office of the President?

Mr. ANDREWS. That is correct, employees who might find their positions terminated at the end of the present administration. Then you will find another item which is an increase over the 1960 budget of $100,000. That is to permit a redecorating job in the White House and to repaint the White House, which is done every 4 years with change of administrations.

Mr. MONAGAN. Is that under the White House offices?

Mr. ANDREWS. The gentleman will find it listed there under extraordinary alterations and repairs.

Mr. MONAGAN. May I ask a question about the Bureau of the Budget? Apparently the appropriation for 1960 was $4.6 million, with an increase of about $235,000?

Mr. ANDREWS. That is correct.

Mr. MONAGAN. What would that go for?

Mr. ANDREWS. It would be for 11 new positions in the Bureau of the Budget; so the increase over last year's appropriation for the Bureau of the Budget is $235,000; however, the amount appropriated in this bill is $200,000 less than the Budget requested for their own shop.

Mr. MONAGAN. In other words, they requested an increase of about a half million dollars?

Mr. ANDREWS. Yes.

Mr. MONAGAN. Which was over 10 percent.

Mr. ANDREWS. They requested in terms of manpower 33 new positions. The committee has allowed them 11 new positions.

Mr. MONAGAN. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. FENTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 11389, the appropriations bill for fiscal 1961, to take care of general Government matters, is presented to you today in the amount of $13,787,500 as approved by the Committee on Appropriations. This is an increase of $324,000 over the 1960 appropriations.

The amount recommended by the Bureau of the Budget was for $14,302,500 which is an increase of $839,000 over the current fiscal year of 1960. The committee saw fit to reduce this amount by $515,000.

This bill as you know, represents appropriations made to the Executive Office of the President.

It provides funds for the President's compensation, the White House Office, special projects, Executive Mansion and grounds, extraordinary alterations and repairs, Bureau of the Budget, Council of Economic Advisers, National Security Council, and the President's Advisory Committee on Government Organization.

It also provides for additional funds to be appropriated to the President for emergencies and expenses of management improvement. The amount requested for the emergencies is $1 million and the amount asked for the management improvement was $350,000. The emergency fund was allowed in full and the committee cut the management improvement fund to $40,000.

Three other general Government agencies are also provided for in this bill—namely, the American Battle Monuments Commission, the Foreign Claims Settlement Commission, and the Subversive Activities Control Board. All requested amounts were allowed.

While this is by far the smallest of all the appropriation bills it does contain, nevertheless, funds that are for the Executive—funds for his advisers in economic and military affairs from whose recommendations important decisions are made.

One other item which we think very important in the bill is for the appropriations for the Subversive Activities Control Board. The Board is handicapped in their work by the delays caused by the Supreme Court in its decisions regarding the constitutional validity of the act since 1954. You will recall that in 1954 the Court of Appeals upheld the Board, but the Supreme Court sent it back to the Board with certain instructions.

Last month, February 5, 1960, the Supreme Court granted the Communist Party's petition to review the case and set argument for next October.

A ruling by the Supreme Court affirming the decisions of the Court of Appeals upholding the act and the Board's order could result in a substantial increase in the Board's workload in the latter part of fiscal 1961.

THE WHITE HOUSE OFFICE

The amount requested for the White House Office for 1961 was $2,398,500. This is an increase of $177,500 over 1960.

These funds provide the President with staff assistance and provide administrative services for the White House Office. The committee allowed the full amount.

The White House Office appropriations provide for 272 permanent positions, the same as the current year.

It was also explained that there is contemplated 274 as the average number of all employees, with 278 on the rolls at the end of the year. This is due to the fact that there will be a change in administration in 1961 and that there will be significant amounts of terminal-leave payments to members of the White House organization that occur upon change in administration.

SPECIAL PROJECTS

The budget request is for $1,500,000—the same as 1960. This fund is used by the President for staff assistance on special problems which arise from time to time but cannot be considered the responsibility of an existing agency.

The committee allowed the full amount requested.

The special projects appropriation was first established in 1956 and it is estimated that for fiscal year 1961 it will be staffed by 110 employees—5 less than the current fiscal year.

It is a means of financing special staffs appointed from time to time to advise the President or to coordinate activities for the President which overlapped departments and agencies.

This organization is composed presently of four units; namely, science and technology headed by Dr. George Kistiakowsky, the President's assistant for science; personnel management under Mr. Eugene Lyons; the foreign economic policy unit under the direction of Clarence Randall; and the public works planning headed by Gen. John Bragdon.

In addition to those four units they have special consultants, and so forth, brought in on such specific matters as national security, intelligence, and other special fields on a short-time basis.

It is really an addition or extension of the White House staff set up to coordinate various specific fields and activities for the President which overlapped departments and agencies.

As of February 29, 1960, there was obligated out of this fund, for fiscal year 1960, $778,500 for projects itemized on page 90 of the 1961 fiscal year hearings.

EXECUTIVE MANSION AND GROUNDS

The budget estimate for the Executive Mansion and grounds is $505,000, an increase of $30,000 over the 1960 budget. The committee granted the full amount. As of February 29, 1960, there was obligated $310,357.

These funds provide for the care, maintenance, and operation of the Executive Mansion and the surrounding grounds.

Included also in this budget is $100,000 for extraordinary alterations and repairs. These funds are made available for the incoming occupants of the White House and the amount was granted in full.

There are 72 employees estimated for the Executive Mansion and grounds for 1961; the same number as for the past 2 fiscal years. Of this number 38 people are in the mechanical and maintenance force. These include electricians, gardeners, engineers, carpenters, caretakers, plumbers, storekeepers, and so forth. Average compensation is $5,371.

Thirty-four people are in the domestic force, such as housekeepers, butlers, cooks, doormen, laundresses, pantrywomen, and maids. Average compensation of this group, $3,709.

Of the $30,000 increase over the current fiscal year $25,000 is to pay mandatory increased costs such as salary increases including retirement, electric rate increase, increased elevator maintenance and laundry costs, and Federal employee health benefits.

The rest of the increase, or $5,000, is needed for additional supplies required by increased use, wear and tear.

THE BUREAU OF THE BUDGET

The 1961 request is for $5,100,000, an increase of $435,000 over 1960.

This increase would permit the addition of 33 more positions. These are needed because of additional projects and workloads. Specifically they would have been distributed as follows: 1 in Office of Accounting, 7 in Office of Budget Review, 14 in Office of Management and Organization, 1 in Office of Statistical Standards, 1 in Commerce and Finance, 4 in Military Division, 2 in Resources and Civil Works, 3 in Executive Direction and Administration.

The committee, however, allowed them $4,900,000, or a decrease of $200,000 from their request which would take care of an additional 11 people.

The committee also made a reduction of $5,000 in their request for $120,000 for expenses of travel. Thus the amount granted for travel is $115,000.

The Bureau made a request for a per diem rate of $75. The committee recommends the retention of $50.

In 1951 the personnel in the Bureau of the Budget was 534. In 1952 it was 515. Since that time there has been a decrease each year until the present fiscal year which shows a personnel of 433.

The Bureau of the Budget felt that they should lead the way to try and affect a policy of holding down expenditures and employment.

A point has now been reached in which they feel that in order to keep pace with new situations and deal with troublesome problems with the effectiveness that is expected of the President, and so forth, that they were obliged to ask for 33 new positions which if permitted would have raised their personnel to 466.

As I said before the committee allowed 11 new positions which would bring them to a total of 444.

While the Bureau has cut back on its personnel since 1952 there has been an increase in its appropriated funds. For

example the appropriation for the Bureau in 1952 was $3,608,000. This was decreased in 1953, 1954, and 1955 when it was $3,388,617.

Then in 1956 it rose to $3,559,000, and has continued to rise until 1960 when the estimate was $4,665,000. As previously stated the estimate for 1961 was $5,100,000.

These increases have been brought about by many new responsibilities given the Bureau. For example the creation of an Office of Accounting in the Bureau which Congress authorized to improve financial management across the Government.

New agencies have also been created—the Federal Aviation Agency and the NASA, the outer space agency. Also the greatly increased work in the areas of defense, international matters, and so forth.

In the field of management and organization the Bureau testified that more professional people were necessary because over the past few years there have been growing developments in industry and government in the field of management improvement.

Electronic data is an example of a new technique that should be carried out by the Bureau of the Budget because there is no focal point in the Government for carrying out this activity.

Other problems are coming to the attention of the Bureau of the Budget and have been under study—namely, the problem of foreign currencies; the user charge program.

COUNCIL OF ECONOMIC ADVISERS

The Council of Economic Advisers requested $395,000 for fiscal 1961. This is the same as 1960. The committee allowed them $390,000—a cut of $5,000 from the travel items.

The Council of Economic Advisers analyzes the national economy and its various segments; advises the President on economic developments; recommends policies for economic growth and stability; appraises economic programs and policies of the Federal Government; and assists in preparation of the Annual Economic Report of the President to Congress.

NATIONAL SECURITY COUNCIL

The budget request for 1961 is in the amount of $779,000—a decrease of $13,000 from the appropriations of 1960. The full request was granted.

The National Security Council was established in 1947—Public Law 253, 80th Congress.

This was amended in 1949 and 1951, and in 1949 was transferred to the Executive Office of the President.

Within the structure of the National Security Council are the Operations Coordinating Board and the National Security Planning Board.

PRESIDENT'S ADVISORY COMMITTEE ON GOVERNMENT ORGANIZATION

Established by Presidential Order No. 10432 on January 24, 1953.

The duties of the Committee are to advise the President, the assistant to the President, and the Bureau of the Budget with respect to changes in the organization and activities of the executive branch of the Government, which in its opinion would promote economy and efficiency in the operation of that branch.

Meets on an average of once a month. Also meets with the President from time to time and participates in Cabinet sessions when Government reorganization items are on the agenda.

The Bureau of the Budget Director also participates in the Committee meetings.

The Bureau of the Budget requested $50,000 for fiscal 1961 which is a reduction of $7,500 from the $57,500 appropriated for 1960.

This reduction reflects the elimination of two positions.

It is now estimated that obligations for the current fiscal year will total about $40,000, based on obligations of $22,434 through January 31, 1960.

The request for $50,000 was granted in full.

The authority for the President to transmit reorganization plans to the Congress expired on June 1, 1959. The House on June 2, 1959, passed a bill extending the Reorganization Act of 1949 for 2 additional years. The Senate has not, as yet, acted on the House bill.

While the committee has been functioning in such areas as organization of the Executive Office of the President, Organization for National Security Affairs, Foreign Affairs Organization, and Organization of Federal Transportation Activities, the President has been handicapped insofar as reorganization matters are concerned on account of the expiring of the authorization, June 1, 1959.

If the Congress does not extend the authority to transmit reorganization proposals then he would have the regular course to pursue—that is through regular legislative proposals.

The major steps which have been taken over the past 7 years to improve the executive branch organization and management, in the development of which the President's Advisory Committee on Government Organization has participated actively, are listed on pages 9, 10, 11, and 12 of the Appropriations Committee hearings for 1961. Out of 40 steps or proposals in that time 28 were accomplished and the others are pending transmission to the President or awaiting Presidential action.

EMERGENCY FUND FOR THE PRESIDENT

The amount requested for fiscal year 1961 was $1 million, the same as 1960.

Up to this time there has been no expenditure out of the current fiscal year.

The purpose of this fund is to enable the President to meet emergencies affecting the national interest, security, or defense which may arise at home or abroad and which do not fall within the scope of the regular activities of any agency.

Congress has recognized this need for providing a contingent fund for it for many years.

In fiscal 1959 there was $975,000 utilized but the State Department returned $300,000 as a result of the Second Supplemental Appropriations Act of 1959—which in reality left a balance of $325,000 from the emergency fund that year.

There is no estimate for the number of personnel utilized in this project for 1960 since none of the money has been expended.

The Bureau of the Budget administers the fund.

EXPENSES OF MANAGEMENT IMPROVEMENT

The request for 1961 is $350,000 which is an increase of $225,000 over 1960.

Over the years this fund has been kept at a level of approximately $500,000 and is used principally to contract for outside services or for special projects in the field of management improvement for executive departments. It does not represent, except in unusual cases, a direct employment by the Government, but is used mostly for contracting for outside services.

Since there will be an estimated unobligated balance at the end of 1960 of over $260,000 the committee allowed them $40,000 which would give a fund of $300,000 for 1961. This is a decrease of $310,000 from the Budget request.

The types of projects for which the money from this fund was used can be found on pages 148 to 159, inclusive, of the 1961 hearings of the Subcommittee on Appropriations for General Government Matters.

AMERICAN BATTLE MONUMENTS COMMISSION

Nearing the completion of their construction program by the end of 1961, with the exception of the Hawaii Cemetery project, the request for fiscal 1961 was $1,320,000 which was allowed in full for salaries and expenses.

Much can be said in praise for the fine work that has been done by this Commission on our World War II cemeteries and memorials.

Work originally estimated to cost over $40 million was constructed at around $31 million plus 10 percent overhead or a saving of over $5 million.

Originally there were 14 World War II cemeteries with a memorial in each cemetery, plus enlarging the chapel in the World War I cemetery at Suresnes to be constructed.

In addition to those World War II cemeteries, et cetera, the Commission has been able to add more monuments namely, the monument at Hawaii, at a cost of $2.5 million; the new monument at Brest, $678,000; the West Coast Memorial, $105,000; the East Coast Memorial, $629,000. They have also set aside $110,000 for a monument at Okinawa until approval is granted them by the Bureau of the Budget. They have also paid $16,000 for plans for the General Pershing Memorial.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The request for appropriations for fiscal 1961 for the Foreign Claims Settlement Commission was $260,000 which was allowed in full. This is a decrease of $148,000 from the current fiscal year of $408,000.

They estimate a personnel of 40 for the 1961 fiscal year in contrast to 59 for 1960 on account of the Commission completing action on claims programs under existing legislation.

The principal work of the Commission at this time is the administration of the Czechoslovakian claims program.

The Czechoslovakian Claims Act expires August 8, 1962, unless extended by the Congress. At present there is a balance of $489,915 in the Czechoslovakian Fund.

During the hearings I requested the general counsel of the Foreign Claims Settlement Commission to supply me with a brief history of this Commission and the work it has done. I am including it here at this time for the information of my colleagues in the House.

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES,
*Washington, D.C., March 22, 1960.*

To: Hon. IVOR D. FENTON, Subcommittee on General Government Matters, House of Representatives.

From: Andrew T. McGuire, General Counsel, Foreign Claims Settlement Commission.

Subject: Brief history of the Foreign Claims Settlement Commission.

The Foreign Claims Settlement Commission of the United States was established as an independent agency of the U.S. Government under the authority of Reorganization Plan No. 1 of 1954. It assumed the functions previously exercised by the War Claims Commission, an independent agency, under the authority of the War Claims Act of 1948. It also assumed the functions previously exercised by the International Claims Commission, an agency within the Department of State, under the authority of the International Claims Settlement Act of 1949. In brief the principal purpose of the War Claims Act was to provide machinery for the determination and processing of claims of various kinds against foreign governments for injuries and damages to American citizens arising out of war. The principal purpose of the International Claims Settlement Act was to provide machinery for the determination and processing of claims of various kinds against foreign governments for the nationalization or other taking of American property. However, some war claims have been authorized for determination and processing under the International Claims Settlement Act. The two statutes are very similar. Except as it may be necessary to vary methods of handling between large numbers of comparatively simple claims, i.e., production line claims, and more limited numbers of large, intricate, and complex claims which must be individually handled, procedures are very similar. Under both statutes the claims programs operate against specified filing periods and completion deadlines.

It should be kept foremost in mind that this does not refer to claims against the United States. The funds which go to the satisfaction of claims on all programs, and with only one limited exception, are derived in one manner or other from the foreign governments and not from the taxpayers' pocketbooks. They are gratuities made available through the largess of the Congress. Likewise, the salaries of the Commissioners and the other expenses of the Commission are, in effect, almost entirely paid from these funds.

The War Claims Act required the War Claims Commission to make a study and report with recommendations to the Congress, concerning the whole field of war claims. That report was filed in January 1953. It included a number of recommendations nearly all of which have since been authorized and carried out. The most important of all—the war damage program—has not been enacted into law.

II. CLAIMS PROGRAMS COMPLETED—PAID FROM THE WAR CLAIMS FUND

On March 5, 1957, there was presented to the House Interstate and Foreign Commerce Committee a rather detailed report on the functions and accomplishments of the Commission.

The Foreign Claim Settlement Commission is the legal custodian of the War Claims Fund. The fund consists of all sums covered into the Treasury pursuant to section 39 of the Trading With the Enemy Act, that is, the net proceeds of the liquidation of vested World War II German and Japanese assets by the Office of Alien Property in the Department of Justice. Transfers to the fund have totaled $228,500,000. The present balance is slightly in excess of $500,000.

Utilization of the fund in payment of claims within the jurisdiction of the Commission has been as follows:

1. Awards to members of the American Armed Forces who were held prisoners during World War II, at the rate of $1 for each day of failure to receive the proper quantity and quality of food. This program was completed as directed by the Congress March 31, 1955, with 179,275 awards totaling $49,891,911.

2. Awards to American civilians who went into hiding or were interned by the Japanese in the Philippines, Wake, Guam, or Midway at $25 per month for persons under 18 years of age, and $60 per month for others. This program was completed March 31, 1955, with 9,238 awards totaling $13,668,078.

3. Awards to religious organizations in the Philippines affiliated with religious organizations in the United States, or to the personnel of such Philippine organizations, for expenditures incurred or the value of supplies furnished to beleaguered Americans during World War II. This program was completed March 31, 1955, with 62 awards totaling $2,857,899.

4. Awards to such religious organizations in the Philippines for the postwar reconstruction costs of schools, colleges, observatories, hospitals, and orphanages destroyed during the war. This program was completed March 31, 1955, with 60 awards totaling $17,238,596.

5. Awards to members of the American Armed Forces held prisoner during World War II, at the rate of $1.50 for each day they were abused or mistreated. This program was completed March 31, 1955 with 176,340 awards, totaling $73,377,245.

6. Awards to American civilians and their survivors of a class not covered by the original act who went into hiding or were interned by the Japanese. This program was completed as directed by the Congress August 31, 1956, with 2,191 awards, totaling $4,073,992.

7. Awards to American prisoners of war who had enlisted in the armed forces of our allies. The program was completed August 31, 1956 with 201 awards, totaling $335,836.

8. Awards to American merchant seamen captured and interned by the Japanese and Germans during World War II. The program was completed August 31, 1956, with 176 awards, totaling $327,732.

9. Awards to Americans for losses on bank accounts and other credits sequestered by the Japanese in the Philippines, and to banks in the Philippines which had voluntarily reestablished sequestered American credits. This program was completed August 31, 1956, with 3,162 awards, totaling $10,570,478.

10. Awards, under an amendment to the original statutory authorization, to religious organizations in the Philippines of the same denomination as religious organizations in the United States for (a) the cost of assistance furnished to American civilian and military personnel captured by or in hiding from the Japanese during the war, and (b) the postwar reconstruction costs of schools, colleges, hospitals, and similar institutions, destroyed during the war. The program was completed as directed by the Congress February 6, 1958, with 109 awards, totaling $8,711,482.25.

III. CLAIMS PROGRAMS COMPLETED—NOT PAID FROM THE WAR CLAIMS FUND

Seven programs have been carried through under the International Claims Settlement Act, and one under the War Claims Act, which were not payable from the war claims fund.

1. Awards to prisoners of war and civilian internees in the Korean conflict of the same kind provided for in World War II. This is the only program the Commission has had payable from appropriated funds. It was completed as directed by the Congress August 21, 1956, with 9,241 awards, totaling $8,888,292.

2. Awards to Americans for the loss of property in Panama. A fund of $400,000 was provided by Panama. There were 66 awards, totaling $441,891. The program was completed June 30, 1954.

3. Awards to Americans whose property in Yugoslavia was nationalized or otherwise taken by Yugoslavia. A fund of $17 million was provided by Yugoslavia. The program was completed as directed by the Congress December 31, 1954. There were 876 awards, totaling $18,817,904.

4. Awards to Americans whose claims against the Soviet Union arose prior to November 16, 1933, primarily resulting from the 1917 revolution. Such awards were paid from a fund of $9,100,000 realized from the proceeds of property transferred to the United States by Russia under what is known as the Litvinov Assignment. Awards numbered more than 1,925 and totaled more than $70 million in principal, plus interest. The program was completed as directed by Congress August 9, 1959.

5. Awards to Americans were made with respect to claims against Italy arising from World War II not provided for in the Treaty of Peace with Italy. Claims were primarily those of Americans for damages attributable to Italy which occurred in Greece, Yugoslavia, Albania, and on the high seas. Italy provided a fund of $5 million to cover such claims. Awards totaling $3,608,171 have numbered 482 under both the original provisions of the act and the amendment thereto which, in effect, extended benefits to persons not qualified under the original provisions. Claims under the original provisions were completed on August 9, 1959.

6. Awards to Americans whose claims against Hungary arose out of World War II damage, or, nationalization or other taking of American-owned property (plus a limited category of prewar contract claims). A sum of approximately $2 million was available in the Hungarian fund from the net proceeds of the vesting of certain Hungarian assets in the United States. Awards numbered 1,153 and exceeded $58 million plus interest. This program was completed on August 9, 1959.

7. Awards to American claimants against Rumania were made under circumstances similar to those against Hungary. A fund of approximately $22 million was available from the vesting of Rumanian assets in the United States. Awards numbered 498 and exceeded $60 million plus interest. The program was completed August 9, 1959.

8. Awards to Americans for claims against Bulgaria are likewise for World War II damage to, or, nationalization or other taking of American property (plus a limited category of prewar contract claims). A fund of approximately $2.5 million was available from the vesting of Bulgarian assets in the United States. Awards numbered 217 and exceeded $4,500,000 plus interest. This program was also completed on August 9, 1959.

As to the last five mentioned programs, awards are payable in full up to $1,000 and prorated above that.

IV. CURRENT CLAIMS PROGRAMS

The Commission is in the process of determining claims with respect to some 4,000 Americans under title IV of the International Claims Settlement Act of 1949, as amended (approved Aug. 8, 1958), against Czechoslovakia. This program provides compensation to Americans for the nationalization or other taking of their property by Czechoslovakia. A fund of approximately $9 million is available from the vesting of the proceeds of the sale of certain Czechoslovakian property. The program will be completed on time, September 15, 1962.

Mr. FENTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, while reading the hearings of the Subcommittee on Appropriations for General Government Matters I ran into something that I thought quite amusing. The gentleman from Alabama [Mr. ANDREWS] was asking questions about funds for the improvement of the White House. As I understand it, certain of that money is to be spent after the next President takes office. Since there are some seven or eight announced and unannounced candidates for the Presidency, it is not possible at this time, I am sure, to settle on any one First Lady in the White House. But, on page 81 of the hearings the gentleman from Alabama asked this question:

When will these improvements be made, before or after the next First Lady moves into the mansion?

And I call the attention of my friend the gentleman from Michigan [Mr. HOFFMAN] to the answer of Mr. Ziehl.

Mr. HOFFMAN of Michigan. Mr. Chairman, if the gentleman will pardon me, will he yield at this time?

Mr. GROSS. I will be happy to yield.

Mr. HOFFMAN of Michigan. Who did you say would be in the White House?

Mr. GROSS. I said I did not know; that there were seven or eight announced and unannounced candidates for the Presidency, so I would not know who the next First Lady in the White House would be who wants to select her own paint.

Mr. HOFFMAN of Michigan. I thank the gentleman.

Mr. GROSS. Now, to start over again. The gentleman from Alabama [Mr. ANDREWS] asked this question:

When will these improvements be made, before or after the next First Lady moves into the mansion?

Mr. ZIEHL. Afterward, according to an incidental piece of information.

This is the first time I ever read in a hearing where an appropriation was based upon "an incidental piece of information."

Mr. FENTON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. FENTON. The gentleman can see that that particular part was not deleted from the hearings.

Mr. GROSS. I am glad it was not. Now, with reference to this bill, I am interested in two or three features of it. First I want to commend the committee for the provision on page 13 of the bill:

SEC. 209. No part of any appropriation contained in this or any other act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress.

This eliminates the necessity for offering a similar amendment to each appropriation bill as it comes on and I say again that I want to commend the committee for including this section.

I wanted particularly to address myself to the expenditure of money by the White House for expenses of management improvement. As I understand, there is $260,000 of carryover available for this fund, and the committee has approved $40,000 additional in new money for this fund. My question is, What has this management improvement setup done by way of improving personnel management throughout the Government? I wonder if the chairman of the subcommittee can tell me what has been accomplished through the expenditure of this money over the years?

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am happy to yield.

Mr. ANDREWS. If the gentleman will look at page 148 of the hearings he will find a list of the projects that have been financed from this fund. Now if he will look at page 146 of the hearings he will see where I asked Mr. Stans, the Director of the Bureau of the Budget, who justified this item before the committee:

Mr. ANDREWS. Does the President want this agency or this fund?

Mr. STANS. Yes, the President wants it; and I think, Mr. Chairman, it's a very important way of getting at some of the organizational and operating problems in the Government where the Bureau of the Budget doesn't have the staff to make the studies and there is no other agency in the Government able to perform them.

The budget request for this item was $350,000.

Mr. GROSS. Yes; they wanted it brought up to $500,000.

Mr. ANDREWS. The budget request was for $350,000. The committee approved $40,000. They wanted to keep this fund at a level of $500,000. The committee thought it would be well to keep it at the level of $300,000.

Mr. GROSS. I still cannot understand why the gentleman and the Committee on Appropriations defends this fund. I am unwilling to accept the position of the Bureau of the Budget and I will tell the gentleman why. The Bureau of the Budget since 1953, according to testimony by Mr. Stans, has spent $1,110,000 on projects financed from this fund. The projects include Management of the Federal Trade Commission; Organization and Management of the Federal Power Commission; Organization and Management of the General Services Administration; Comptroller's Activities of the Federal Housing Administration. There are 10 different outside-of-Government firms that were employed on 17 projects, plus 5 other projects where individuals were hired on a consultant basis by the Bureau of the Budget. This money has been spent largely on the hiring of private management engineering firms. Despite the fact that more than $1 million has been spent in this fashion since 1953, employment in the Government has gone up and up. I am sure the gentleman will not dispute that.

This year it is supposed to reach a high of some 2,314,000 people, a substantial increase over last year.

I have been advised that based on a study made by the Bureau of the Budget there are 29 departments and agencies of the Federal Government that have management analysis groups in their headquarters operations. These groups employ over 350 professional career management analysts in their headquarters—over 350 now on the payrolls. Besides these technicians, the larger field activities also have management analysts, so that in total the Federal Government certainly must employ several thousand well-trained personnel management experts.

I trust that the Bureau of the Budget will provide greater leadership in the future for top management in the Federal Government to make use of these career technicians, not go out and hire private engineering firms on a cost-plus basis as is often done.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. MICHEL. The gentleman talks about the increase in Federal employment. He recognizes that the last few years of this administration there have been increases as the administration moved along. The fact shows that today, 7 or 8 years after, the administration has fewer people on the payroll than when this administration took over in 1953. That figure cannot be challenged.

Mr. GROSS. That does not justify the hiring of private consultants when there are qualified employees already on the payrolls and when employment in the classified service is on the increase. What do you propose to do with the people already on the payroll?

Mr. MICHEL. In some instances it is difficult to make savings. For instance, in the case of the Defense Department many people thought by reorganizing it would mean a difference of $5, $6, or $7 billion in the expenditures. I think the result is that we did happen to have a sizable increase. We might normally expect increasing costs. Take, for instance, this item the Director of the Bureau of the Budget is concerned about, whether or not the Government should be buying or renting these large computing machines that cost thousands and thousands of dollars. Some of the departments do not know whether it is correct for them to go ahead and buy the machines or to rent them. We are concerned about the sizable expenditures for renting, but some specialist must go in there and determine whether or not this is the right or wrong thing to do.

Mr. GROSS. Why go out and hire people to tell the Government what to do, when we have in the General Services Administration and other agencies all kinds of experts? That is what we have been doing.

Mr. MICHEL. I do not know that we have been hiring General Services Administration men.

Mr. GROSS. If the gentleman will read the hearings of our manpower utilization subcommittee he will find that the General Services Administration did hire private consultants to tell it what to do in the management of properties. If the General Services Administration, after the years of experience it has had, still must go outside to hire people to tell it how to manage Government property, then there is something sadly wrong. I hope it will not surprise the gentleman to learn that as the result of our hearings, and I am not going to take the time to search out the testimony now, there is no one agency of Government responsible for personnel management, not even the Civil Service Commission.

There is no place or no one that you can turn to fix responsibility for management, yet we are asked to support, with hundreds of thousands of dollars over the years, a management improvement setup in the White House, that I say to you has not been delivering and which ought to be abolished. The money should be spent on concentrating responsibility either in the Civil Service Commission or somewhere else in the Government.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. MICHEL. The gentleman serves on the House Committee on Post Office and Civil Service, and I was wondering if that committee has given any consideration to the establishment of just this kind of thing that the gentleman is talking about.

Mr. GROSS. I suggest that the gentleman read our hearings of last December.

Mr. MICHEL. Has there been any legislation introduced to that effect that we might tie our string to?

Mr. GROSS. We are trying to get some help from all departments and agencies in an effort to determine where responsibility for personnel management should be located.

Mr. MICHEL. Of course, the gentleman surely must agree that since we do not have that in effect or in being, there is nothing seriously wrong with going to an area where we can get good advice.

Mr. GROSS. What I am trying to do is to raise the issue here today so that next year we can get some help from the Committee on Appropriations in anything that we may be able to do through the Committee on Post Office and Civil Service. What I am saying is that we ought to cut out the $40,000 in new money and I intend to offer an amendment to that effect, leaving the improvement management setup in the White House the $260,000 of carryover and giving very serious consideration next year to the abolition of this so-called management group, which is not producing today.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN of Michigan. With reference to the Post Office Department, every time the Postmaster General tries, as he has been trying ever since he came into office, to get a little more efficiency and to cut out some of the waste, someone from the Congress in answer to a lobby that is usually up here and there was one here last week complaining because the Post Office Department is trying to find out whether some of the postal employees are doing anything, and they were undoubtedly in to see the gentleman—they were in my office and they stayed a long, long time. They did not want any standards established to judge so that the Postmaster General or any of his assistants could determine whether they were working or whether they were not. Now if we let the Post Office Department alone once in a while—or not once in a while, but at least part of the time—part of the time if we would just let that businessman alone who is in charge down there and install some of these good things, we could save some money and get some work done.

Mr. GROSS. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. May I ask how much more time the gentleman would like to have since there are other Members who want time to speak?

Mr. GROSS. I would like to have another 2 or 3 minutes, if the gentleman would yield that time to me.

Mr. FENTON. Mr. Chairman, may I ask how much time the gentleman has consumed?

The CHAIRMAN. The gentleman has consumed 15 minutes.

Mr. FENTON. Mr. Chairman, I yield 3 additional minutes to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman from Pennsylvania. Last year this appropriations subcommittee developed that there had been a $400,000 raid on the President's emergency fund for the so-called Draper Committee. I wonder if there was any such raid—I find no evidence of it in your hearings this year, but I wonder if there has been a similar raid on the President's emergency fund in attempts to influence the Congress. I wonder if the gentleman could tell me whether there has been a raid in the last year?

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to my colleague.

Mr. ANDREWS. I am happy to tell the gentleman that as of the time when witnesses appeared before the committee, about 2 weeks ago, the testimony was that not one thin dime had been spent from this fund in fiscal year 1960. It could be that the remarks of the gentleman from Iowa on the floor last year had something to do with that although I do not know.

Mr. GROSS. I thank the gentleman. I want to commend the gentleman for having turned up the information last year.

Mr. ANDREWS. The gentleman will find that information in the record of the hearings at page 140. He will find from the testimony on that page that the fund of $1 million is still intact.

Mr. GROSS. I thank the gentleman for his response.

I should also like to ask the gentleman a question concerning this setup in the White House on fundraising within the Federal service.

It is difficult for me to understand why the taxpayers should spend $54,000, or at the rate of about $10,000 a year for five employees, which must mean there are a couple of them drawing extra good money, to ride herd on fundraising within the Federal Government. Why cannot the various agencies, bureaus, and departments handle fundraising for charitable purposes without this expenditure?

Mr. ANDREWS. All those people were assigned by the military to the White House. If you will notice on page 4 of the committee report, we have requested that this practice be stopped.

Mr. GROSS. That is good. I thank the gentleman.

Mr. FENTON. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, during the last year or two there has been a notably tendency on the part of a very few Johnny-come-lately Members of the House to travel fast and far. That is a laudable ambition and many a bandwagon rider cheers as some ride to the top and sit under a temporary spotlight in an isolated seat. Some stub a toe or slip on a banana skin thoughtlessly dropped by a careless bystander. That has been the opinion as expressed by a few papers here and there in various congressional districts.

Not content with a little pushing and crowding now and then, here and there or possibly what might be termed retaliation because of a few votes, not waiting for a colleague to be defeated or for nature to take its course impatient to be crowned, they have resorted to a denial of seniority rights on committees.

Really convinced we should have a civil rights bill, some disregard the long-established rules and customs of the House and push themselves or their friends to positions they have not earned. For some time it has been my thought the desire for equal rights might drift down to the House membership—some consideration be given to those who had earned the right to this privilege by long service here. It is just possible, as was hinted by the gentleman from Mississippi the other day, that some who seem to claim the right to silence or fix the status of all others, might just find themselves with needed votes come election or caucus day. But enough of that.

The bill now before us provides appropriations for the White House; does it not?

Mr. ANDREWS. Yes.

Mr. HOFFMAN of Michigan. Mr. Chairman, being that kind of a bill, if they have more money than they need or more employees than they have use for around the White House, they might send a few of them up here to the House Office Buildings to operate the elevators in the front of the New House Office Building.

Yesterday and on a couple of other Sundays the bank of elevators was not operating around 5. Some of the Members, your humble servant included, wanted to do some necessary work, some work that might be said to be of a religious nature because it had to do with the welfare of the aged. Yesterday—it happened twice before on successive Sundays—the elevator at the police desk in the New House Office Building was not being operated. There was no one there to operate it except a policeman and he was so busy smoking he could not be bothered. Personally, I do not object to walking down from the fifth floor from over in the southwest corner, but when it comes to climbing up five flights of stairs, I do not like it—especially when someone is being paid to run the elevators. Just why should a Member carry his load up five or even two flights while someone paid to do a job wears the seat of his pants out in some other part of the building. Nor was I able to get anyone at the Superintendent's office.

Now, the gentleman from Texas [Mr. THOMAS] was over there hanging around trying to get a ride up; the gentleman from Texas [Mr. BECKWITH], he was over there. When you get as many as three Members of the House who really want to work or at least make a pretext of wanting to work, should they not have an elevator to get up and down, when there was a man on duty? Or must the older ones just get out of the way so we can elect a young man who can run up; then wear out the springs on his easy chair? With $4 billion something going abroad, I hope one of the leaders on our side, either Mr. ARENDS or Mr. ALLEN, both from Illinois—I understand they are down to the White House every Monday or Tuesday, whenever it is—I wish you would just speak to the President, and if he does not need those employees who are hired in connection with White House service—I suppose he will be going to church at Gettysburg anyway on Sundays—if he does not need all those employees down there, would you or one of you gentlemen mind suggesting to him that he fix it so that we can have somebody up here to run one of those elevators on Sunday—I note you nod—and then Mr. THOMAS and Mr. BECKWORTH, perhaps your humble servant may be able to get up to an office without walking up the stairs. Why let an elevator and an operator just stay stuck?

It may be all right for a leader, a would-be leader, or just a climber to give a Member the runaround but one should not have to take a push from an elevator operator or House policeman.

Mr. FENTON. Mr. Chairman, we have no further requests for time.

Mr. ANDREWS. We have no further requests, Mr. Chairman.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

EXPENSES OF MANAGEMENT IMPROVEMENT

For expenses necessary to assist the President in improving the management of executive agencies and in obtaining greater economy and efficiency through the establishment of more efficient business methods in Government operations, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates for individuals not to exceed $75 per diem, by allocation to any agency or office in the executive branch for the conduct, under the general direction of the Bureau of the Budget, of examinations and appraisals of, and the development and installation of improvements in, the organization and operations of such agency or of other agencies in the executive branch, $40,000, to remain available until expended, and to be available without regard to the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 6, line 2, strike out "$75 per diem" and insert "$50 per diem".

Mr. GROSS. Mr. Chairman, if the Subcommittee on Appropriations can make a case for $75 per diem to be paid to consultants and others, in view of the fact that running through this bill we find $50 per diem in several other places—the National Security Council $50 per diem for the hiring of individuals; and the President's Advisory Committee on Government Organization, whatever that is, $50 per diem provisions—if the committee can make a case for this $75 per diem to be found on page 6 in connection with management improvement funds, I will be glad to withdraw my amendment. I wonder if I may have some comment from the chairman of the subcommittee on the $75 figure as contained on page 6 in connection with the management improvement fund.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am happy to yield.

Mr. ANDREWS. I can only say to the gentleman from Iowa that the information given us was that these consultants are very high type people, professional people, men who make high salaries. This has been the law for several years.

Mr. GROSS. Does not the gentleman think that there ought to be a standard set by the Government with reference particularly to people who are being hired to tell the Federal Government what to do in connection with personnel, in connection with management of the Federal Government?

Mr. ANDREWS. No; I think each case should rest on its own merits. I might say to the gentleman that the Bureau of the Budget requested that we remove the limitation of $50 per diem for consultants from the law covering them.

Mr. GROSS. And just let them pay anything they want to pay; is that correct?

Mr. ANDREWS. No; they requested that we remove the limitation of $50 and make it $75, but the committee refused to do so.

Mr. GROSS. Does the gentleman not think this ought to be standardized?

Mr. ANDREWS. No; I think each case should rest on its own merits.

Mr. GROSS. I cannot agree with the gentleman.

Mr. ANDREWS. Some of the people who are called in for consultation are among the best scientists in the country.

Mr. GROSS. These are not scientists who are called in in connection with the management improvement fund.

Mr. ANDREWS. But they do have that type of consultant from time to time.

Mr. GROSS. But why $50 in connection with the President's Advisory Committee on Government Organization? Are those people any less valuable than the people who would be called in in connection with the Management Improvement Fund?

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. MICHEL. Mr. Chairman, I would have to agree in part with what my chairman said in answer to the gentleman's question. I would say, for instance, with respect to the people who are called in on the President's Advisory Committee that it is considered something of an honor by many of them simply to serve. Some of them are willing to sacrifice their time just to serve on the committee. There has been the argument advanced by some in this field that patriotic citizens ought simply to give their time as a service to the Government; but as the Chairman has pointed out in connection with these highly skilled, highly paid individuals, they are people who have already come into their right. They are considered competent to advise the Government because they have made a success of what they have been engaged in themselves. I think the Director of the Bureau of the Budget has said that you just cannot get these highly qualified people under a limitation of $50 per diem.

Mr. GROSS. I have to disagree, respectfully, with my colleague from Illinois. I think if you issued an invitation to management engineering people to come in on a consultant basis at $50 per day, you would have by 4 o'clock this afternoon, if that invitation were issued now, so many that they would be kicking down the doors to work at that figure. I do not think there has ever been the slightest difficulty hiring consultants at that rate and for that purpose.

Mr. MICHEL. The gentleman I think will agree that there are any number of individuals who may pawn themselves off as being specialists or particularly qualified in the field, but we have to take the judgment of some of our responsible individuals downtown as to who are best qualified to get the job done. Undoubtedly there would be many takers by 4 o'clock, but that would not prove anything.

Mr. ANDREWS. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, this has been the law for many years. They tell us they need this money to get the facts that they use in this particular work.

Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 6, line 8, strike out "$40,000".

Mr. GROSS. Mr. Chairman, this is the expenditure I brought up earlier in debate on this bill. There is already $260,000 available to carry on the so-called management improvement proposition at the White House. This would make it $300,000. There is no evidence in the hearings that I could find other than a statement that "maybe we will use the money and maybe we won't." The expenditures, as near as I could determine from the hearings, have not been running above approximately $250,000 a year. I see no necessity whatever for putting $40,000 of new money into this. I think the committee ought to accept this amendment and then next year, as I said before, look very seriously into the proposition of abolishing this White House management improvement fund altogether.

Mr. FENTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the President should not because of lack of funds be prevented from taking timely action in obtaining solutions to management problems or in making needed administrative improvements in executive agencies and functions. Over the years this fund has been kept at a level of approximately $500,000. It is used principally to contract for outside services or for special projects in the field of management improvement for the executive branch. It does not represent except in unusual cases a direct employment by the Government but is used mostly for contracting for outside services.

I think a very fine case was made for this item. The committee saw fit to allow $40,000. There was a balance of $260,000 left in the fund. With this extra $40,000 we allowed, they are given $300,000 to proceed. As I said in the beginning, I do not think the President should be handicapped should anything arise in the executive branch that needs adjustment.

Mr. GROSS. Mr. Chairman, this is in no sense an emergency fund.

Mr. FENTON. It could be an emergency fund.

Mr. GROSS. In what way could it be an emergency? How could it possibly be an emergency?

Mr. FENTON. I certainly am not going to get into a controversy on that. We have to take the advice of the Bureau of the Budget, as to the work they have been compelled to do over the years with the rising amount of functions they have to direct. I think the thing to do is to allow this amount.

Mr. GROSS. The gentleman will agree with me that there are hundreds of personal management people presently in the career service of the Government. Will he not agree with that?

Mr. FENTON. I think that is true, but I do not believe you can rely on that very much.

Mr. GROSS. Does the gentleman not think we either ought to get rid of the people who are on the payroll that we are paying as management experts in various bureaus and agencies and departments of the Government, if we are going to spend this kind of money on hiring consultants to tell the various bureaus and agencies what they ought to do? Does the gentleman not think we ought to get rid of the employees we have?

Mr. FENTON. I am not aware of any excess numbers the President has on his rolls.

Mr. GROSS. I am not talking about the President in this particular case, I am talking about the various bureaus and agencies, with hundreds of them on the payroll. What happens to morale in these agencies when outside consultants are hired to come in and tell them what to do? This is a serious problem, and it is not being met in this way.

Mr. ANDREWS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to point out that if this amendment prevails, then all the language in the bill from line 20, page 5 should go out since it would be useless language.

Mr. Chairman, there is available in this fund for the next year $260,000. The budget request for funds for this project was for $500,000. The committee decided to keep in the fund $300,000—hence, the appropriation in this bill of $40,000.

I might say in answer to the gentleman from Iowa as to what has been accomplished by this fund, if he will turn to the hearings of last year at page 181, he will find documented there some of the specific cases where actual dollar savings have accrued to the Government as a result of the decisions made by this management organization. Here is another case of an agency created by executive order. The President says that he wants it and says he needs it, and we are willing to give him part of what he asks for or even three-fifths of what he asks for.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. GROSS. These are claimed savings; are they not? I would certainly expect the Bureau of the Budget or any other agency of the Government to justify, or at least try to justify the spending of money for the purposes for which that money was spent. The gentleman must admit that the hiring of these consulting firms has not resulted in less employment in the Federal Government since employment in the Government is going up all the time.

Mr. ANDREWS. Mr. Chairman, I ask that this amendment be defeated and I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. ANDREWS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ALBERT, 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. 11389) making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1960, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. ANDREWS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read a third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

## EXTENSION OF REMARKS CONCERNING HON. MICHAEL KIRWAN

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that all remarks concerning Hon. MICHAEL KIRWAN be printed in the RECORD following the remarks of the gentleman from Rhode Island [Mr. FOGARTY] and that all Members may have 5 legislative days in which to extend their remarks.

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

There was no objection.

## AUTHORIZING DISPOSAL OF NATURAL RUBBER FROM THE NATIONAL STOCKPILE

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 486) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H. Con. Res. 582) providing under section 3(e) of the Strategic and Critical Materials Stock Piling Act, the express approval of the Congress for the disposal from the national stockpile of approximately four hundred and seventy thousand long tons of natural rubber. After general debate, which shall be confined to the resolution, and shall continue not to exceed two

hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield one-half the time to the gentleman from Illinois [Mr. ALLEN], and at this time I yield myself such time as I may use.

Mr. Speaker, this resolution provides for the consideration of House Concurrent Resolution 582, to express approval of the Congress for the disposal from the national stockpile of approximately 470,000 long tons of natural rubber.

The resolution provides for an open rule, with 2 hours of general debate. The purpose of this legislation is to obtain the express approval of the Congress for the disposition by General Services Administration of approximately 470,000 long tons of natural rubber now in the national stockpile.

I do not know of any objection to the rule, and I now yield to the gentleman from Illinois.

Mr. ALLEN. Mr. Speaker, I have no requests for time on this side, and I yield back the remainder of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

## CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. ALBERT. 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. 36]

| | | |
|---|---|---|
| Alexander | Cunningham | Inouye |
| Alger | Curtis, Mass. | Jackson |
| Anderson, Mont. | Curtis, Mo. | Johansen |
| Anfuso | Devine | Johnson, Wis. |
| Ashley | Diggs | Jones, Mo. |
| Auchincloss | Dingell | Kluczynski |
| Bailey | Dorn, N.Y. | Lankford |
| Barden | Durham | Lesinski |
| Barrett | Dwyer | Loser |
| Barry | Evins | McCormack |
| Baumhart | Fallon | McDowell |
| Belcher | Farbstein | McGovern |
| Bentley | Feighan | Macdonald |
| Blatnik | Fino | Machrowicz |
| Blitch | Fisher | Mack, Wash. |
| Bolling | Frelinghuysen | Martin |
| Bonner | Friedel | Meader |
| Bowles | Garmatz | Miller, George P. |
| Bray | Gary | Milliken |
| Brewster | Gavin | Minshall |
| Brown, Mo. | Glenn | Mitchell |
| Buckley | Granahan | Morris, N. Mex. |
| Cahill | Grant | Morrison |
| Canfield | Gray | Nix |
| Cederberg | Green, Pa. | O'Hara, Mich. |
| Celler | Griffiths | O'Neill |
| Chamberlain | Gubser | Osmers |
| Chiperfield | Halleck | Passman |
| Coffin | Hargis | Patman |
| Cohelan | Hays | Pillion |
| Collier | Hébert | Powell |
| Cook | Hemphill | Reece, Tenn. |
| Cooley | Henderson | Reuss |
| Rhodes, Ariz. | Holifield | Rivers, Alaska |
| Riley | Slack | Tollefson |
| Robison | Smith, Miss. | Ullman |
| Roosevelt | Spence | Vinson |
| Rostenkowski | Taber | Weaver |
| Saylor | Taylor | Wharton |
| Scherer | Teague, Tex. | Williams |
| Shelley | Teller | Willis |
| Sheppard | Thomas | Withrow |
| Short | Thompson, N.J. | Zelenko |
| | Toll | |

The SPEAKER. On this rollcall 301 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## DISPOSITION OF SURPLUS RUBBER STOCKS

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

## ELIMINATION OF CERTAIN OFFICERS OF THE REGULAR ARMY AND REGULAR AIR FORCE

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 485 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1795) to amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the regular components of the armed forces. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Armed Services now in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. THORNBERRY. Mr. Speaker, House Resolution 485 provides for the consideration of S. 1795, a bill to amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the regular components of the Armed Forces. The rule provides for 2 hours of general debate under an open rule and makes in order the substitute amendment recommended by the Committee on Armed Services now in the bill, S. 1795, to be considered when read for amendment under the 5-minute rule as an original bill.

The purpose of the legislation, as amended, is to improve the quality of the Regular officer corps of the Army and the Air Force.

First. It will permit the Air Force and the Army to retire involuntarily permanent colonels and permanent lieutenant colonels who have three or more times failed of selection to the next higher permanent grade. The proposed legislation is not intended to create vacancies; obviously though, certain vacancies will result, but it will give the Air Force and Army the authority to retire officers who do not measure up to the standards required in their grade in the present day Air Force, and in the Army if they wish to exercise such authority. It is estimated that the Air Force would be given the authority to retire involuntarily some 200 colonels and 500 lieutenant colonels during the next 5 years who have failed of selection three or more times; but no officer would be eliminated under this legislation unless he qualifies for retirement pay. It would be a temporary authority and would expire June 30, 1965.

Second. It proposes to amend existing law with regard to the "show cause" procedure now in existing law applying to the Army and the Air Force under which officers who fail to meet prescribed standards, or officers who are charged with professional or moral dereliction or who are security risks, may be eliminated from the active list. This portion of the amendment is entirely new, permanent, and was not contained in the version of the bill as it passed in the other body.

It would not be applicable to the Navy and Marine Corps as Congress passed the so-called Hump Act in 1959 which permitted the Navy and Marine Corps to retire involuntarily, ahead of schedule, commanders and captains and their Marine Corps counterparts in order to create vacancies for promotion of lieutenant commanders and their Marine Corps counterparts.

I know of no opposition to the rule and I urge adoption of the resolution.

Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from Texas has explained very ably and very well the rule making in order the consideration of this bill. The rule provides for 2 hours of general debate. It is an open rule. The testimony before the Committee on Rules showed there was no opposition to the measure in the House Committee on Armed Services, and there was no opposition to the rule in the Committee on Rules. I think this is a bill which will not prove controversial in nature.

Mr. Speaker, I have no requests for time.

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

## WHY SHOULD AMERICA CONQUER SPACE?

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute and to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. BOYKIN. Mr. Speaker, as a part of my remarks, I include a great article that appeared in the Sunday Star in Washington, D.C., March 20, 1960. This article was by America's foremost rocket expert, Dr. Wernher von Braun. The title of this great article, that all of us will appreciate from the very bottom of our hearts, is "Why Must We Conquer Space?" An urgent and inspiring answer to the most vital questions of our times is included in the article written by Alabama's own Dr. von Braun in the Sunday Star.

Recently my wife and I were giving a luncheon for Senator and Mrs. Roland Cooper from Camden, Wilcox County, Ala., and we had invited the Alabama delegation with their wives and many of our prominent men on both sides of the aisle, including many Democrats, as well as some Republicans. We included in this particular luncheon in the Speaker's dining room there in the Capitol BOB SIKES, of Florida; of course, we had both of our great Senators from Alabama, Senator LISTER HILL and Senator JOHN SPARKMAN; Congressman GEORGE GRANT, GEORGE ANDREWS, ALBERT RAINS, BOB JONES, CARL ELLIOTT, KENNETH ROBERTS, ARMISTEAD SELDEN, and GEORGE HUDDLESTON, along with all of their wonderful wives; but we were so happy when we found that Gov. John Patterson and his finance director, Charlie Meriwether, and a group of his cabinet members of Alabama were here, and Mrs. John Sparkman was entertaining Mrs. von Braun; so, of course, we were delighted to have them along with some other people who were visiting us. We had some of the group from Texas, a great many from Alabama, about 64 in all. I wish we could have had every Representative from every State in the Union, but we just did not have a dining room with the space. But we did have some great and good men, and Senator HILL and Senator SPARKMAN, as well as Senator ROLAND COOPER, made great talks. Then, we had our own Gov. John Patterson, who made a splendid talk, that we all enjoyed very much. Of course, Senator HILL and Senator SPARKMAN both talked, and you all know what wonderful men and great orators they are. Then, each one of the Congressmen spoke, and we saved this great man, Dr. von Braun, from Huntsville, Ala., as the principal speaker.

How I wish all of my people in the First District of Alabama could have heard him—not only there, but all over the State and all over this world; but they will, and this article covers some of the things he said. He is coming here again in the next few days, and I am hoping to get some material that I will put in the CONGRESSIONAL RECORD, which goes to every library in this Nation and many other libraries all over the world, and every beat in the State; so all of our people can know what Dr. von Braun has done, is doing, and will continue to do, from Huntsville, Ala. Also, some of this work is being done at our own beautiful Brookley Field at Mobile, Ala., where we have over 15,000 men and women working there under another great leader, Gen. Dan Callahan.

Just this past week we had at Brookley Field Gen. Sam Anderson and Gen. Bozo McKee from Dayton, Ohio, where the Air Force has its headquarters. We have had the great Gen. Nathan Twining down at this field for many years, along with other people, like Homer Gruenther, special assistant at the White House, Charlie Halleck, the leader of the minority side, a Republican from Indiana, his son and his wonderful wife.

Well, the great CARL VINSON is chairman of the Armed Services Committee that handles the Army, the Navy, and the Air Force, as well as the Marines and Coast Guard, or a part of it, and he has been there with us and has been so helpful down through the years. As a matter of fact, everybody helps us and we know that we will not, as Dr. von Braun says, surrender the heavens to the Reds. Not only, Dr. von Braun, will we not surrender the heavens, but we will not surrender the earth either. We want them both, but we are willing to share them with all right thinking people.

Well, I have met many men from all walks of life, but I have never met a more learned man on this subject than Alabama's Dr. Wernher von Braun. We are proud of him; we are proud of his beautiful wife, who has been down to the First District of Alabama with her husband so many, many times, and I know they will come many more times, and I know we will work out something that will be very great and very good—not only for Alabama and our First District of Alabama, but for all mankind; and I will be giving you another message on what we do on this trip. But at this time, I believe they have agreed to let Dr. von Braun and his great team there at Huntsville, Ala., at the Redstone Arsenal, have 100 million new dollars. Well, we have got to do it, and he answers—"Why should America conquer space?" Well, we want to conquer space or anything else that anybody else has done, and this is the last frontier, and I know that Dr. von Braun and many, many other of our men and women from every walk of life in this great Nation of ours are ready to help in any way, shape, or form, and we should have done it a long time ago, and we could have. There is no doubt in my mind that we will.

Dr. Wernher von Braun is the operations chief of the U.S. Army Ballistic Missile Agency, and headed the German Rocket Research Center in World War II. After the war he came to the United States as one of the former enemy technical experts rounded up by our Operation Paperclip. Dr. von Braun is now a U.S. citizen and resides with his wife and two daughters in Huntsville, Ala. By the way, they are expecting another baby, so he tells me, this year.

How I wish we could include the picture of Dr. von Braun which is on the cover of the magazine section of the Sunday Star, but we cannot do that, but I would like for you to see his face, and especially when he is talking about the things we can do yet in this great old world of ours—it lights up. Surely, God has His hand on his shoulder to show him a way where we would, if it comes, have to win a war; but we hope this never comes, because everything he is doing could be used so much better in making peace on earth and good will to all mankind.

I did want the people at home and everywhere else to know about this man and pull and pray for him, for it means much to all of us—every human being in this Nation and the world.

God bless Dr. von Braun and give him strength to carry on the great work he is doing.

[From This Week magazine, Mar. 20, 1960]

WHY SHOULD AMERICA CONQUER SPACE?

(By Wernher von Braun, Director, Development Operations Division, Army Ballistic Missile Agency)

(In one of the most inspiring articles on the subject you will ever read, a man who has dedicated his life to the conquest of space explains simply and fully what space means to our future.)

HUNTSVILLE, ALA.—When we speak of the conquest of space we had better clarify that term right at the outset. For one thing, we do not mean conquest in the sense of beating little green men into submission and staking out a nationalistic claim on the universe. Also, space is a pretty big place—they say it is even bigger than Texas and Alaska thrown together.

Not even the boldest science fiction writer would ever dream of earthmen exploring all the space from here to infinity. When we speak of conquest of space we mean no more than visits to a few of our close celestial neighbors. Nevertheless, some of these neighboring stars may be just as intriguing and just as full of mysteries as our own little planet which until the dawn of the space age we called the world.

No matter how limited his objective, man's conquest of space is the boldest venture he has ever embarked upon. Since time eternal the force of gravity has chained him to the earth's surface. Half a century after man learned to build flying machines whose wings could temporarily overcome his weight, science, and technology are ready to give him the means to soar above the atmosphere and shake off the chains of gravity altogether.

Why must we take up this challenge? Why must we conquer space now that we have the technical ability to do it?

Dr. James R. Killian, the President's former scientific adviser, gave as the main reason "the compelling urge to explore the unknown." Throughout the history of human progress this urge has motivated not only heroic men of action like Columbus or Peary, but also penetrating thinkers like Ptolemy and Einstein. Just plain curiosity has always been a far more effective mainspring for research and exploration than hope for economic returns.

All our modern conveniences had their origin in research which was carried out without regard to practical application and merely because some man wanted to know the how and why of the universe. The automobile, the airplane, our electrical miracles, the clothes we wear, the food we eat, the glasses we use—all are the direct outgrowth of scientific research conducted out of man's innate curiosity.

Because an obscure Austrian monk, experimenting with white and red peas in a corner of the monastery garden, was curious about the statistical results of his cross-breeding

tests, man has learned to grow hardier corn and raise sturdier cattle to feed the hungry millions.

Because a 20th century bacteriologist was curious about certain physical reactions taking place in plain mold, we have penicillin.

Even the most formidable and fateful discovery of our time, thermonuclear energy, was made only because a few men wondered what prevented the sun from losing its heat as rapidly as its tremendous continuous energy losses through radiation would seem to suggest.

The trouble about contemporary research begins when the "compelling urges to explore the unknown" felt by representatives of the many disciplines of science begin to compete for the tax dollar. Sometimes we have some real soul searching to do. Take the question of rocket research versus medical research. Just a few months ago my mother died of cancer, so when I ask myself whether, say, a hundred million dollars of taxpayers' money would be better spent on cancer research or on an attempt to take a few pictures of the far side of the moon, I hesitate to give an answer.

But am I asking myself the right question? Surely there is another aspect to the problem. Suppose everything America stands for in the eyes of the world could be expressed in terms of a stock market rating of so many hundred billion dollars. Suppose further that the fact that the Soviets succeeded in photographing the moon's unseen side reduced that rating by a fraction of 1 percent—say $1 billion. When I now assure you that for one-tenth of that amount America could have done the same thing ahead of the Russians' lunik III, don't you think we can argue it would have been a worthwhile investment?

Whether we like it or not we are engaged in a worldwide popularity contest with the Soviets. We are competing for allies among the many have-not nations for whose underfed multitudes the Communist formula of life has a great appeal. We are seeking friends among the many small countries, rich or poor, which would like to remain outside the powerful magnetic field lines arching from Washington to Moscow, but which in a world of jet travel and intercontinental rockets often have no choice but to side with a richer and mightier partner.

A feat like that performed by lunik III is tantamount to a lost battle in that silent, cold struggle for the hearts of the uncommitted. And lunik II (which planted the hammer and sickle on the moon) was another lost battle, and lunik I (which first went into orbit around the sun) was still another. And the series of sputniks which opened the space age were still more lost battles. We are now moving into a more affirmative position in the cold war, by which to win the hearts and the hopes of the uncommitted.

I do not think we can dismiss this grim competition as a weight-lifting contest between rival rocket teams. When the whole world sits in the audience and the heavens are the stage, pride and prestige are real issues and serve ends which are vital for our Nation's role in the world of men. I just don't believe the American people are ready to concede that they have lost their frontier spirit—just as we enter the struggle for man's last and limitless frontier. I am not ready to believe that America is willing to surrender the heavens to the Reds.

The other day I was giving one of those afterdinner speeches which rocket men seem to be unable to duck in these times. I sounded what I thought was a ringing appeal for a determined U.S. space program and got a big hand. During the ensuing question-and-answer period someone got up and demanded: "Why are you telling us all that? Weren't you connected with the development of the Nazi V–2 rockets that fell on London during the last war?"

All I could answer was that having survived one dictatorship I didn't want my own American-born children nor anyone else's to live under another. Maybe I should have said it seems that you must have passed through purgatory to appreciate heaven.

This would not have been an oratory statement either. It is a source of never-ending surprise for me, how the vast majority of native-born Americans take their cherished liberties for granted, as something they don't have to struggle for. And somehow, I am profoundly worried as to what has happened to the American frontier spirit.

I spent my first 5 years in this country in El Paso, Tex., where "The law west of the Pecos" is still vividly remembered. But during the succeeeding years of postwar readjustment of the U.S. economy I have read more and more about labor-management arguments, about higher wages and shorter hours, about trends toward more distraction for youngsters and less study, about a rosy future of leisure and comfort. I have also read, often in the same papers, about completely unexpected Soviet A-bomb tests, about China going Communist, and about Russian rockets accomplishing things that the United States was unable even to repeat.

During my 15 years in the United States I have seen and learned to love so many endearing things about this country and its people that I have to almost force myself to a critical remark. America is not only the richest and technically most advanced country in the world, but also the one where people laugh and enjoy God's world more than anywhere else. But in their constitutionally guaranteed pursuit of happiness many Americans seem to refuse to look at the dark clouds which are rapidly moving up. I fear it is later than we think, and our position in the world is gravely endangered.

During the last war, while I was on the other side, Winston Churchill told his hard-pressed countrymen that all he could offer them was blood, sweat, and tears. I concede that in an election year blood, sweat, and tears make poor campaign slogans. But I think the Soviet space challenge is serious enough to warrant some serious thought. Only a few weeks ago Walter Lippmann wrote: "The voices that will serve this country, and indeed save it, will be those of stern men demanding hard things. They may not yet do as well in the Gallup polls. They will be listened to sooner or later. For they will shatter the belief, now so prevalent among us, that affluence is greatness. It is not. In the history of human society, it has not seldom been the case that when riches were devoted to luxury, it was the mark of their decline."

Space lies out there like a vast, unexplored ocean—accessible to all nations large or small, a challenge for anyone with sailor's blood in his veins. Now that for the first time in history man is about ready and able to build ships which can penetrate that ocean, there can be no question that some men will take up the challenge. Some of them will make great discoveries out there, and some of these discoveries will greatly affect the course of history on our home planet. Shall we exclude ourselves from this contest because we prefer to devote our riches to luxury?

Our competitor in this cosmic contest is tough. His peacetime economy is on a wartime footing, and with great consequence and at great sacrifices in the area of badly needed consumer goods he applies his resources to efforts he deems essential in the overall national interest. The Russian scientists with whom I have talked left no doubt in my mind that their space exploration program not only has been given highest national priority, but that it is also conducted with great competence, enthusiasm, and devotion. We are confronted with a formidable competitor in this difficult field and it would be a disaster if we underrated his ability and determination.

Some people want to know whether space exploration will ever pay off. I am convinced it will, but it is not so simple to provide the unfaithful with ironclad proof. One can quote historical examples, such as Columbus' exploratory voyage, which obviously did pay off. One can point to such potential moneymaking space projects as radio and television relay satellites for worldwide communication. But one cannot put a price tag on such a discovery as the great Van Allen Radiation Belt which was found with the aid of some of our early scientific satellites, and which may prove to be of utmost practical importance for many things on Earth.

We have just opened the door into the limitless reaches of the universe and we can see just far enough ahead to know that man is at the threshold of a momentous area. Here is opportunity, challenge, adventure so tremendous as to exceed anything which has gone before. Here is the tomorrow which youth wants to embrace, and which we must not deny because of a waning of the frontier spirit which made America great.

Within a few decades we can have the means to send large expeditions out into the solar system, to Venus, Mars, and beyond. From their explorations of our neighborly planets these expeditions will bring home a wealth of new scientific insight which will exceed some of our fondest expectations.

It is impossible to predict the nature of all these discoveries; their cumulative effect will be tantamount to a scientific revolution. But it will also be a revolution of human perspective, and here may be space flight's most far-reaching payoff. We need not fear that future space explorers on their heaven-storming journeys will lose their humility. The heavens will surround them as an eternal reminder that there is a force greater than the thrust of their rocket ships, a spirit greater than the cold logic of their computers, a power greater than that of their own nation.

## DEWEY SHOULD FOLLOW THE PRESS

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

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

There was no objection.

Mr. PRICE. Mr. Speaker, Sunday afternoon I listened to the interesting, if not informative, discussion between the Meet the Press panel and the former Governer of New York, Thomas E. Dewey.

The thing that struck me most was the extreme political approach Mr. Dewey took to every subject under discussion and the revelation that the former Republican standard bearer has not been keeping himself well informed with the actions of the Eisenhower Republican administration.

How else could he make such an erroneous statement to the effect the Eisenhower Republican administration does not make the most of its publicists? What about the highly paid hordes of press relations experts to be found in every part of this expensive Republican administration of our national affairs?

How else could he make such an erroneous statement that Republican administrators stay in Washington doing a job instead of running about the country talking about their work? No administration in the Nation's history has been as guilty as the Eisenhower Republican administration in the use of high-ranking executives for purely political purposes—even to the extent of using armed services and State Department officials as principals in Republican Party political rallies.

Since Governor Dewey has been out of touch for so long, may I, for his edification, herewith publish a splendid editorial which appeared in the St. Louis Post-Dispatch on Monday, March 14, which gives a factual account of the Eisenhower Republican Clean as a Hound's Tooth Club—and, I am sure, there is a much larger membership. The editorial follows:

ON THE HOUND'S TOOTH

The quick replacement of John C. Doerfer by Frederick W. Ford as FCC Chairman indicates that the administration was not unhappy to see Mr. Doerfer go. A Federal Communications Commissioner who accepted favors from interests subject to FCC regulation was hardly a good advertisement for the Republican Party in a campaign year.

Still the Doerfer case remains an unavoidable reminder that this administration came to power promising to clean up the "mess" in Washington and improve official ethics. It is not the first such reminder, as the record shows:

C. Wesley Roberts resigned under fire as chairman of the Republican National Committee in 1953. It was disclosed that not long after Mr. Roberts had been Kansas GOP chairman, he had accepted a fee in the sale to the State of a hospital which the State already owned.

Hugh W. Cross resigned as Chairman of the Interstate Commerce Commission in 1955. Mr. Cross, a Republican appointee of the Truman administration, had talked to heads of railroads subject to ICC regulation about giving a Chicago transfer contract to an old Republican friend.

Adolphe H. Wenzell in 1954 served as consultant to the Bureau of the Budget on the Dixon-Yates power deal. As an officer of the financial agent for the Dixon-Yates power combine, Mr. Wenzell was exposed as trying to advise both sides.

Harold E. Talbott quit as Secretary of the Air Force in 1955. A congressional inquiry showed that he had retained his partnership in an engineering firm and had used Air Force letters to try to promote his company's business.

Peter A. Strobel departed in 1955 as Commissioner of Public Buildings for the General Services Administration. Mr. Strobel had held onto a 90-percent interest in a firm which had a claim on the Army Engineers, and he negotiated privately with the Army for his firm.

Edmund F. Mansure resigned as Administrator of the GSA in 1956. Explaining why political favoritism had affected insurance brokerage awards subject to GSA jurisdiction, he said "practical politics" dictated that such awards should not go to firms which "did not help this administration get into office."

Murray Chotiner was dropped by the Republican National Committee in 1956 as director of its campaign school. The former campaign manager for Vice President NIXON had interceded at the White House and with the Civil Aeronautics Board in behalf of his private clients.

Robert Tripp Ross resigned as Assistant Defense Secretary in 1957. Congress learned the Army had given an $834,000 clothing contract to a firm headed by his wife and brother-in-law.

Sherman Adams quit in 1958 as President Eisenhower's chief administrative assistant. Mr. Adams, it was found had accepted expensive gifts and hospitality from Bernard Goldfine whose companies had cases before the Federal Trade Commission and Securities and Exchange Commission.

Richard A. Mack left the FCC in 1958. He later was indicted with Thurman A Whiteside of Miami on a charge of conspiring to influence the FCC award of a Miami television license in which Whiteside was interested. Their first trial ended in a hung jury.

John C. Doerfer, to bring the record up to date, resigned from the FCC last week after it was shown he had twice accepted favors and hospitality from the owner of 12 stations subject to FCC regulation.

Other administrations, of course, have suffered from conflicts of interest. But these 11 cases occurred in an administration which was specifically pledged to better the record of the past and was committed to the cleanliness of the hound's tooth.

That tooth is showing cavities.

## MEN OF THE SOIL

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

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

There was no objection.

Mr. WHITTEN. Mr. Speaker, at this time when it seems that the agricultural interests of the country are being ignored to a great degree; at a time when the press in the large metropolitan areas seems to have an unawareness of the necessity for maintaining balance between agriculture, industry, and labor; at a time when the Department of Agriculture itself seems to give little regard to farmers as such but advocates a policy of constant enlargement into big business farming, it is highly important that we give thought and consideration to farm people, the bulwarks of our Nation.

In that connection I take pleasure in including with my remarks a wonderful statement by a young citizen of my State, Mr. Heber Ladner, Jr., now in his junior year at Murrah High School, Jackson, Miss. Heber is the son of our distinguished and outstanding secretary of state; and it is with real gratification that I note the fine thoughts expressed and the realization this young man has of the place the tillers of the soil should have in the appreciation of the American people.

His statement follows:

MEN OF THE SOIL

(By Heber Ladner, Jr.)

From its conception the world has been blessed by the presence of a group of individuals who have willingly and unselfishly shaped its destiny. As constant as the northern star and yet as devoted to their task as the sun, these people live on, performing their God-given task. What is their task? It is cultivating and tilling the earth so as to bring forth increase. The battles against nature and the fickle fecundity of the soil are their omnipresent nemesis. When the crops are planted, they can relax, looking toward God for a bountiful harvest just as their Roman counterpart looked toward Ceres many centuries ago.

Ofttimes the farmer has no opportunity for formal education, but who is to say he is denied tangible benefit. His benign character instills in him virtue. He is not bothered by the isms of the world. Neither is he bothered by the petty philosophy and scholarly conceit of pseudo-intellectuals. Yet these men who claim to possess loftier tenets of wisdom seldom find satisfaction in their search for a utopia or an anarchic paradise.

The education of a farmer is his own systematic study of methods and philosophy. In this study his textbook is the Bible; his test, life. Moreover, his learning is not ended here, for with his almanac he is an astronomer, with his cattle he is a zoologist, but most important, with his fellow man he is a sociologist, fully knowing the give and take, push and pull of associated living.

Attesting to the greatness of men with agrarian concepts is their ability to right themselves when oppressed. The farmer's right of political revolution is tantamont to the moneyed peoples' privilege to juggle the currency so as to benefit their own group. By his democratic forebearance the farmer has become the symbol of America. Lexington, Gettysburg, and Chateau Thierry are places where the battered farmers have stood, and whether on the battlefield or the home front, they will continue to stand as an epithet of freedom.

Though the farmers have borne the brunt of abuse of the aristocracy, they are the picture of pathos. While big business has unceasingly tried to exploit and economically enslave him, the farmer has never been obedient. Since the world cannot subsist without him, truly the farmer holds destiny in his hand.

The future of a man who sees happiness in a handful of soil cannot be doubted. Let him continue, and America will fall in step behind.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. DWYER (at the request of Mr. ARENDS) for March 28 and 29, 1960, for personal reasons.

Mr. CUNNINGHAM (at the request of Mr. ARENDS), on account of official business.

Mr. MILLIKEN (at the request of Mr. DAGUE), until further notice, on account of illness.

Mr. BLATNIK (at the request of Mr. ALBERT), for this week, on account of death in family.

Mr. THOMPSON of New Jersey (at the request of Mr. THOMPSON of Louisiana), for March 28 and 29, 1960, on account of official business.

Mr. WEAVER (at the request of Mr. ARENDS), for March 28 to 31, 1960, inclusive, on account of official duties in congressional district.

Mr. SAYLOR (at the request of Mr. AVERY), for today, on account of attending the funeral of Bishop Carroll.

## 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. OLIVER, for 45 minutes, today.

Mr. LIBONATI, for 1 hour, on March 30.

Mr. LEVERING (at the request of Mr. ALBERT), for 30 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. FENTON and to include extraneous matter.

Mr. JENSEN and to include extraneous matter.

Mr. ALGER.

Mr. IRWIN.

Mr. PORTER.

Mr. PELLY.

Mr. CURTIS of Missouri.

Mr. IKARD.

Mrs. SULLIVAN.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate, of the following title:

S. 607. An act for the relief of the estate of Sinclair G. Stanley.

## THE LATE HONORABLE RUSSELL V. MACK, A REPRESENTATIVE FROM THE STATE OF WASHINGTON

The SPEAKER. The Chair recognizes the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, it is not necessary, of course, to tell the Members of the House that we have just had a very shocking and very sad loss when our colleague, the gentleman from Washington [Mr. MACK], a few moments ago, suddenly, while answering the quorum call, passed away. I know those of us of the Washington delegation at this time are hardly able to express ourselves. RUSSELL MACK was very close to us; we were all deeply devoted to him. In fact, last night I met him at dinner. He seemed to be well. Mrs. Mack was with him. They were happy. We all have to go and, certainly, no one could have gone more quickly and easily. But, when I think of the many useful years that our dear friend could have lived, it is very difficult to reconcile death at a time like this.

RUSSELL MACK came to the Congress before I did. I know when I came here in the 83d Congress there were many Members who are sitting here now who then already had learned to admire him and others since then have come to regard him highly. I know in the Committee on Public Works, he was very active. He was the second ranking member of the committee, and was certainly as able and highly respected as anyone on that committee.

RUSSELL MACK was a newspaperman. He had an unusual ability to deal in facts. Because he demonstrated accuracy and a keen and sound business judgment before coming to Congress, he was invited into a position of management and ownership of a newspaper. Both in this way and as a reporter and writer he was unusually successful.

The Members of this House need not be reminded of RUSSELL MACK's same characteristic in his legislative work. He debated vigorously but he never departed from the facts. He was extremely well informed and certainly held the respect and admiration of his colleagues on both sides of the aisle in the highest degree.

His sense of humor, kindliness, and zest for information endeared him to us. He loved his fellowmen. He never said an unkind word about anyone that I ever heard, and his friends are manifold. This day is a sad day. Everywhere RUSSELL MACK is known there will be sadness and sorrow on account of his many friends' profound loss.

However, Mr. Speaker, the real tragedy is to the Nation, State, and people of the Third Congressional District of Washington which our friend served so faithfully and well. The loss of his wisdom and years of experience cannot be readily replaced. No one was more conscientious in the performance of his duties and responsibilities of office. No one was more able in carrying them out.

If I may be personal, as I think it proper at a time like this, I want in tribute to my friend and colleague to acknowledge his help to me and assistance during my four terms here. I always sought his advice and will always remain indebted to him for his help.

It is not easy to find one's words and thoughts on the heels of such a sudden shock. It comes to me, nevertheless, that his wife, Laura, to whom he was so devoted will be left almost alone. There are no children and the close companionship of the years is shattered. My heart goes out to the wife he loved so dearly. But she will in time have her fine memories of a wonderful man. And while there can be no comparison, we who served with her husband will also cherish our memories, too.

May the good Lord ease her anguish and give her strength to endure—as all who are left must endure.

A fine American, a fine legislator, a fine husband, and truly a person of great and good character has gone to his rest. Yes, Mr. Speaker, and not without performing tasks of service worthy to be remembered. In the days ahead, we will indeed remember—a greater tribute I have not words to give at this time, only lips and the tone of my voice must convey the respect and devotion of my heart.

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

Mr. PELLY. I am happy to yield to my colleague from Washington.

Mr. WESTLAND. Mr. Speaker, the sudden death of RUSSELL MACK has shocked and saddened us all. Those of us from the State of Washington and other Members who knew him well all learned to respect and honor him. RUSSELL MACK was my friend—a very dear friend. When I first came to the House in 1953 Russ was one of the first to offer me a helping hand. Since then, through our years in the House together I have many times sought his advice and counsel. It was always freely given.

RUSSELL was known throughout the State of Washington for his keen sense of humor and his sincere devotion to the people of his district. As might be expected, RUSS passed away in the performance of his Congressional duties—duties which he always performed to the best of his great abilities. The people of the Third Congressional District have lost a true friend and a mighty champion.

Mr. Speaker, into each of our lives there comes on occasion a man whose qualities and virtues are such as to make him stand out and present a standard to whom others might repair. RUSSELL MACK was such a man. He will long be remembered in the councils of the Congress.

Mrs. Westland joins me in offering our profound and heartfelt sympathies to Mrs. Mack.

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

Mr. PELLY. I yield to the gentleman from Washington.

Mr. HORAN. Of course this comes as a complete shock to me. I did not know RUSSELL until he came to Congress, but through the years I have developed a very deep affection for him. In fact, his wife, my wife, Mrs. Eleanor Smith, RUSSELL, and myself went to dinner last night where we were joined by the gentleman from Washington [Mr. PELLY]. We had a splendid evening. RUSSELL appeared to be in good health.

RUSSELL MACK was a man of tremendous dependence, and tremendous affection for those things in which he believed. He was a stalwart among us. He was greatly revered in the Committee on Public Works, where he did yeoman service.

This comes as a tremendous shock, not only to myself but to my wife, including our entire family, who have learned through the years to know him and to love him.

RUSSELL was a native of Michigan. He moved with his parents to Aberdeen, Grays Harbor County, Wash., in 1895 when he was 4 years old. He grew up in this area when it was, as now, part of the great lumbering industry of the West. RUSSELL attended the public schools in the Grays Harbor area, and attended Stanford University in California and the University of Washington. He began his work in the publishing industry in 1913, interrupted only by his college attendance and service in the 39th Field Artillery, 13th Division, during World War I. RUSSELL is survived by his devoted wife, Laura, and to her the hearts of my wife and me and my entire family go out in this hour.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentlewoman from Washington.

Mrs. MAY. Mr. Speaker, like the other Members of the delegation, under the stress of this moment, I find it very difficult to make a proper statement. The passing of RUSSELL MACK means a great personal loss. I am the freshman Member of the Washington State delegation, and, while RUSSELL MACK's friendship meant a great deal to me in the years before I came to Congress, the months I have served by his side as a colleague have meant even more. Everyone serving in this House realizes how valuable it is to have sound guidance

and the advice of wisdom and experience in a freshman term. RUSSELL MACK was never too busy to take time from his heavy office and committee responsibilities to give me the kind of help and guidance that I needed. No one in this Congress could have had a better mentor, because he was honest, clear thinking, and devoted to his country and its best interests. The best epitaph I know for RUSSELL MACK is that he was a thoroughly good man. In this day of confused ethics, I think this is the finest tribute that can be paid to any man in public or private life. I have spoken of the personal loss I shall feel, along with all his many friends, but this loss will be overshadowed by an even greater one. Whenever this Nation loses a fine public servant with the stature and the ability and the character of RUSSELL MACK, it is an occasion for sorrow and regret on the part of all Americans. The greatest memorial we could have to the life of RUSSELL MACK is that it will serve as a beacon and a guide for those who come after him to serve their people and their country in public office.

Laura and RUSSELL MACK were a warm and devoted couple. If there can be any comfort at all for Laura Mack at this time of great loss, it will come from the knowledge that it was her devotion and loyalty and friendly warmth that not only gave her husband great happiness in their married life, but helped sustain him and added to his accomplishments through the rigors of his public career.

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

Mr. PELLY. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Speaker, I just happened to talk to the gentleman from Washington, RUSSELL V. MACK, in the foyer a few moments ago. He was looking fit. Then all at once, during the rollcall, he fell.

RUSSELL MACK has been a great credit to the State that he represents. The good people of his congressional district will find it difficult to find a man who will merit the respect as a statesman and have the integrity that RUSSELL MACK had.

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

Mr. PELLY. I yield to the gentleman from Utah.

Mr. DIXON. I think it well at this time to insert in the RECORD the last words which our dear friend spoke. We were standing in line to answer the rollcall. Representative HOFFMAN came over, and I said, "Come over here and stand by Representative MACK, so you will be in good company." I said to Representative MACK, "It is a lovely day today, isn't it?" And he said, "Not to me." I was going to ask him why. And he said, "What is this quorum call all about?" He had not gotten the words out of his mouth before he fell over by Representative JENSEN. There was not a struggle. He just passed on quietly, without any suffering whatever, or without any warning. It is a wonderful way for an individual to go; but, of course, it is hard for those who love him, his folks, and for us who were his colleagues.

We have been very close, and I have enjoyed very much the conversations we have had here together.

He was a great man, a man of principle, a man of honor, and the House has been blessed by his having served in this Chamber.

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

Mr. PELLY. I yield to the gentleman from Minnesota.

Mr. WIER. Mr. Speaker, I would like to express the feelings I am sure that will be expressed throughout the trade union movement and to speak of the friendship and respect I had for the gentleman who has been taken from us this afternoon.

I am sure the trade union movement as represented by unions throughout the country and I know especially by unions in the State of Washington, where they always held Congressman MACK in high esteem as a good loyal friend.

Congressman MACK was very loyal to the cause of working people of this country. He spoke for them and did everything in his power to be of assistance. That is the way I found him throughout my service with him here in the House.

His loss will indeed be their loss.

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

Mr. PELLY. I yield.

Mr. ARENDS. Mr. Speaker, experiencing a shock such as this leaves one completely lost for words to express the depth of one's feelings. In the period RUSSELL MACK has been a Member of this Congress I became more and more impressed and inspired by him. He served on what is known as our Minority Whip organization. Never have I enjoyed working with anyone more than I did with RUSSELL MACK. We worked closely together. At all times he showed both ability and a willingness to cooperate in a common cause. Those attributes were ever present. He sought always to do that which was right.

RUSSELL MACK was one of the finest men I have been privileged to know. He served his district and his country well.

I am sure I speak not only for those on this side of the aisle but also for every Member of the House when I say that in the untimely passing of this fine man we have suffered the loss of a great representative of the people. His passing is a great loss to all of us—a loss beyond measure.

To his family I extend my most sincere sympathy. I am sure the Father of us all will comfort them in this sad hour in the knowledge that of RUSSELL MACK it can truly be said: "Well done, my good and faithful servant."

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. BROOKS of Louisiana. Mr. Speaker, I knew RUSSELL MACK well. For years I have been associated with the development of the rivers and harbors of this Nation and with flood control. RUSSELL MACK was an important member of the Public Works Committee of the House of Representatives. We had occasion to invite him very often to our conventions in the lower Mississippi Valley. He frequently accepted the invitations to be with us and felicitate with us on those occasions.

We had occasion to call on him when he could help in flood control and river and harbor development that have done so much in the interest of the great masses of the people in the United States. RUSSELL MACK always responded to these requests for aid. In my judgment he was an able legislator. I am deeply, deeply saddened, Mr. Speaker, by his sudden and tragic death.

During the frequent contacts we have had with RUSSELL MACK we learned to know him and appreciate his fine character, tireless energy, and outstanding ability. We in the lower Mississippi Valley which so often is hit by the storms and floodwaters are going to miss his talents and his abilities.

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

Mr. PELLY. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I know I express the feelings of every Member of this House on both sides of the aisle when I say that we feel this loss and we feel it deeply. RUSSELL MACK came to answer a call of the House in line of duty, but he has answered a higher call.

Congressman MACK was one of our most stalwart, ever-dependable Members, an irreplaceable Member in this body.

I extend to his loved ones my deepest sympathy.

GENERAL LEAVE TO EXTEND

Mr. PELLY. Mr. Speaker, this has been a shocking experience to the Members. I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of the late RUSSELL V. MACK.

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

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, the sudden death of our colleague RUSSELL V. MACK removes from the House of Representatives one of its ablest and highly respected Members. With a fine newspaper background in his home State of Washington which covered the twin responsibilities of editing and publishing a daily newspaper, RUSSELL MACK came to the 80th Congress well equipped to meet the exacting duties of a Member of Congress.

It was my good fortune to have known RUSSELL for many years and during that period of time the bonds of friendship became stronger year by year. On many occasions I visited the Third Congressional District of Washington with the result that I learned from firsthand observation of the great esteem in which our departed colleague was held by his constituents. It is little wonder that he was elected every 2 years as a further expression of the confidence reposed in him by his neighbors and friends in his congressional district.

Here on the floor of the House RUSSELL MACK was greatly respected by Democrats and Republicans because he was a

colleague of fine moral principles. Despite the fact that his stand on an issue may have been questioned by the opposing political party, our departed friend and colleague always respected the right of any Member to honestly differ with his convictions on any legislative measure. In short, he was a noble gentleman and a valued personal friend.

Because of RUSSELL MACK's great interest in the veteran population he will be sorely missed. As a past post commander of the American Legion veterans could depend upon their Comrade RUSSEL MACK to support legislation to provide that the disabled veteran and dependents of veterans would be assured adequate consideration by their Government. He made use of his newspaper in publicizing veterans' affairs and pleading the cause of those who, like him, served their country in military uniform.

Mrs. Van Zandt and I together with our son Jamie derived greater enjoyment on the annual congressional tour of New York City because RUSSELL MACK and his wife never missed the opportunity of joining us each year for the 3-day program. Their presence made the trip more enjoyable for the Van Zandt family and likewise for other Members and their families.

It is difficult to recover from the shock of the sudden manner in which RUSSELL MACK was removed from our midst. Therefore, it is realized that the depth of the sorrow that engulfed Mrs. Mack when apprised of her husband's demise proved overwhelming. Mrs. Van Zandt and our son Jamie join me in expressing our heartfelt sympathy to Mrs. Mack in the loss of a loving husband. We pray that God will comfort her and give her the courage and strength to bear her burden of grief in humble resignation to His divine will.

Mr. CHENOWETH. Mr. Speaker, I was deeply shocked and saddened today over the passing of our distinguished colleague from Washington, the Honorable RUSSELL MACK. I wish to extend my sincere sympathy to our colleagues from the State of Washington on the heavy loss they have sustained.

I recall when Mr. MACK came to the House and we formed a friendship which has continued over the years. I had a special interest in talking to him since at that time I had a brother living in his district. He has since passed away, but his widow still resides in Silver Creek, and has commented many times on the outstanding service Mr. MACK was rendering his people.

I liked RUSSELL MACK and I never heard of anyone who disliked him. He was always affable and had a pleasant word for everyone. I had great respect for his character and ability, and he was a most able Member of the House. I can easily understand why the voters of his district returned him to Congress each election with substantial majorities.

Mr. Speaker, the untimely passing of RUSSELL MACK is an irreparable loss, not alone to the people of his district and the State of Washington, but the entire country. We need more men like RUSSELL MACK in public life. I feel a very keen personal loss in his passing and I shall greatly miss him.

Mrs. Chenoweth joins me in extending our deep personal sympathy to Mrs. Mack in her bereavement.

Mr. MACK of Illinois. Mr. Speaker, I was shocked and saddened when death unexpectedly claimed the life of our colleague, RUSSELL MACK of the State of Washington.

Although we were of different political faiths, RUSSELL MACK was one of the first Members of the House to greet me when I came here in 1949. He had been elected in a special election in 1947.

RUSSELL MACK paid a visit to my office shortly after I became a Member of the House. He called to my attention the fact that until his own election the name of "Mack" had never appeared on a congressional rollcall. He remarked on the coincidence that the two Macks—of different political affiliation and from widely distant parts of the country—should be elected within such a short space of time. From that day forward, we were the best of friends and I treasured his friendship.

So it is with a deep sense of personal loss, Mr. Speaker, that I pay tribute this afternoon to our late colleague, for whom I had great respect, and to express my heartfelt sympathy to his family.

Mr. BURLESON. Mr. Speaker, our departed colleague, RUSSELL V. MACK, and I came to the 80th Congress and were in the same freshman class. As all of you are aware, this somehow brings us a little closer together and causes us to have a bit more in common.

In addition to a long association, we had mutual friends in his congressional district, which created closer ties between us.

I know of no man in the House of Representatives who enjoyed more friends or who commanded a higher respect than RUSSELL V. MACK. I knew him to be devoted to duty and highly conscientious in all his actions.

Not only is it a personal loss of a friend, but I know it is a severe loss to the district he represented in the Congress, as well as the entire Nation.

RUSSELL'S wife, Laura, is also a dear personal friend of my family, and we want her to know we are thinking of her in her great loss and in her heartbreak.

Mr. DAVIS of Tennessee. Mr. Speaker, I do not know when I have been so shocked as I was just a few moments ago when my esteemed colleague on the Committee on Public Works, RUSSELL V. MACK, of the State of Washington, left us so suddenly. Indeed, he was about his congressional business and was on the floor of this House answering the last rollcall on earth and responded to the call from his Heavenly Father.

RUSSELL MACK, and his dear wife Laura, have long been my very warm friends. My wife and I have traveled with them great distances, and Laura and Carrie have been very close friends indeed. He has been in my congressional district, has ridden the steamboat *Mississippi*, the official boat of the Mississippi River Commission, from Memphis to New Orleans.

I know of no man in the House who has been more punctual or more attentive to his district. He could ever be depended upon in our Committee on Public Works to take a fair, but positive, position on all matters which came before us. He was a student, and a man who loved rendering service to his fellow man.

I have been fortunate to know many of the intimate stories of his early life. With some pride and considerable humor he told me that he cut meat for a butcher when a youngster, then went to work as a printer, and wound up owning newspapers. Successful in business and dedicated to public life, he leaves behind him an outstanding record of loyalty to country, to his State, and to his fellow man.

I extend my deepest sympathy, and that of my wife as well, to those he leaves behind.

Mr. O'HARA of Illinois. Mr. Speaker, with my colleagues I am stunned by the sudden passing in our presence of one for whom on both sides of the aisle was a real and deep affection. Since first I came to this body the friendship of RUSSELL MACK has meant very much to me, and I shall miss him. When I came to the 81st Congress RUSSELL MACK was a member of the Veterans' Committee and our common interest in the welfare of the Spanish-American War veterans, as well as those of other and later wars, drew us closely together. For the veterans of the war with Spain I truthfully can say that they never had a better or a truer friend in the Congress. RUSSELL MACK in every sense measured up to the highest qualities of manhood. His passing today during the calling of the roll has left us deep in grief. We are brought to the realization of the uncertainty of human life and that the friends who give warmth to our days soon may be the friends who live in the memory of other days and to that memory impart a living warmth. In my memory RUSSELL MACK will continue always to be a strengthening and vibrant part. To his fine wife and his family I extend my deepest sympathy.

Mrs. GREEN of Oregon. Mr. Speaker, the shock of the news of the demise of my friend and neighbor, RUSSELL V. MACK, has been great indeed.

Like every other Member of this House, I have known and admired RUSSEL MACK since coming to the House. But I feel a particular sense of loss since RUSSELL MACK'S congressional district lay directly across the Columbia River from my own and we were, in a very real sense, neighbors. The people of his district and the people of my own shared a great many problems and hopes and aspirations, and I found in the gentleman from Washington a very deep understanding of those problems.

The State of Washington and the people of his congressional district will miss him deeply. This House will miss his wisdom, his understanding, and his devotion to duty.

My sympathy, like the sympathy of us all, goes to his widow in this hour of her grief.

Mr. GROSS. Mr. Speaker, with the Members of the House I was shocked

and deeply moved this afternoon by the sudden death of our colleague, the Honorable RUSSELL V. MACK.

He was a legislator of courage and conviction, an able representative of his district and his State.

In the death of RUSSELL MACK the House of Representatives and the State of Washington has suffered a serious loss.

To his widow and other members of his family I wish to extend my heartfelt sympathy.

Mr. PORTER. Mr. Speaker, RUSSELL MACK could disagree with you and yet not indulge in personal rancor. He was a genial, conscientious Member of Congress. He shared with me deep concern for the plywood industry and also for the cranberry growers. He shares with me a love for the Pacific Northwest. RUSSELL MACK was a friend we shall miss. I join our colleagues in extending deepest sympathy to his wife and family.

Mr. LIBONATI. Mr. Speaker, the death of the distinguished Congressman RUSSELL V. MACK, of the State of Washington, before our very eyes on the floor of the House of Representatives, only emphasizes the truths of life, "Little do we know what the next day will bring."

It seems that he was prepared for the inevitable when he stated just before his collapse that "Not for me," as a reply to Congressman DIXON'S statement "How do you feel? Anyway, this is a fine day."

He was a splendid orator and truly a strong leader in advancing the Republican doctrine in the philosophy of government. He was unswerving in his party loyalties.

There was no question as to where he stood on issues. His forceful oratory was to the point. There was no misunderstanding as to his position.

You might not agree with his argument but you were forced to admit that he developed, logically, the ultimate conclusions that he advocated.

We have lost a great legislator and a dedicated American. His party has lost a strong leader in the cause of Republicanism.

I admired and liked this friendly man. He was considerate of others and loved to talk the time of day.

I enjoyed these little talks. I am proud to have known him, even if for a short time. To his darling wife I, a new friend, extend my heartfelt sympathy.

God took him at his work in a sacred place where other great men now gone, if they had the choice, would have liked to die.

Mr. OSTERTAG. Mr. Speaker, the sudden and untimely passing of our beloved colleague, RUSSELL MACK, comes to us as a severe shock and the country has lost one of our most devoted and able Representatives in Congress.

RUSSELL MACK has made an outstanding contribution to good government and the welfare of the American people during his tenure as a Representative from the State of Washington. He has made an enviable record; one that will long be remembered by those of us who have been privileged to be associated with him in the Congress of the United States. RUSSELL MACK won the respect and admiration of all who knew him and his devotion to duty was unexcelled. His constant and diligent concern for the needs of the people he represented was exceptionally noticeable and he gave unstintingly of his time and efforts in the service of his district and his Nation.

It was my privilege to know RUSSELL MACK, not only as a colleague and associate in the Congress, but as a warm personal friend as well. Mr. Speaker, I want to join with you and the Members of the House in extending heartfelt sympathy to Mrs. Mack and to their family.

Mr. MCINTIRE. Mr. Speaker, the sudden passing of Congressman RUSSELL V. MACK of Washington removes from the House of Representatives one deeply loved by his colleagues. Congressman MACK came to the House of Representatives in 1947, just 3 years before I came to the House in the 82d Congress. Since that time I have had the privilege of his personal friendship. In view of his expert knowledge in the field of public works, I went to him on many occasions for counsel. He was always extremely friendly and very helpful. It was this wonderful characteristic that endeared him to every one of his colleagues. He served his district, State, and Nation, with outstanding distinction.

Mrs. McIntire joins with me in extending our deepest sympathy to Mrs. Mack. We shall always treasure our friendship with RUSSELL and Mrs. Mack.

Mr. THORNBERRY. Mr. Speaker, I am grieved over the loss of our colleague, the Honorable RUSSELL MACK, of Washington.

Since I first came to the Congress I have had the privilege of knowing Mr. MACK and having him as a friend. He and Mrs. Mack live next door to us here in Washington, and we knew and affectionately regarded them as friends and neighbors. RUSSELL MACK was a good man.

He was truly a gracious and fine gentleman. During the 83d Congress I had occasion to consult him on a very difficult problem which existed in the congressional district which I am privileged to represent, and I never had anyone to treat me with more courtesy, consideration, and understanding than did he, and that was his attitude toward everyone with whom he came in contact.

All of us who have had the privilege of serving with him regarded him as a splendid and able Member of Congress. Along with the people whom he represented so well, we suffer the loss of a beloved and respected associate. To Mrs. Mack and his loved ones, Mrs. Thornberry and I extend our great sympathy and the hope that they will receive understanding and comfort in these difficult hours.

Mr. EVINS. Mr. Speaker, with a heart filled with sadness, I with others join in paying a brief but sincere tribute to our esteemed colleague and friend, the Honorable RUSSELL V. MACK of Washington. His passing was saddening and shocking to us all and evidence of the very transitory nature of life, indeed.

I admired RUSSELL MACK immensely and valued his friendship greatly. We came to the Congress together—both of us being Members of the class of the 80th Congress—and for a time our offices were adjoining. I learned to know RUS- and devoted Member of the Congress and I always respected and admired him greatly. There was no more dedicated and devoted Member of the Congress than the gentleman from Washington. He was a conscientious and faithful representative of the people—of his district, State, and Nation.

Although we were of opposite political parties we cooperated on many matters, particularly in the area of public works—which he especially championed.

I know that my wife joins me in expressing sympathy to Mrs. Mack in her bereavement.

Mr. JONES of Alabama. Mr. Speaker, the death of my warm friend RUSSELL MACK of Washington has come as a great shock to me. RUSSELL MACK and I came to the 80th Congress together, and we became members of the House Public Works Committee at the same time in 1947. Throughout the years, we developed an intimate acquaintance.

RUSSELL MACK was a skillful legislator, patient and always objective. His reasoning was never disturbed by impulsiveness nor was it ever motivated from prejudice. He possessed the great attribute of leadership and was a man of refinement, poise, and warm demeanor, He always had a well-founded knowledge of the legislative matters that he dealt with, and this fact accounted for his capable leadership and legislative skill.

As a member of the House Public Works Committee, RUSSELL MACK labored continuously in support of legislation which has brought about the multi-billion-dollar development of the great Columbia River Valley in the Northwest. This multipurpose program means so much to the people of that area in terms of flood control navigation, power development, and conservation of the soil and forests. He has also effectively supported legislative measures for needed development of the rivers and harbors throughout the Nation. All of these splendid contributions will stand as a monument to his long and distinguished service on our committee and in this House.

RUSSELL MACK'S passing at this time is a source of profound shock, grief, and sorrow to all of us who knew him here. Indeed, a great statesman has passed from this scene. At this time, we pay our personal tribute to RUSSELL MACK for his great legislative career, and we extend to his dear wife, Laura, our heartfelt sympathy and personally share with her in this great loss.

Mr. YOUNGER. Mr. Speaker, in the passing of RUSSELL V. MACK we have lost a very companionable colleague and a sincere, extremely capable legislator; and personally I have lost a close personal friend.

It has been my pleasure to have known RUSSELL MACK for many years. As a legislator he had the happy faculty of fighting hard for what he believed but never, even in the hottest debates, did he ever stoop to personal accusations.

He was a most unusual and extremely kind individual. In my legislative and social experience with him, I cannot recall ever hearing him pass an unkind remark about any individual. If he could not say something good about them, he kept his own counsel.

We are all saddened by this sudden taking of our colleague, and I wish to extend my personal sympathy to his bereaved wife, Laura.

Mr. DAGUE. Mr. Speaker, we stand with bowed heads in the presence of the divine intervention which has taken from our midst a dedicated public servant and a stalwart friend in the person of RUSSELL MACK.

To have known RUSSELL MACK was to have enjoyed the rare privilege of his genial personality and the wealth of his years of experience in the field of public relations. To have served with him as a legislator was to have observed his conservative approach to the problems of the day and to have particularly noted the fine distinction he made between those areas that are best served by the Federal Government and the States, respectively.

RUSSELL MACK was a stanch defender of our American way of life and a prime advocate of States rights. His continuing concern was always related to preserving the dignity of the United States within the commonwealth of nations and within that framework to see that the Congress remained truly the voice of the people.

We shall greatly miss this stalwart defender of freedom and truth and our heartfelt sympathy goes out to those who are left to mourn his untimely passing. May our heavenly Protector wrap these bereaved ones in the mantle of His divine care and may they be assured that their beloved now rests on a sunnier shore, there to greet them when they too have crossed over.

Mr. DOOLEY. Mr. Speaker, the passing of RUSSELL V. MACK, the distinguished Representative from Washington, who came to the Congress 12 years ago, was a sad event for all who knew him.

It was my privilege to serve with him on the Public Works Committee of the House. His knowledge of committee affairs, combined with his amicable approach to all problems before that body, made him an invaluable asset. The effectiveness of his work and the benefits of his judgment helped motivate much of the legislation for which the Public Works Committee was largely responsible.

RUSS MACK, besides being a remarkably fine Member of the Congress, informed, articulate, and persuasive, was to me a cherished friend.

Broad in his outlook, generous in his sentiments, and possessed of a gentle kindness, it was a pleasure to be in his company.

Mrs. Dooley and I spent many hours and days with RUSS MACK and his charming wife, and those days shall ever be remembered.

We share her grief in RUSSELL'S untimely death. The Congress and the country have lost a rare man.

Mrs. ST. GEORGE. Mr. Speaker, I want to add my tribute to the many others paid to my friend and colleague, RUSSELL V. MACK, of Washington.

RUSSELL MACK came to the Congress shortly after I did, so I have known him for nigh on 14 years. He was in every way a good Congressman, hard working, careful, and fair to all the people of his district, and speaking only on the subjects he knew and on which he had all the facts.

I went once to RUSSELL MACK'S district and was deeply impressed by the sincere regard and affection in which he was held by his constituents; their grief and sense of loss at his passing will be very great indeed. To Mrs. Mack and his bereaved family I want to send my heartfelt sympathy in these tragic hours, and hope that they may find some consolation in the thought that he died at his post doing his duty for our country.

Mr. MAGNUSON. Mr. Speaker, all of us here in the House of Representatives have been saddened by the sudden and unexpected death yesterday, here on this floor, of our colleague from the State of Washington, the Honorable RUSSELL V. MACK.

Naturally, those of us from his own State feel that we knew him best, although his friends indeed were legion. We knew him as a conscientious and hard-working representative of the people of his district and State, and yet one capable of the longer view which places the welfare of the Nation as a whole above sectional and political considerations. This, after all, is the ultimate test of a good public servant.

Mr. MACK served 13 years in this body, always with strong dedication to duty. Despite the seriousness with which he approached his work here, he was in personal relationships easygoing and outgiving, which in part explains the host of friends he acquired here and back home during his lifetime. I say in part, because the basis of an unusually high number of lasting friendships always must be the recognition of an innate strength of character, the capacity for making people instinctively know that here is a good man.

Mr. MACK had that capacity, and we who live on say today: "A good man is gone."

If he had to go, we are grateful that his passing came without prolonged pain, but this does not still the voice of sorrow within us, his friends.

Mrs. Magnuson joins me in expressing heartfelt sympathy to his devoted wife, Laura, and to the other members of their family.

Mr. SIKES. Mr. Speaker, this is a very sad day for the Congress. A distinguished and beloved colleague has been struck down in the discharge of his duties. The strain and pressure under which each of us must work has produced many such casualties in our midst over the years. Others of our colleagues have also paid with their lives after leaving the Halls of Congress for their devotion to the duties imposed upon us. Others have paid in broken health as a result of their service to the Nation.

Our colleague, RUSSELL MACK, was a man easy to know and to admire. He was sound in his views and in his principles. His service here was capable and constructive. His was a loyal and dedicated work which benefited all the Nation.

My earnest sympathy is extended to his widow and his family.

Mr. HOEVEN. Mr. Speaker, I was present when my good friend RUSSELL V. MACK passed into the Great Beyond. This is an experience I shall not soon forget.

It has been a rare privilege and a pleasure for me to have served in the Congress with RUSSELL MACK for so many years. I learned to admire and respect him more and more each day. I shall miss him very much in the days that lie ahead.

RUSSELL MACK was a fine legislator who constantly had the welfare of his constituents and his country in mind. He was a true patriot and a great American. He served well his day and generation.

Mr. BUCKLEY. Mr. Speaker, the sudden and untimely death of our distinguished colleague RUSSELL MACK, of the State of Washington, has shocked and saddened me. Thus it is with a profound feeling of sorrow that I utter these few words in praise of a fine Congressman and an outstanding citizen.

RUSSELL MACK and I were associated as members of the Committee on Public Works since he first entered the Congress in 1947. Over the years I grew to know him and to learn by daily contact with him in committee work and on the House floor his ability as a legislator, but more important, his fine qualities as a person and a man.

He was one of the outstanding members of the Public Works Committee of which I now have the honor to be chairman. RUSSELL MACK had the keen mind of a trained newspaperman. He had a firm grasp of the many and varied problems that were presented to the committee, and his contribution to the legislation that was reported out of the committee was an invaluable one.

RUSSELL MACK was a warm human being with a faculty for adding to the enjoyment of the life of all those who had the privilege of coming in contact with him. He will be missed.

Thus it is with a deep sense of personal grief that I pay tribute today to my late colleague, for whom I held the highest respect, and express my heartfelt sympathy to his family in their great loss.

Mr. CURTIS of Missouri. Mr. Speaker, I join with the other Members of this House in their shock and sorrow at the death of the late Representative RUSSELL MACK. His sincere hard work in nearly 13 years in which he represented the people of southwestern Washington earned him a place of deserved respect in this Chamber.

It is significant, in the light of his dedicated service to the country in this body, that he should die while in the performance of this service. RUSSELL MACK was a fine man and an able Member of Congress. It was as recent as 3 weeks ago that I had occasion to make excerpts from one of his speeches delivered on the floor of the House in order to explain a matter of some complexity to the people of my district. His guidance and counsel will be missed by those of us who had learned we might rely on his ability, his efforts, and his integrity.

Mr. SMITH of Mississippi. Mr. Speaker, the sudden death of RUSSELL MACK has been a great shock to all of us, but it was especially distressing to the members of the Public Works Committee, on which he served as an outstanding leader for many years. We were fellow members of this committee from the beginning of my service in the Congress, and we had many pleasant hours together on inspection trips and committee hearings in all parts of the United States.

RUSSELL MACK was a devoted legislator who made a major contribution to all the important legislation that came before our committee. We often had sharp differences about some of the proposals, but we were able to differ without rancor. It will be difficult indeed to replace him.

Mrs. Smith and I extend our deepest sympathy to Mrs. Mack.

Mr. ROBISON. Mr. Speaker, it was necessary for me to be in my congressional district on official business last Monday. Therefore, I was spared the personal shock of witnessing, as so many of my colleagues did, the sudden and tragic death of my friend and colleague on the Committee on Public Works, RUSSELL V. MACK. But the shock I experienced on hearing this sad news on Tuesday morning was nonetheless real.

I think this was because RUSS MACK was such a vibrant person, full of the joys of living, drawing strength and vitality from the challenge of the responsibilities he shouldered so well. He was a champion of and a stubborn and dedicated fighter for the things in which he believed. He fought with equal determination and skill against those other things which he believed to be wrong. There were times, during our committee work together, when we disagreed, once rather sharply, but all of us who have ever found him on the other side of our own position, whatever it might be, have respected his boundless integrity, his candor and honesty, and, most of all, the friendly arm he put upon our shoulders after the battle was over.

John Donne wrote, years and years ago—

Every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less as well as if a promontory were, as well as if a manor of thy friends or if thine own were; any man's death diminishes me.

It is quite true that the work of our committee and of this Congress will go on, as we close ranks together, almost as if nothing had happened. And yet the strength of our Committee on Public Works of this Congress and of this Nation have been "diminished" by the loss of a man of the stature of RUSS MACK. He will be sorely missed.

Mr. Speaker, my heartfelt sympathy is extended to Mrs. Mack and to the other members of the family.

Mr. ROONEY. Mr. Speaker, I do not think I was ever as shocked in my life as I was not many minutes ago when our distinguished colleague, the gentleman from Washington, Hon. RUSSELL V. MACK, collapsed and died here in the well of the House. This tragic death should be a warning to all of us who work so hard at our congressional duties that there comes a time when we must slow up. RUSSELL MACK never slowed up since he was first elected to the House of Representatives about a dozen years ago. He was a devoted public servant and the second ranking minority member of the House Public Works Committee. His untimely passing is a great loss to the people of his district, his beloved State of Washington, and the Nation.

I extend my deepest sympathy to his devoted wife in her bereavement.

Mr. YOUNG. Mr. Speaker, I want to join my colleagues from the State of Washington and others in paying a brief, but sincere tribute to the memory of our departed colleague and friend, Representative RUSSELL V. MACK, of Washington.

He was a fine gentleman, a genuine representative of his district and his Nation, and a man of great courage in his devotion to the public interest.

He served for many years on the Public Works Committee, where he proved to be at all times broad in his approach, kind in his treatment to those in disagreement with him, and helpful to those of us whose tenure of service on the committee was less than his long and fruitful years of dedicated work on the committee.

He will be greatly missed. In his passing, the Congress of the United States has suffered the loss of one of its Members it could least afford to lose. My deep sympathy goes to his family, to the congressional district he represented so well, to the great State of Washington, and to the Nation.

Mr. CRAMER. Mr. Speaker, it was my privilege to serve with our deceased colleague, Congressman RUSSELL MACK, for the last 6 years on the Public Works Committee, particularly with regard to his being the ranking minority member on the Flood Control Subcommittee. I had the pleasure of working closely with him and knowing firsthand of his dedication to his job as a Member of Congress. He spent many tireless hours toiling for the people of his district, and was one of the best authorities on flood-control matters as well as many other problems before the Public Works Committee and Congress. He was a dedicated public servant, and gave tirelessly of his time and energies, and, typical of that, is the fact that he should spend his last breath in carrying out his congressional duties on the floor of the House.

I remember well the tremendous contribution he made on the floor of the House on many occasions toward better legislation and toward serving all the people. He was a fighter for his point of view, and demonstrated this many times in recent years on the omnibus public works bills, during debate of which he took a most active part.

I also had the privilege of serving under him in the Republican whip organization as the assistant regional whip, he being in charge of the western and southern division, and I can attest to his efforts spent in that important duty. His knowledge, his forthrightness, his ability, will be impossible to replace and the people of the State of Washington and the people of America have lost a great public servant. I have lost a very dear friend, upon whose judgment, and with acknowledgment of his ability, I have on many occasions relied very heavily, and I join in expressions of bereavement to his wife and family.

Mr. TOLLEFSON. Mr. Speaker the House of Representatives lost one of its most able Members upon the death of Representative RUSSELL V. MACK. His zeal and diligence in serving his district, State, and Nation were not surpassed in Congress. A man of high principle and integrity, he enjoyed the sincere respect of his colleagues. His friends both in and out of Congress were legion. All were shocked at the news of his passing.

RUSSELL MACK was one of my real friends and his death was a personal loss to me. He was most cooperative and helpful in connection with problems that confronted me, and gave generously of his time and advice. That he did the same for his other friends was understood by all. I join with them in expressing grief at the occasion of his passing and in extending deepest sympathy to his devoted wife, Laura.

Mr. Speaker, I wish to include with my statement copies of editorials from the Tacoma News Tribune and the Seattle Times, together with a copy of a resolution adopted by the Seattle Chamber of Commerce:

[From the Seattle (Wash.) Times]

REPRESENTATIVE RUSSELL MACK

RUSSELL MACK was a big man, plain spoken and sincere, who hated redtape and folderol. His favorite campaign tactic was to tour his third district in a door-to-door, grassroots appeal. He would walk into a store, his cigar leveled at the world like a cannon, offer a huge hand and say, "I'm RUSSELL MACK, I'm running for Congress and I'd sure appreciate your vote."

In Congress Representative MACK again preferred the direct line of attack. He was an outspoken critic of the import of seafoods from foreign countries. He was equally concerned with programs to encourage the lumbering industry, a mainstay in the economy of his Grays Harbor constituency and the State of Washington.

RUSSELL MACK was a firm supporter of bipartisan foreign policy. He also pushed hard for the development of natural resources in this State. He served six terms in Congress, after winning a special election to that office

in 1947. He was named Republican whip for the 16 Western States in 1955 and was a member of the Republican Party's 20-man policy board.

The State of Washington and the Third Congressional District have good reason to mourn the loss of this big, bluff man who had a talent for getting things done.

---

[From the Tacoma (Wash.) News Tribune]

MR. MACK'S DEATH GREAT LOSS

Representative RUSSELL V. MACK was a man who served his country and his southwest Washington congressional district with distinction and with a zeal not surpassed in Congress. His death on the floor of the House of Representatives is a great loss to his district, to our State, and the Nation.

Mr. MACK loved his country and he loved to work for good government. Politics, which is only the science of government, interested him intensely and he entered into his congressional office back in 1947 with a zest that one seldom encounters in public life. He was a strong campaigner and a great fighter, and his district has been helped tremendously by those qualities.

The Congressman was a high-ranking member of the House Public Works Committee, a committee so important to the southwest Washington area because improvement of rivers and harbors is in its domain. He worked tirelessly for improvement of the twin harbors, for rivers, for the Westport fishing base. A strong believer in promoting local industry, he fought the import of Russian crab and Japanese tuna and resisted the shipment of lumber to Japan to be manufactured into finished products. He battled for U.S. salmon fishermen's rights—in fact, RUSSELL MACK was a stalwart defender of American industry and the men who work in the mills, the factories, or with the nets.

He wanted an America that is financially sound and therefore worked in behalf of balanced budgets and against the waste of public funds.

His shoes will be most difficult to fill. It would be wonderful if his district should, in a forthcoming special election, find another man such as he.

---

"MEMORIAL TRIBUTE TO RUSSELL V. MACK

"In recognition of his outstanding contribution to the civic, business, and political development of the State of Washington, and the Pacific Northwest, the Seattle Chamber of Commerce pays tribute to the memory of RUSSELL V. MACK who passed away on the 28th day of March 1960.

"Always he gave willingly and generously of his time, thought, and energy to the welfare and advancement of his State and Nation. The earnestness and leadership he brought to any cause that he espoused and his unselfish devotion to things worth while gives him a lasting place in the memory of all whose privilege it was to know him and to serve with him: Accordingly, it is

"*Resolved,* That the members of the board of trustees of the Seattle Chamber of Commerce adopt this tribute to the memory of RUSSELL V. MACK and, making permanent record of this expression of respect and esteem, convey their sincere and heartfelt sympathy to the members of his family."

Dated this 7th day of April 1960.

SEATTLE CHAMBER OF COMMERCE,
JACK GEOFFROY, *Secretary.*

Mr. PELLY. Mr. Speaker, we Members of the House of Representatives knew our late colleague, RUSSELL MACK, as a Congressman and servant of the people in the Third Congressional District of Washington. Other persons knew him in other ways. For example, many knew him as a newspaper publisher.

I believe it is fitting, Mr. Speaker, that the eulogy presented by Edwin J. Alexander, publisher of the Olympia News, be included in the permanent RECORD at a point following the other tributes to our colleague prior to adjournment of the House on March 28 out of respect to his memory.

This eulogy is as follows:

EULOGY FOR CONGRESSMAN RUSSELL V. MACK

(By Edwin J. Alexander, publisher, the Olympia News, funeral services, First Methodist Church, Aberdeen, Wash., Apr. 2, 1960)

"The other day a friend of mine died. Into my throat came a strange dry lump, and to my heart a depressing weight. Something had gone out of my life. I felt a sense of personal loss and sadness." From a booklet written and published by RUSSELL V. MACK in 1946.

Now our noble friend has fallen—pierced by the arrow of death. The places that have known him shall know him no more, but his virtues are written on tablets of love and memory.

RUSSELL V. MACK was truly one of nature's noblemen—a good man, a true friend, and honored citizen.

Many of you here in this church this morning remember RUSSELL as a boy and as a young man and in the years that followed—know full well that he had won his crown in Heaven ere he had reached the middle period of his good life.

From cub reporter to business manager on the Aberdeen Daily World to publisher of the Grays Harbor Daily Washingtonian—from publisher to Congressman—RUSSELL was a constant exemplar of the cardinal principles that constitute the highest order of the brotherhood of man.

RUSSELL was intensely patriotic. He loved his country with great passion and enthusiasm. RUSSELL linked his personal destiny with the destiny of his country and its flag.

RUSSELL was a powerful champion and defender of our American faith and our American way of life. He went back and forth across this district—yes, this State and our Nation—teaching and preaching and practicing the gospel of Americanism and quickening the spirit of American patriotism in the hearts and minds of our people everywhere.

RUSSELL loved his Grays Harbor and these nine counties and our great State of Washington in such a zealous and ardent manner that it verily excited the local pride within all of us to nearly a bursting point.

People liked RUSSELL because RUSSELL liked people. He enjoyed being with his friends, making new friends and meeting strangers. No one was a stranger for long in RUSSELL'S warm and friendly presence.

A great newspaperman, editor, and publisher, many of us in this place this morning knew him as a kindly, considerate, and generous employer, counselor, and friend.

As a fraternalist we knew him as one sincerely devoted to the principles of brotherly love and fidelity whose outstretched hands were ever ready to assist those in need.

As a citizen we knew him as a dedicated public servant, a dynamic leader, and honored Member of the U.S. House of Representatives, where his brilliant record of service and devotion to country will stand as a lasting monument and tribute to the true patriot that he was.

RUSSELL died as he would have wanted—standing on the floor of the Congress voting for his beloved country.

Mr. PELLY. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

H. Res. 489

*Resolved,* That the House has heard with profound sorrow of the death of the Honorable RUSSELL V. MACK, a Representative from the State of Washington.

*Resolved,* That a committee of six Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved,* That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved,* That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

The SPEAKER. The Chair appoints to the funeral committee the following Members: Messrs. HORAN, TOLLEFSON, MAGNUSON, PELLY, WESTLAND, and Mrs. MAY.

The Clerk will report the remainder of the resolution.

The Clerk read as follows:

*Resolved,* That as a further mark of respect the House do now adjourn.

---

## ADJOURNMENT

Accordingly (at 2 o'clock and 16 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 29, 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:

1984. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Public Housing Administration, Housing and Home Finance Agency, for the fiscal year ended June 30, 1959 (H. Doc. No. 364); to the Committee on Government Operations and ordered to be printed.

1985. A letter from the Acting Secretary of Defense transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, to allow the crediting of service in any armed force for the purpose of determining grade, position on a promotion list, seniority in grade, and eligibility for promotion of a person originally appointed in the Regular Army"; to the Committee on Armed Services.

1986. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to authorize the Secretary of the Army to reconvey to the town of Malone, N.Y., certain real property heretofore donated by said town to the United States of America as an Army Reserve center and never used by the United States"; to the Committee on Armed Services.

1987. A letter from the Administrator, General Services Administration, transmit-

ting a report relating to contracts negotiated for experimental, developmental, or research work, or for the manufacture or furnishing of property for experimentation, development, research, or test during the 6-month period ending December 31, 1959, pursuant to Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

1988. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation entitled "A bill to amend the act of October 9, 1940 (54 Stat. 1030, 1039) in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

1989. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of January 31, 1960, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

1990. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings"; to the Committee on Interstate and Foreign Commerce.

1991. A letter from the Clerk, U.S. Court of Claims, relative to the claim of *Robert H. Point* v. *the United States*, Congressional No. 6–59, pursuant to sections 1492 and 2509, title 28, of the United States Code, and to House Resolution 351, 86th Congress; to the Committee on the Judiciary.

1992. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 17, 1960, submitting a report, together with accompanying papers and an illustration, on a review of report on Sun River, Mont., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 15, 1947; to the Committee on Public Works.

1993. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 17, 1960, submitting a report, together with accompanying papers and an illustration, on a review of reports on Boone River, Iowa, Tunnel Mill Dam, requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 31, 1957; to the Committee on Public Works.

1994. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 18, 1960, submitting a report, together with accompanying papers and an illustration on a survey of Sesuit Harbor, Mass., authorized by the River and Harbor Act, approved May 17, 1950; to the Committee on Public Works.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 24, 1960, the following bills were reported on March 25, 1960:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10684. A bill to amend sections 1 and 5b of the Life Insurance Act for the District of Columbia; with amendment (Rept. No. 1424). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10964. A bill to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended; without amendment (Rept. No. 1425). Referred to the House Calendar.

Mr. BARDEN: Committee on Education and Labor. H.R. 10128. A bill to authorize Federal financial assistance to the States to be used for constructing school facilities; with amendment (Rept. No. 1426). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDREWS: Committee on Appropriations. H.R. 11389. A bill making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1961, and for other purposes; without amendment (Rept. No. 1427). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee on Appropriations. H.R. 11390. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes; without amendment (Rept. No. 1428). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted March 28, 1960*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. House Resolution 431. Resolution expressing the sense of the House of Representatives that the President should call a White House Conference on Narcotics; with amendment (Rept. No. 1429). Referred to the House Calendar.

Mr. GREEN of Pennsylvania: Committee on Ways and Means. H.R. 8273. A bill to amend the Internal Revenue Code of 1954 to suspend the manufacturers excise tax on mechanical lighters for cigarettes, cigars, and pipes; with amendment (Rept. No. 1430). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of March 24, 1960, the following bills were introduced March 25, 1960:

By Mr. ANDREWS:

H.R. 11389. A bill making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1961, and for other purposes.

By Mr. FOGARTY:

H.R. 11390. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes.

[*Introduced and referred March 28, 1960*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H.R. 11391. A bill to amend the War Claims Act of 1948 with reference to claims arising out of the death of members of the Armed Forces of the United States as the result of enemy action after cessation of hostilities; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H.R. 11392. A bill to amend section 1 of the act of April 16, 1934, as amended by the act of June 4, 1936 (49 Stat. 1458); to the Committee on Interior and Insular Affairs.

By Mr. BURKE of Kentucky:

H.R. 11393. A bill to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instruction materials for the blind, and to increase the appropriations authorized for this purpose, and to otherwise improve such act; to the Committee on Education and Labor.

By Mr. CARNAHAN:

H.R. 11394. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to certain educational institutions; to the Committee on Government Operations.

By Mr. CELLER:

H.R. 11395. A bill to amend section 5021 of title 18, United States Code; to the Committee on the Judiciary.

H.R. 11396. A bill to withdraw from the district courts jurisdiction of suits brought by fiduciaries who have been appointed for the purpose of creating diversity of citizenship between the parties; to the Committee on the Judiciary.

H.R. 11397. A bill to amend the Communications Act of 1934 by adding thereto a new section to prohibit commercial bribery for the purpose of inducing the broadcast performance of musical works; to the Committee on Interstate and Foreign Commerce.

H.R. 11398. A bill to amend the Communications Act of 1934, to strengthen the effectiveness of the Federal Communications Commission in assuring that broadcast licensees, filing renewal applications, continue to operate in accordance with the public interest; to the Committee on Interstate and Foreign Commerce.

By Mr. EVINS:

H.R. 11399. 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. GEORGE:

H.R. 11400. A bill to designate the Tuttle Creek Reservoir, Kans., as the Willard J. Breidenthal Reservoir; to the Committee on Public Works.

By Mr. HALPERN:

H.R. 11401. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

H.R. 11402. A bill to amend section 701 of the Housing Act of 1954 (relating to urban planning grants), and title II of the Housing Amendments of 1955 (relating to public facility loans), to assist State and local governments and their public instrumentalities in improving mass transportation services in metropolitan areas; to the Committee on Banking and Currency.

By Mr. HARDY:

H.R. 11403. A bill to amend title 28 of the United States Code to provide for the granting of continuances in district courts to members of State legislatures in accordance with State law; to the Committee on the Judiciary.

By Mr. HARMON:

H.R. 11404. A bill to assure orderly marketing of an adequate supply of hogs and pork products; to encourage increased domestic consumption of pork and pork products; to maintain the productive capacity of the hog-farming industry; to avoid the feeding of hogs to less desirable weights; and to

stop further declines in live-weight prices received by hog producers; to the Committee on Agriculture.

By Mr. HERLONG:

H.R. 11405. A bill to provide for the treatment of income from discharge of indebtedness of a railroad corporation in a receivership proceeding or in a proceeding under section 77 of the Bankruptcy Act (11 U.S.C. 205) commenced before January 1, 1960; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 11406. 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. LATTA:

H.R. 11407. A bill to amend the Soil Bank Act, as amended, and the Agricultural Act of 1956, as amended; to the Committee on Agriculture.

By Mr. LINDSAY:

H.R. 11408. A bill to provide that certain persons born abroad on or before May 24, 1934, and presently residing in the United States, shall be held and considered to have acquired U.S. citizenship at birth; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.R. 11409. A bill to foster development of the use of a product of the United States by providing temporarily for the assessment of duty only on the cost of processing and added material when it is exported for intermediate processing and returned; to the Committee on Ways and Means.

By Mr. GEORGE P. MILLER:

H.R. 11410. A bill to provide for the issuance of a Federal fishing stamp, to give the consent of Congress to a compact relating to the use of a Federal-State fishing stamp in connection with noncommercial fishing licenses for nonresidents of States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MOULDER:

H.R. 11411. A bill to amend the Legislative Reorganization Act of 1946 to authorize the review of administrative regulations by committees of Congress prior to their promulgation, and for other purposes; to the Committee on Rules.

H.R. 11412. A bill to establish a free guide service for the U.S. Capitol Building; to the Committee on House Administration.

H.R. 11413. A bill to authorize Federal financial assistance for school construction and teachers' salaries; to the Committee on Education and Labor.

By Mr. SAUND:

H.R. 11414. 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. SELDEN:

H.R. 11415. A bill to provide for the designation of a portion of the District of Columbia as the "Plaza of the Americas"; to the Committee on the District of Columbia.

By Mr. SMITH of Mississippi:

H.R. 11416. A bill to readjust postal rates, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Kansas:

H.R. 11417. A bill to readjust postal rates, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STRATTON:

H.R. 11418. A bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States, and to encourage and promote actions by foreign governments to improve their own levels of such wages and working conditions; to the Committee on Ways and Means.

By Mr. BURKE of Kentucky:

H.J. Res. 662. Joint resolution authorizing the Architect of the Capitol to permit certain temporary and permanent construction work, on the Capitol Grounds in connection with the erection of a building on privately owned property adjacent thereto; to the Committee on Public Works.

By Mr. LIBONATI:

H.J. Res. 663. Joint resolution authorizing and directing the President to designate September 6, 1960, as Jane Addams Day; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 664. Joint resolution to provide that the Assistant Attorney General charged with the responsibility for the enforcement of the Federal antitrust laws shall be appointed for a term of 8 years in order to give such officer a measure of the independence afforded Federal judges; to the Committee on the Judiciary.

By Mr. MACK of Illinois:

H. Con. Res. 648. Concurrent resolution relating to restoration of freedom to captive nations; to the Committee on Foreign Affairs.

By Mr. KOWALSKI:

H. Res. 490. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the Federal Power Commission; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. FORAND: Memorial of the Rhode Island General Assembly, petitioning the Congress of the United States to give favorable consideration to legislation providing benefits for veterans of World War I; and for other purposes; to the Committee on Veterans' Affairs.

Also, memorial of the Rhode Island General Assembly memorializing the Congress of the United States to amend the Federal Social Security Act so that full benefits may be granted to women who have reached the age of 57 years instead of waiting as the law now requires until they reach the age of 62 years, and to men who have reached the age of 60 years instead of waiting as the law now requires until they reach the age of 65 years; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States to give consideration to the questions involved with relation to the proper amendments to laws governing interstate commerce affecting the broad problems of transportation to, from and within the newly created State of Alaska; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to appropriate sufficient funds for the purpose of maintaining 24 hours a day, the compound on the international border at Lukeville, Ariz., to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to enact legislation enabling the States to correct abuses under the program for aid to dependent children; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to cancel plans for construction of new dams on the Savannah River; to release certain reservoir lands and to place the control of water in the Clarks Hill Reservoir under local water authority; to the Committee on Public Works.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to enact suitable legislation to prohibit imported shrimp from competing with our shrimping industry and to favorably consider H.R. 8982; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Commonwealth of Virginia, memorializing the President and the Congress of the United States to propose an amendment to the Constitution of the United States to be known as the freedom of choice amendment relative to human and property rights; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GUBSER:

H.R. 11419. A bill for the relief of Mrs. Dolores Lumello and Daniele Marchegiani; to the Committee on the Judiciary.

By Mr. LEVERING:

H.R. 11420. A bill for the relief of Ferdinand Hofacker; to the Committee on the Judiciary.

By Mr. NORBLAD (by request):

H.R. 11421. A bill for the relief of the U.S. National Bank of Portland, Oreg.; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 11422. A bill for the relief of Stefan Antal, George Gergel, Paul Sabak, Elisabeth Sabak, Michael Hornak, Helen Hornak, Anna Pentek, Florian Cernansky, and Alexander Slamka; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

394. By Mr. GREEN of Pennsylvania: Resolution of the Council of the City of Philadelphia memorializing the 86th Congress of the United States to enact the Forand bill, H.R. 4700; to the Committee on Ways and Means.

395. My Mr. KOWALSKI: Petition of the Public Utilities Commission of the State of Connecticut pertaining to H.R. 10309; to the Committee on Interstate and Foreign Commerce.

396. By Mr. MONAGAN: Petition and resolution of George J. Griffin, executive secretary of the Public Utilities Commission, State of Connecticut, favoring the adoption of amendment to the Natural Gas Act as embodied in H.R. 10309; to the Committee on Interstate and Foreign Commerce.

397. By Mr. WESTLAND: Resolution adopted by members of Goshen Grange No. 856, Whatcom County, Wash., recommending legislation be enacted requiring all meat imported, to be sold at retail counters in competition with meat produced in this country, be plainly labeled as imported meat; to the Committee on Agriculture.

398. Also, resolution adopted by members of Goshen Grange No. 856, Whatcom County, Wash., requesting action be taken by the Congress to prevent removal of import restrictions on dairy products; to the Committee on Ways and Means.

# EXTENSIONS OF REMARKS

## Where Do We Stand?

EXTENSION OF REMARKS
OF

**HON. ERNEST GRUENING**
OF ALASKA

IN THE SENATE OF THE UNITED STATES

*Monday, March 28, 1960*

Mr. GRUENING. Mr. President, last Tuesday, our distinguished colleague, the junior Senator from Arkansas [Mr. FULBRIGHT], delivered a highly illuminating address at the annual dinner of the Harvard Club of Washington.

The title of his important speech was "Where Do We Stand?" It was a penetrating evaluation of the status of the United States in the world today. It was a sober and realistic appraisal of the decline of our Nation from its preeminence of leadership and power, a decade ago, to its present, far less influential position, when viewed against the phenomenal rise of Russia and of international communism in the world.

In a sense, our colleague's brilliant address was of something of an epochmaking character, which I think was summarized in his conclusion that the United States will not be restored to its position of influence, prestige, and leadership in the world, that our Nation will not recover its lost vantage, and will not do what is needed to be done in order to achieve that goal, unless and until the control of both the executive and the legislative branches is vested in one political party. Senator FULBRIGHT said that unless the American people vest that control in only one party, the Nation will be courting disaster.

Not wishing to give a political connotation to his address, our able colleague did not tell the Harvard Club which political party he thought that should be, nor was it necessary that he do so. The fact is that never before in our Nation's history has the division of powers which Senator FULBRIGHT deplores existed for so long as it has during the two Eisenhower administrations. Therefore, our colleague's dictum is both new in its affirmation of a transcendently important principle, and, coming in a year of a presidential election, timely and appropriate. It deserves wide recognition.

I ask unanimous consent that his eloquent and constructive contribution to our political science and to the national safety and destiny be printed in the CONGRESSIONAL RECORD.

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

SPEECH DELIVERED BY SENATOR J. W. FULBRIGHT AT THE 77TH ANNUAL DINNER OF THE HARVARD CLUB OF WASHINGTON, D.C., MARCH 22, 1960

Mr. Chairman, I consider it an honor to be invited to speak to this distinguished audience of Harvard men. There are few who question the preeminence of Harvard University in the field of education. The influence of the graduates of Harvard upon the life of our country is unequaled by those of any other institution of learning.

Except for the fact that it descended from Cambridge University, rather than Oxford, there is little in its ancestry of which one may not be proud.

When Senator GRUENING requested that I speak here tonight, I demurred most strenuously, as I was quite aware of the probable conflict in our points of view, inasmuch as I was nurtured on the conservatism of Arkansas University and Oxford. However, upon the earnest plea of ERNEST GRUENING that this group has never before had the opportunity of observing and of hearing a politician from the Ozark Mountains, my native reticence was overcome by my weakness for lecturing, acquired during the years when I was a professor.

I weakened in spite of the fact that I know many of us in public life talk too much.

In recent weeks I have had much sympathy with the point of view of the schoolboy who, when asked to describe Socrates, wrote as follows:

"Socrates was a Greek who spoke very often to the Athenians. They poisoned him."

It seems rather a shame to mar an otherwise festive evening by discussing serious and somber aspects of our national life, but such are my instructions. The most somber subject I can think of tonight is—what is our position in the world today, how are we measuring up to our responsibilities.

Where do we stand today?

A nation with a gross national product that will soon hit a peacetime high of $500 billion and with a per capita income of over $2,500 (nearly double that of any other nation) is debating the extent to which our Armed Forces may be inferior to those of the Soviet Union.

If there is confusion about the facts, some things are clear. It is humiliating that the debate should have to occur. Its occurrence is evidence of our failures. It is a revelation of our lack of foresight, of possessing great riches, yet failing to use them to make ourselves, and keep ourselves, the world's strongest power, although to do less is to invite national extinction.

Mr. Khrushchev, having outrun us, is not one to let our grass grow under his feet. "It would be naive to think," he has said, "that we are going * * * to sit with arms folded" while the Americans "make every effort to raise their rocketry from the state it is now in and reach a better position." But before considering this, let us place the problem in perspective.

Men have anciently yearned for a universal commonwealth. Now we have it. But it is a commonwealth of fear kept going by a precarious balance of terror, a chilling oscillation between negotiation and incineration.

We endure in an era of total crisis. The great truths are denied. Black becomes white, the horizontal vertical. Whole states—as Estonia, Latvia, Lithuania, Tibet—sink from sight. Whole countries—as Hungary—languish behind bars. An ancient culture—as China's—is shattered and remade overnight into the largest anthill slave state men have ever known.

All the world's parts, for the first time, are simultaneously out of joint. And while horrors stalk the earth, weapons of potential universal destruction are hurled to the stars, or into the Pacific not too far from our shores. Everywhere the implacable cage stalks the unwary bird.

Our communications instruments are superb. Yet over huge areas the telephone is silent, the postman is frozen in his rounds, the airplane dare not land. We cannot communicate with the Russian people who occupy one-sixth of the earth's surface nor with the Red Chinese who compose about one-fifth of the world's population. Perhaps half of humanity lies beyond our hailing.

Where do we stand? What is our so-called peace? Is it not a monstrous make-believe to which men lend credence so that thereby they may have the prospect of another day under the sun?

The captains and the kings depart. Yesterday's empires—from Britain's to Japan's—are today dust. The world's stage lately occupied by several powers has been cleared of all but two giant protagonists. They are engaged in deadly conflict even if they are not in physical combat. The one holds half the world in its fist. The other haltingly sustains the remaining half.

We have never faced an antagonist quite like this one. The Soviet Union swiftly leaped from the oxcart to the moon; rose from a second-rate underdeveloped country to loom menacingly over the world.

Master of complex technologies, primitive and advanced, her soldiers march with black bread in their hands and the awful secrets of nuclear fission in their minds. Their leaders are obsessed by a dedicated sense of mission to dominate mankind. It long antedates Karl Marx and it did not falter when the Germans stood at Moscow's gates. Even as we sent stupendous quantities of munitions to the Soviet Union during the war Stalin was plotting for our demise in the postwar period.

Elsewhere, a colossal specter rises in the Far East. It commands the world's largest labor force. At this time 100 million people—a group exceeding half of our total population—are building the world's greatest network of hydroelectric stations, irrigation canals, and dams. Red China is attempting within one generation an enterprise greater than any undertaken by man: that of catching up, in this short time, with the most advanced industrialized nations. Many experts believe she will become a major industrial power during the late sixties.

China's vast population grows. Soon one in three, or one in four, of all men will be Chinese. Awesomely industrious, tough, inured to hardship, China's millions are as the fingers of the hand manipulated by their determined and ruthless masters. They direct a revolution unparalleled in this dimension which, in its pitilessness, has swiftly destroyed a culture ancient when Christ was born.

We may expect that within foreseeable time the fingers will become a clenched fist prepared to smash all that stands in the path of China's domination of the Asian reaches, their resources, and the nearly three-quarters of a billion people who inhabit them.

Returning to the Soviet Union we find that Mr. Khrushchev, even as he bade goodby to these American hosts, repeated what he has often said: "Communism would take us over." Given communism's unrelenting objective—world domination—this goal is logical. We must be the first to go by one means or another. For when the free world's shield is broken those whom it shelters become defenseless.

We have been warned, but have we heard? If we should perish it will not be for lack of warning but for lack of the will to survive.

In this context there is something new under the sun. It is a newness illuminated by the fact that the sun itself is no longer inviolate and unattainable. For the first time a would-be conqueror could win the world; win it in perhaps 30 minutes. He might succeed where others, from Genghis Khan to Hitler, had failed.

How almost overwhelming, then, must be the temptation to such a one to act? How nearly irresistible the compulsion to use his ocean-spanning, catastrophic weapons? How intoxicating the vision that, winning, the world would be one state to do his bidding with its people as his puppets, its continents as his provinces and its seas as his lakes?

How must the aspirant conqueror be moved when he contrasts the position of his country and ours at the end of the war—only 15 years ago—and today? For among nations, as among individuals, what ultimately counts is not being but becoming.

At the war's end we were, incomparably, the world's strongest power, commanding the mightiest fighting force ever assembled, and a monopoly of atomic weapons. Our wartime casualties had been small, our homeland was untouched, our farms and factories had hugely expanded. The world's gold flowed to us. The world's trade fell to us as former rivals were removed from competition. We stood upon the heights of power, prestige, riches. We had arrived.

What of the Soviet Union in 1945? She did not announce her casualties lest they reveal her grave weakness. But they were on the order of 20 million people. She suffered an enormous loss of houses, factories, powerplants, domestic animals. Many thought that for years to come her energies would be absorbed by domestic reconstruction.

But she quickly repaired her war damages. Then she built a giant heavy industry, created new cities, opened vast new lands to cultivation. Above all she advanced education in a mighty surge of passionate and determined effort. For, writes Dr. Lawrence Derthick, U.S. Commissioner of Education:

"The Russians have decided that education is the best means of winning their place in the sun—and on the moon. * * * The Soviet Union is like one vast college campus on the eve of a football game with its greatest rival. That rival is the United States."

This is the mark of our antagonist:

Forty-four years ago communism was confined to a rented room in Zurich, Switzerland. Today it dominates one-third of the earth containing 40 percent of the population and a third of the industrial power.

The Soviet Union's trained cadres operate throughout Southeast Asia, and are now appearing in countries on our doorstep. Promoters of communism swarm over Africa and Latin America. In Egypt the Soviet Union is constructing spectacular works that will dominate world headlines for years to come and enable her to tighten her grip on the strategic Middle East where no former Russian regime had ever been able to penetrate. At the same time she lends money to free-world countries and builds great mills for them as in India. The Soviet Union is on the move.

Thus Lenin's "strategy of encirclement" is not only being fulfilled—it is moving ahead of schedule.

Surprisingly to the West, the Soviet Union exploded an atomic bomb only 4 years after the war's end. Four years later she exploded a hydrogen bomb. Now abreast of us in this field, she forged ahead of us in the conquest of space as she launched man's first satellite and was first to the moon.

She maintains vast armies, and a navy second to ours. No power has ever had, in peacetime, so many submarines. They number 450; two-thirds of them long-range ocean patrol types. In 1956 alone Soviet shipyards built 100 submarines, or one every third or fourth day during the year. This is as many submarines as we have in our entire fleet.

In addition the Soviet Union is mounting a worldwide trade offensive aimed primarily at us. Hence the challenge to us is total. It involves the military, the political, the intellectual, and the industrial. The measures of our antagonist cannot be countered by half measures or by halfhearted competition.

If, Mr. Khrushchev must reason, his country has come so far so fast, how much will it forge ahead of us in the future unless we greatly step up our pace in education, weapons, foreign aid, and foreign trade? But how shall we excel in these fields if we are more concerned with keeping up with the Joneses than surpassing the challenges of Khrushchevs?

How shall others appraise us—to consider only one phase of the struggle—in the light of Dr. Wernher von Braun's remarks about the conquest of space?

Last year he said the Russians disregarded our efforts. "The Russians appear so sure of their technological leadership," he observed, "and their ability to retain the initiative that they do not even consider the possibility someone else might beat them to the moon * * *."

They were right. They got there first.

Gen. Bernard Schriever has also said that there is "very much evidence" that Russia has greatly strengthened its bomber defenses. But the aircraft that might not be able to get through may not even be able to demonstrate their impotence. "For," states Gen. Thomas Power, Chief of the Strategic Air Command, "our bomber bases are vulnerable to surprise attack."

Generals are not to reason why. Their Commander in Chief complains that "too many generals have all sorts of ideas."

Yet mankind moves on ideas. Men with ideas are the makers and shakers of the world. The larger their number serving the country the more fruitful and vigorous the country. But few men of ideas come to Washington. They are not likely to seek service in a government which is scornful of their kind.

Next year, says Representative GEORGE H. MAHON, able chairman of the House Defense Appropriations Committee, America is going into a 2- or 3-year period when the Soviet Union's missile superiority will present "the most frighteningly important situation that we have had in our lives."

Recently three well-informed witnesses appeared before Senator HENRY M. JACKSON's Subcommittee on National Policy Machinery.

The first was Robert A. Lovett, a Wall Street banker, a Republican, and a Secretary of Defense in the Truman administration.

He criticized the Defense Department for "its constant increase in committees (which) has reached a point where they are no longer mere nuisances, but have become positive menaces to the prompt and orderly conduct of business."

In executive session, Mr. Lovett indicated his belief that President Eisenhower leads a dangerously sheltered life as Chief Executive of the Nation. For, he said, the National Security Council protects Mr. Eisenhower from the debates that precede policy decisions.

Mr. Lovett was firmly convinced "we are doing something short of our best" in meeting the "deadly challenge by an implacable, crafty and openly contemptuous enemy."

Finally, he said that the Budget Bureau has authority without responsibility in setting defense policy.

"I would not," said Mr. Lovett, "hesitate to increase the budget."

Mr. Lovett, I repeat, has had an enormous experience with our defense requirements. He is a leading Wall Street banker with a wide knowledge of financing, including Government financing, and is a lifelong member of the Republican Party.

A day later Mr. Robert Sprague testified. An industrialist, chairman of the Federal Reserve Bank of Boston, and consultant to the National Security Council, he also is a lifelong Republican.

Even more outspoken than Mr. Lovett, Mr. Sprague said, "The idea that an increase in spending for survival will bankrupt us is, to put a plain word on it, 'silly'." He pointed out that the Russians put 25 percent of their gross national product into military preparations, while the United States devotes only 9 percent of its gross national product to national security.

Mr. Sprague insisted that the United States be awakened to the scope of the overall Russian threat to us. But who is to ring the alarm bell?

"There is only one man in the United States that can do this effectively, and that is the President," said Mr. Sprague. He continued: "I believe, and this is a personal belief, that the danger is more serious than the President has indicated to the American public."

There ensued then this colloquy:

"Senator EDMUND S. MUSKIE. I gather that you consider our present military program inadequate to the needs?

"Mr. SPRAGUE. That is correct, Senator.

"Senator MUSKIE. And I gather that you consider the deficiencies a threat to our survival?

"Mr. SPRAGUE. I do."

Another critic of the administration's defense policy was Mr. Thomas Watson, Jr., president of International Business Machines Corp. He said:

"We may gain peace of mind by mixing our own doubts about our abilities in rocketry with thoughts of the superiority of our Air Force and other weapons. However, this kind of thinking is not conducive to long-term world leadership."

Asked if he felt the military budget adequate, Mr. Watson replied:

"I do not believe the adequacy of our defense posture can be discussed in the same context as inflation."

Then he went on: "I do not agree with people who suggest that we must not push our economy to any point necessary to win in competing with the Soviet because then we might lose what made our country great. Our national goal should be clear superiority over the Soviet Union in all possible areas, and we should believe enough in our democracy so that we will not be reluctant to enter fully into the contest."

These men believe that our survival is imperiled; that we are not doing enough to assure our security to the greatest degree possible; that we should do more; and if it costs more to do more we ought to pay for it in the spirit of "damn the torpedoes, go ahead."

But let there be no mistake about this. If we are to have peace we must have a high degree of discipline at home. We must understand—and the President is the only man among us who can bring this forcibly to the Nation—that waging peace in our times is a task of formidable proportions second only to waging war.

The successful waging of peace requires a vigorous national administration, an informed people, and a mature people who know that you cannot be adult without

being willing to pay for what you want. It is only in heaven that you can eat your cake and have it too.

This is the melancholy pass to which we have come. It is like the common story of the rich, miserly recluse found starving. There has never been a time when we did not have the resources of men, money, and access to knowledge that might have given us a wide lead over any aggressor and make attack upon us suicidal. Yet we have apparently believed we could not afford to spend enough to secure our liberties.

Money plainly is not power. It is only potential power. It becomes a real power only when used in quantities sufficient to the task. Today although the walls of our world might be tumbled down tomorrow, all our gold could not produce a single missile or enable us to hurl a rocket to the moon.

We must abandon the perilous notion that we can afford security only within the straitjacket of the budget. This is equivalent to throwing 3 feet of rope to a drowning man who is 6 feet away.

If we had tried to fight the last war within the budget, we would have lost. Congress did not say to the Air Force: "For budgetary reasons we can allot you only $2 billion." On the contrary, it said: "Tell us your requirements and we'll find the money."

Since we are now in deadly conflict with a prodigious antagonist, we can neglect nothing that might assure our security. So doing, we might waste some money. But failing, we would lose our lives.

There is no room here for margin of error. Gone are the days of the last two world wars when we could go to the battlefield in our own good time and retrieve the balance. In 30 minutes we could now go from national existence to national death.

Certain it is that we cannot escape biology. When white men came here the Indians wanted what we want: to be let alone. But they were not let alone and could not stand against their antagonists. In the pitiless universe, plants, animals, or men struggle hard enough to survive or they disappear. The Indians are gone. History records their passing. But nature does not weep for them. She is concerned only with the survival of the species; not with some segment of it, not even with the survival of Americans.

Where do we stand? We stand today a nation with prodigious resources, able to afford private luxuries incomparable in history, but trailing the Soviet Union in science, space, armament, and most recently the winter Olympics. Rich in the private sector of our economy, we are poor in the public sector, and we will get poorer if we follow the admonition of our Secretary of Commerce, who branded any politician as irresponsible or an economic illiterate if he were to try to "drain from the bloodstream of the private economy the savings urgently needed * * * for growth."

Look but at the growth we get. Television repairmen being paid more than teachers; 200,000 fewer scientists and engineers than the Soviet Union with half as many college graduates; toilet water at every drugstore; and polluted streams in every State.

Without a sense of purpose we are not able to put our enormous productive capacities to the needs of the Nation. It's every man for himself, and the Nation take what's left.

Of course, if we think Khrushchev was only kidding when he said he would bury us, we have no need to worry. But I, for one, believe our security is at stake. And yet, we stand as a nation, a 20th century Babylon, headless and heartless, a big, fat target for the ably led Communist world and the clamoring, poverty-ridden new states.

Even if we don't know where we stand in the world—even if we would rather not know—it is a fact that we cannot hide our image from the world and this image is as important as any "foreign policy" we might devise.

The challenge to us arises partly from the arrival on the world scene of the Soviet Union, but the challenge also arises from what we have let ourselves become.

The American people ought to be told the bleak truth about their world, the character of the forces arrayed against them, and what they must do, at whatever cost, to survive or even to bring about a state of high security. They must be told that, however humane their society, whatever its ideals, this alone will not save them from destruction by a society armed with the prodigious mechanisms of our times and an implacable determination to dominate all men.

They must be told, furthermore, that the problems they face are incapable of solution within their time or the time of their children; that for decades to come the life of humanity will be threatened by the lava flow emerging from the greatest eruption of all time. They must be reminded of what history and experience demonstrate: That merely because something is desirable does not mean that it will necessarily come to pass; that things men have longed for during centuries are as far from being realized now as they were in the days of Babylon.

The people must be told, too, that it will not be enough simply to react to the Soviet threat and to clean our domestic Augean stables. Goals we must have to which we and mankind may aspire. And once the goals are clarified we must have the fortitude and the patience and the means to attain them.

You have been kind and patient and it is time to bring these remarks to a close. But I cannot conclude without at least a word about what we should do now, about all of this.

Of course, there are many things that need to be done, but there is one thing without which none of them will be done. That indispensable element is the placing of the responsibility for governing and the power to govern this country in the hands of one or the other of the political parties.

I realize that politics has become a naughty word in America, but as long as we retain our constitutional system, political parties are necessary evils. Unless we give the control of both the legislative and the executive branches of our Government to the same party we are courting disaster. There is no other way short of a dictatorship to focus the tremendous talents and the potential power of our people upon the problems which confront us.

It is within the classic tradition of democracy that this particular duty is the exclusive responsibility of the citizen voters of this great Republic, and none of these citizens bear a greater responsibility than those who have had the good fortune to attend Harvard University.

## The Byelorussian Story: A Spirit That Cannot Die

EXTENSION OF REMARKS
OF
### HON. DONALD J. IRWIN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
*Monday, March 28, 1960*

Mr. IRWIN. Mr. Speaker, March 25 was the anniversary of that momentous day in 1918 when a nation enslaved for centuries proclaimed independence for its people and established the Byelorussian Democratic Republic.

Centuries of suppression by czarist Russia had failed, it was clear on that day, to plunder the ethnic and national ideals of those people. The new imperialistic regime of the Russian Communists relentlessly trod over the Byelorussians just 3 years later, and once again subjugated them to dictatorial suppression.

What has taken place since then illustrates to the world that the Byelorussian hope of liberty and independence, whetted 42 years ago for just a brief span, is undying. Soviet Russia has been unable with its dictatorial forces and subtle propaganda to rob Byelorussia of its ideologies, language, culture, and hope for freedom.

In saluting this dauntless people today, we express hope that the time will not be long in coming when they will again enjoy the freedom which is their national destiny.

## Impressive Photographic Exhibition in Connection With the White House Conference on Children and Youth

EXTENSION OF REMARKS
OF
### HON. KENNETH B. KEATING
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
*Monday, March 28, 1960*

Mr. KEATING. Mr. President, all of us are aware that the White House Conference on Children and Youth is now getting under way. Some 7,000 delegates have come to Washington from all over the country to participate in these important deliberations. In connection with the Conference, I should like to call to the attention of the Senate an impressive photographic exhibit which has been assembled especially for this occasion.

I ask unanimous consent that a statement I have prepared on the subject be printed in the CONGRESSIONAL RECORD.

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

STATEMENT BY SENATOR KEATING

The subject of this exhibition is the hope of this Nation—its young people. In 350 distinguished photographs, the selective eye of the camera has recorded the hopes and fears, the loves and problems, the triumphs and disappointments of individuals growing up in America.

The 50th Anniversary White House Conference on Children and Youth, called by President Eisenhower, is charged with the great responsibility of planning to help youth build their world for tomorrow. The photographic exhibit on display in the West Ballroom of the Hotel Shoreham visualizes the many challenges that face delegates to the Conference.

There are expressions of a universal nature: the infant's abiding love for its mother, a child's discovery of life's magic in animals and flowers, youth's urge to rebel against what his sometimes illogical nature finds an unfair constriction of authority.

Other pictures focus on particularly American aspects of life: the adolescent boy's engrossing interest in automobiles, the relaxed give and take of learning in a democratic classroom, the problems of providing

equal opportunities for all groups of American youth.

I commend to the attention of Senators this panorama of 350 pictures, which have been generously provided by many leading photographers and organizations, and then, as a public service, edited and assembled for the Conference by the Eastman Kodak Co. of Rochester, N.Y.

In a very real sense this exhibition, which will later be seen in other cities in America and abroad, illustrates the many fruitful discussions taking place in the sessions of the White House Conference. In as real a sense, it has significant meaning in relation to what we say in this Chamber now and in years to come. The camera has recorded the hopes for this country's future, which, in large measure, it is our task to make real.

## Hearing Scheduled on H.R. 8146, Affecting Panama Canal Construction Workers With Less Than 3 Years' Service

EXTENSION OF REMARKS
OF
### HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
*Monday, March 28, 1960*

Mrs. SULLIVAN. Mr. Speaker, a number of Members of the House have spoken to me or have written to me in recent days to inquire about the status of H.R. 8146 now pending before the Subcommittee on the Panama Canal of the House Committee on Merchant Marine and Fisheries. I am placing this statement in the CONGRESSIONAL RECORD for the information of other Members who might also be interested in this matter. Hearings on this bill are scheduled to commence Tuesday, April 12.

A word of explanation might be in order, and as chairman of the Subcommittee on the Panama Canal I am happy to explain the background of this matter.

Over a period of many years, Congress received requests from construction workers who helped build the canal a half century ago to provide some sort of annuity in recognition of this service. In 1944 Congress enacted a law extending annuities to all Roosevelt medalholders who had served at least 3 years on the isthmus during the construction of the canal. Ever since, the Congress has received requests from other Roosevelt medalholders with more than 2 but less than 3 years of service to have the act amended to include them, too.

This proposal was considered last June 2 and turned down, on the grounds that if the minimum period of service for these noncontributory annuities is reduced to 2 years, it will still cause arbitrary hardship to those with almost but not quite 2 years of service, and eventually, it would have to be extended in all fairness to everyone who spent any time at all on the construction job. I am merely citing the arguments used against the proposal, not prejudging the issue.

Last year when I set up a hearing on this issue, time was provided to all who wished to be heard. All phases of the controversy were covered in detail. A spokesman for the group which seeks to be included testified for almost the entire morning, covering every conceivable argument in favor of the change. Immediately thereafter, the subcommittee voted unanimously to table all bills before us on this subject for the remainder of this Congress. Later in that session, H.R. 8146 was introduced. It is similar to the bills we tabled.

This year a new drive was undertaken by the persons who would be recipients of annuities under a relaxation of the service requirements, and Members of Congress were in receipt of many letters complaining that I, as chairman of the subcommittee, was preventing H.R. 8146 from being considered. I would never want to be pictured in that light. I have tried to make clear to the people involved that the entire subcommittee felt the issue had been thoroughly explored and that there was therefore no chance of any legislation being enacted on this matter in this Congress. However, I said if the subcommittee wanted to reopen hearings, I would certainly schedule them.

As a result of the letters received by many Members of Congress urging action on this legislation, our subcommittee has decided to schedule new hearings, if only to assure all concerned that we never have a closed mind on any subject. However, unless new facts are presented above and beyond the information we have received in previous hearings, I doubt very seriously that the results will be any different.

If any Members wish to testify or submit statements for the record, we will be glad to receive their testimony. Furthermore, we have issued an open invitation to the former Panama Canal construction workers to submit any additional facts they may have on the merits of their case.

## Washington Report

EXTENSION OF REMARKS
OF
### HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
*Monday, March 28, 1960*

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of March 26, 1960:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

MARCH 26, 1960.

The social security law, due as usual for election-year changes, is before the Ways and Means Committee in executive session. The Forand bill (medical care for OASI recipients) has taken the spotlight, it is true, but other broadening extensions and increased costs will come up, too. Perhaps it is timely, therefore, to raise questions concerning the basic concept of the social security program. Implicit in such questions is the realization that basic fallacies or flaws could destroy the program, despite the well-intentioned hopes of its advocates. After all, many citizens depend on social security income totally or in part for their financial security.

Questions which suggest themselves concern: (1) Compulsion: There is no freedom of choice. Both the cost in OASI taxes and popular reliance on the program preclude individuals taking out private insurance or investing to provide their future income. However, there is no assured return of money, as there is with investment programs. If, in later years, outside income beyond a modest limit is earned, all social security payments must be forefeited by some. (2) The program at best is questionable as to actuarial soundness—as to whether enough tax money will continue to come in to pay the required benefits. Why? (a) The program assumes a continually high and/or rising income to our people. Declining income is not considered a possibility. (b) Another assumption is that there will be an increasing number of new entrants into the program to keep picking up the tab for the older people as recipients of benefit payments. Also, to whatever extent future population growth rate may decrease and longevity increase, our "average age" is getting older and the program more costly. (c) Higher and higher taxes must be levied continually to cover the increasing cost; (present 6 percent tax already slated to rise to 9 percent, presuming no further benefits are added). (3) The program is based on politics and Government paternalism, rather than sound economics. (Note the biannual changes—every election year.) At any time it can be changed as to taxes, benefits, or coverage; or it can be voted out.

Senator GOLDWATER, in a Dallas speech, presented a challenging view of our foreign affairs. In too-brief condensation, he said: (1) We must win any war, cold war included. (2) Our strategy must be to assume the offensive—to pick the places of engagement, the times, and the weapons. (3) We must always strive for military superiority. (4) We must keep America strong economically in freedom. (5) We must always act strong. We want respect first, after which friendship will follow. (6) Foreign aid dispensed in enlightened self-interest, to gain our objectives. (7) We must declare world communism an outlaw movement and deny recognition to Russia. (8) We should encourage captive nations to revolt against communism. (9) We should encourage friendly nations to regain their homelands, as China. (10) We must always be prepared to risk war rather than further appeasement. It is all-out war against enslavement, or peace with freedom. There is no middle ground. The Russians want to destroy our will to resist so we will fall like a ripe plum.

Our defense capability provides some interesting figures. Here are some facts. We now have: (1) Over 1,500 SAC bombers (mobile nuclear missile launching platforms). (2) Over 1,000 jet B–47's. (3) Several hundred jet 52's. (4) 15 carriers with 50 planes each. (5) Hundreds of tactical bombers throughout Europe and the Far East. As for missiles: Between now and 1963, we will have 130 Atlas 6,000-mile-range missiles, 140 Titans for a total of 270 long-range missiles on hardened missile pads; (2) 128 Polaris missiles with range capability (aboard a nuclear-powered sub) of an ICBM; (3) 120 medium-range missiles, Jupiter and Thor, based in range of key Soviet targets. Minimum total of all these missiles is 518, any one of which is capable of destroying an entire Russian city. In contrast, by 1963 Russia is expected to have 300 long-range missiles capable of hitting U.S. targets.

The civil rights debate in the House has ended and the bill passed. Now it goes to the Senate for adoption and/or change.

Amendments offered by southern members in the House were all defeated finally, as though southern sponsorship were enough to kill any change suggested. Some defeats included moves to: (1) Limit Federal court appointment of referees to elections involving Federal officials; (2) add a qualification that referees be learned in State and Federal election laws; (3) Delete provision for ex parte hearing of applicants by voting referees; (4) Retain State control over State election records.

The most unreasonable defeat to the southerners was the rejection of a "freedom of speech" amendment which would remove the words "or by any threatening letter or communication" from the bill. Here we are admittedly legislating in a field where Congress "shall pass no law." True, this is a controversy over word definition, even legal grammar (anyone know the difference between "attempts" and "willfully endeavors"?), but the emotional civil rights debate is a dangerous atmosphere for argument. Just one unresolved doubt as to jeopardizing free speech is dangerous. Amendments ruled out of order included: (1) Poll tax abolition; and (2) extending penalties for obstructing court orders to cover all areas, not just school desegregation.

## Our Future Is Dependent Upon a Stabilized Dollar

EXTENSION OF REMARKS
OF
### HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
*Monday, March 28, 1960*

Mr. JENSEN. Mr. Speaker, if ever there was a time in the history of our country when economy in Government must be practiced it is now, more so than ever before. This was brought forcibly to the attention of the full House Appropriations Committee on January 20 last, when our Secretary of the Treasury, Robert B. Anderson, and our Budget Director, Maurice Stans, testified before our committee, during which time the following exchange, in part, transpired between Secretary Anderson and me:

Secretary ANDERSON. If the total world should lose confidence in the United States and withdraw gold for that purpose, then we would have an exceedingly serious situation with which to deal. Our obligation, in my judgment, is to be sure that we so conduct ourselves and our country that this does not arise. I think that we do have, as I say, the confidence of other countries, but I believe also that other countries are going to have us under much more critical examination than they have in the past because they are in the position of saying, "How well are you running my stake in your affairs?"

From the standpoint of our being the world's banker and also from the standpoint of how solidly do we maintain the reserve characteristics of our money, that is.

The important thing I would like to point out is that this is rather a new thing for the American economic mind to assimilate. We have gotten into this kind of a position and yet our position and the position of the free world is exceedingly important in relationship to it. We can maintain that confidence if we, from the standpoint of the Government, pursue policies which will lead others to believe that we are going to maintain the purchasing power of our currency and not allow it to erode away.

Mr. JENSEN. Is not the best way to keep the confidence not only of the foreign financiers and foreign nations but also the American people in the stability of the American dollar to spend frugally for Government business?

Secretary ANDERSON. That is part of it; yes.

Mr. JENSEN. It is a big part of it; is it not?

Secretary ANDERSON. Yes.

Mr. JENSEN. Of course it is.

Now, that being a fact, great responsibility rests upon the shoulders of the Director of the Budget and on the Secretary of the Treasury, but an even greater responsibility rests upon the shoulders of Congressmen, and more especially on the shoulders of the members of this committee, the Appropriations Committee of the House of Representatives, where all appropriations are supposed to orginate. That being a fact, it now becomes a national "must," to a greater degree than ever before in the history of America, that we not only defeat any attempts to increase the President's budget, but that we reduce it substantially in order to make sure confidence will be maintained in the stability of the American dollar. If such confidence is not maintained then all is lost. We will have rank inflation and we will lose the confidence of our friends across the seas and we will have chaos on top of chaos in America.

The best example of what takes place in the minds of the American people was exemplified last year when shortly after the opening of the Congress our liberal colleagues introduced many bills which provided for appropriating many, many billions of dollars over and above our regular budget.

The American people spoke out. They flooded their representatives in Congress, and when I say "Congress" I mean the other body also, with demands that expenditures be reduced to a minimum and that all waste and unnecessary expenditures be eliminated. The effect was that the Congress did it because the American people demanded that they do exactly what they had to do in order to keep the American dollar stable.

Mr. Speaker, by so doing, the American people proved again that they are the masters of their own destiny.

I have today introduced the following bill which is a companion bill to the one recently introduced in the Senate by Senators BRIDGES, CURTIS, BYRD of Virginia, and COTTON:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. On or before the fifteenth day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimate of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing and his recommendations with respect to expenditures to be made from funds other than trust funds during such ensuing fiscal year, which shall include an amount not less than $500,000,000 for reduction of the public debt and which shall not exceed such estimate of the receipts. The President in transmitting such budget may recommend measures for raising additional revenue and his recommendations for the expenditure of such additional revenue. If the Congress shall authorize expenditures to be made during such ensuing fiscal year in excess of such estimate of the receipts, it shall not adjourn for more than three days at a time until such action has been taken as may be necessary to balance the budget for such ensuing fiscal year, nor shall it take any such adjournment without having provided for reduction of the public debt during such fiscal year by at least $500,000,000. In case of war or other grave national emergency, if the President shall so recommend, the Congress by a vote of three-fourths of all the Members of each House may suspend the foregoing provisions for balancing the budget and for reduction of the public debt for periods, either successive or otherwise, not exceeding one year each.

"SEC. 2. This article shall take effect on the first day of the calendar year next following the ratification of this article.

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

Now, Mr. Speaker, and my esteemed colleagues in the Congress, after you have read Secretary Anderson's statement I am sure you will understand how urgent it is that we do all in our power to reduce Federal expenditures to the bare necessities now and that we also pass this bill during this session of Congress.

I only wish space in the CONGRESSIONAL RECORD would permit the inclusion of the entire hearing held with Secretary Anderson and Director Stans, a copy of which I have sent to every banker and a number of other interested people in the Seventh Iowa District upon request.

That hearing, entitled "The Budget for 1961" and available at the House Committee on Appropriations, contains only 135 pages. It should be read by every American who is concerned about the future of our blessed land.

## Sympathy for Secretary Seaton

EXTENSION OF REMARKS
OF
### HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
*Monday, March 28, 1960*

Mr. PORTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following press release and a letter which I wrote to Secretary of the Interior Fred A. Seaton on March 25, 1960. The Al Sarena mine is in my congressional district.

The March 23, 1960, meeting of Texas oil millionaire H. L. Hunt, Secretary of the Interior Seaton, House Minority Leader CHARLES HALLECK, Republican, Indiana, and Senate Minority Leader EVERETT M. DIRKSEN, Republican, Illinois, as reported by a wire service in the Washington Post and Times Herald, drew a letter of condolence from Representative CHARLES O. PORTER, Democrat, of Oregon.

In his letter to Secretary Seaton PORTER said he sympathized with him and added "may Heaven protect you from your friends." The meeting followed the Interior Department's recent rejection of five bids for oil and gas leases that Hunt made on 25,000

acres in the Outer Continental Shelf of Louisiana. The Department said the bids were too low.

The usual appeal to such a decision is through the Bureau of Land Management. Hunt filed a notice that he would appeal directly to the head of the Department. Reportedly this would be the first such direct appeal made under the circumstances.

Representative PORTER's letter sympathized with Seaton's predicament and commended him for being unavailable for comment and suggested he remain forever unavailable for comment on the interview. PORTER suggested Seaton have a private chat with his Republican friends on the Hill and advise them "Fellows," I'd say, "lay off. I don't care if it is an election year. This business of your squiring a litigant into my private office is embarrassing and even more so when you leave him there with me as though we were a couple of reluctant lovebirds."

The Oregon Congressman told Seaton "I feel sure that you did nothing improper. I remember appreciatively your attitude on Al Sarena." (On an unusual appeal to then-Secretary McKay the lower departments were reversed and title to valuable timber was given to private parties having mining claims. Later Secretary Seaton said no such special appeals would be allowed in the future.)

PORTER recommended that Hunt's attempt to appeal be rejected and that usual procedure be followed. PORTER sent copies of his letter to Senator JAMES E. MURRAY, Democrat, Montana, chairman of the Senate Interior and Insular Affairs Committee, and Representative WAYNE N. ASPINALL, Democrat, Colorado, chairman of the House Interior and Insular Affairs Committee.

The full text of Representative's PORTER'S letter to Secretary Seaton follows:

MARCH 25, 1960.

Hon. FRED A. SEATON,
*Secretary of the Interior,*
*Washington, D.C.*

DEAR MR. SECRETARY: This is a letter of condolence. You remember the old saying, "I can take care of my enemies but Heaven protect me from my friends." If you have enemies, I don't know of them. The friends to whom I refer are my distinguished colleagues, the affable and obliging minority leaders of the House and Senate, Representative HALLECK and Senator DIRKSEN.

You probably saw the United Press International story in yesterday's Washington Post: "Texas oil millionaire H. L. Hunt, accompanied by the top Republicans in Congress, called yesterday on Secretary of the Interior Fred A. Seaton." The top Republicans were, of course, HALLECK and DIRKSEN.

Your friends said the meeting was "nothing of any consequence—just a personal call on the Secretary" and "just a casual thing, only a pleasantry." Busy as they are, they would have probably done the same thing for any big contributor to the Republican Party.

Tycoon Hunt himself said the meeting was a "routine matter on which I will not make any disclosure at present." He added that he was an old acquaintance and "I am an admirer of his." You, the story noted, were not available for comment.

In sympathizing with you I've tried to figure out just what you could say under these circumstances: "Yes, I know Mr. Hunt. Yes, he was brought to my office by Representative HALLECK and Senator DIRKSEN whose good opinions I cherish. Yes, Mr. Hunt has appealed Interior's rejection of his bids for certain oil and gas leases and he is appealing directly to me, bypassing the Bureau of Land Management. Yes, this has never been done before. Yes, they were with me 40 minutes, then DIRKSEN and HALLECK left and Hunt was with me for another 25 minutes."

So far, so good. But then what? Do you say, "No, I made no deal with him. No, we didn't discuss his appeal." I feel sure that you did nothing improper. I remember appreciatively your attitude on Al Sarena. Oil and some of your predecessors (for example, Teapot Dome) did mix, with scandalous repercussions.

If I were you, I think I would remain forever unavailable for comment on this interview. I would, however, have a private chat with my Republican friends on the Hill. "Fellows," I'd say, "lay off. I don't care if it is an election year. This business of your squiring a litigant into my private office is embarrassing and even more so when you leave him there with me as though we were a couple of reluctant lovebirds."

It may be that the Post story is incomplete in some respects. Perhaps you had arranged for Bureau of Land Management officials to be present throughout the conference although I'm not sure your friends would have liked that. It would have seemed unfriendly for a "personal call" that was a "casual thing" and "only a pleasantry."

I sympathize with you. I have confidence in your integrity and in the integrity, although not the judgment, of Representative HALLECK and Senator DIRKSEN. It is my hope that Mr. Hunt's appeal directly to you will be routed back to the Bureau of Land Management for disposition in the usual manner with the usual safeguards for both the public and the private interests involved. And may Heaven protect you from your friends.

With best wishes.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

## H.R. 11313

EXTENSION OF REMARKS
OF

## HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 28, 1960*

Mr. PELLY. Mr. Speaker, recently I introduced H.R. 11313, which amends the Agricultural Act of 1949, as amended, to provide 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 in connection with the employment of workers from Mexico.

Hearings on legislation similar to my bill are presently being held before the Equipment, Supplies, and Manpower Subcommittee of the Committee on Agriculture.

In order to explain to the best advantage the provisions of my bill and the purposes of its introduction, I wish to include my statement presented to the Agriculture Subcommittee in support of this measure:

STATEMENT OF REPRESENTATIVE THOMAS M. PELLY, BEFORE THE EQUIPMENT, SUPPLIES, AND MANPOWER SUBCOMMITTEE, COMMITTEE ON AGRICULTURE, IN SUPPORT OF H.R. 11313, MARCH 28, 1960

I am grateful for this opportunity to testify in support of H.R. 11313. As the sponsor of this bill, I would like to explain briefly the considerations which led me to introduce it.

For some time I have been deeply concerned because of the deep-seated problems created by the presence each year of about half a million foreign farmworkers. From their wartime introduction, when it is true they were most necessary, their numbers have swelled from 90,000 to nearly 500,000 last year. I am convinced that their consistent appearance, year after year for nearly two decades, and in greatly increased numbers, has had a most serious effect upon the employers involved, upon our seasonal domestic workers, and upon certain segments of our agricultural economy.

Recently I have had the occasion to read the report of the consultants appointed by Secretary of Labor Mitchell to review carefully, and independently the operations and the effect of the Mexican labor program. This carefully written, dispassionately presented analysis by individuals with no self-interest at stake is a most persuasive one which, I believe, might well present a general avenue for congressional action.

I would call your attention particularly to what is known of the effect of the large-scale use of Mexican workers upon our own farm labor force. I am told that we have a surplus of farm labor in this country—that there is more underemployment in the agricultural worker occupation than in any other major occupational group. I know from the Department of Agriculture reports that farmworker wage rates are far below those paid by any other major industry. I know that agricultural workers are a class apart so far as the protection of many of our labor standards and protective laws are concerned—workmen's compensation, unemployment insurance, minimum wage, and even in protection of the right to organize.

Yet this class of impoverished, underemployed, unprotected workers at the bottom rung of the U.S. economic ladder are the only group of U.S. workers exposed to systematic, Government-arranged competition by a large mass of temporary foreign contract workers. It takes no economist to persuade me that this type of competition, augmentation of the labor supply, can have no effect but to delay improvement of employment opportunities for U.S. farmworkers and to delay or to prevent improvement in the wage structure which might otherwise occur through the influence of labor shortages. That a U.S. Government program is contributing in this manner to the prevention of the welfare of such a group of U.S. workers is, I assert, a tragic, indefensible miscarriage of justice and a blot on the conscience of all thinking Americans.

In passing I would observe that this is not a matter only of our own conscience; it is importantly a matter of the appearance that we Americans give to the rest of the world and particularly to the peoples of the underdeveloped nations—the peoples in whose hands the future of this civilization may rest. These underdeveloped nations have a predominance of their population on the land—often themselves the victims of incredible hardship, deprivation, and exploitation. We seek to encourage these populations and their leaders to look to Western ways—to the example of U.S. democratic and economic methods. We seek to demonstrate to them that our way to economic development is better than and as fast as the way of regimentation by Communist overlords. Then the example that we hold forth to them is that of what the distinguished Secretary of Labor James P. Mitchell has called the "excluded Americans" deprived of all normal protections, paid such low wages that wives, children, grandmothers, and every able-bodied family member must work, and deliberately placed in competition with the hungry millions of underdeveloped Latin Americans. I understand that already this situation has not gone unnoticed in the halls of the United Nations.

In passing, also I must observe that the employers of my own State of Washington who depend almost exclusively on U.S. workers and who commonly pay from $1.25

per hour up have considerable reason to object violently to the price-lowering effect of production in large quantities elsewhere by foreign labor brought in at wages as low as 50 cents per hour and even less. I am amazed that the farm organizations do not better represent the interests of the farmers of the northern half of the country where the use of Mexican workers is relatively minor and wage rates for domestic workers, relatively more adequate.

These are a few of the reasons which have led me to introduce H.R. 11313. These considerations have persuaded me that the only proper position for those interested in economic justice and the application of Christian principles to daily affairs is to oppose continuation of the Mexican labor program for any period of time—unless it is substantially amended. The amendments which I suggest in the bill before this subcommittee are generally parallel to those recommended by the consultants to Secretary of Labor Mitchell.

My bill is different in one respect which I wish to emphasize. In setting out a proposed termination date of July 1, 1969, I am not suggesting that as the time at which the future of the program should again be considered. Rather I am suggesting that date as a final termination date for this program—placed far enough in the future to give ample notice to all economic interests affected. Enough time to develop the domestic labor supply capability which through atrophy some growers and communities may have lost is, in my opinion, of vital importance.

My bill provides that the program may be tapered off during that period. I have chosen not to suggest a rigid percentage reduction each year, preferring to leave to the Secretary of Labor the judgment as to when the decline would be sharper and when it should be less sharp than a straightline trend. I do not regard the 1969 date as necessarily sacrosanct; what I do regard as fundamental is that without further delay a final termination for this program be agreed upon and made the basis of planning by all interested parties.

Thank you, Mr. Chairman and members of the subcommittee, for permitting me to offer this explanation.

## Senator Talmadge on "Meet the Press"

EXTENSION OF REMARKS

OF

### HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

*Monday, March 28, 1960*

Mr. STENNIS. Mr. President, one of the most sincere, and able Senators in this body, the junior Senator from Georgia, recently—March 6, 1960—appeared on the NBC network's "Meet the Press." On this program, with his characteristic logic and convincing reasoning, he presented many of the key reasons why the pending civil rights legislation should be defeated.

In a subsequent column—March 15, 1960—the distinguished journalist, David Lawrence, commented on this program, the scant attention paid to it by the northern press, and then quoted liberally from Senator TALMADGE's presentation—made extemporaneously in answer to searching, and sometimes hostile, questions of members of the panel. As Mr. Lawrence said, he did a "masterful job."

For the benefit of Senators who did not have an opportunity to hear the program, and for the general public, I ask unanimous consent that the text of "Meet the Press" for March 6, 1960, be printed in the RECORD.

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

THE NATIONAL BROADCASTING CO. PRESENTS—
MEET THE PRESS

(Produced by Lawrence E. Spivak—Guest: Senator HERMAN E. TALMADGE, Democrat, of Georgia)

ANNOUNCER. Now "Meet the Press," produced by Lawrence E. Spivak. Remember that the questions asked by the members of the panel do not necessarily reflect their point of view; it is their way of getting the story for you.

Mr. BROOKS. Welcome again to "Meet the Press." Our guest today is Senator HERMAN TALMADGE, of Georgia, one of the leaders in the battle by southern Democrats against civil rights legislation. Tomorrow the Senate begins the second week of its record-breaking debate after 6 days of day and night speechmaking. There is only a faint prospect of a compromise. Senator TALMADGE held the floor last night as the Senate recessed after 82 hours of continuous session. His own speeches this week total more than 6 hours. In 1959 Senator TALMADGE took an active part in the southerner's battle to preserve the Senate tradition of unlimited debate. He began his career in politics by managing the governorship campaigns of his father, the late Eugene Talmadge. He himself served for 6 years as Governor before his election to the Senate in 1956. He is an attorney and a businessman, but he prefers to be known as a farmer. He owns two large farms in Georgia.

Mr. MCCORMICK. Senator, what will be the result of this great debate? Don't you think the southerners will have to accept some legislation, at least on voting rights for example?

Senator TALMADGE. I don't think anyone can foretell what the ultimate conclusion will be at the present time. I would say that there are adequate laws already on the statute books, both State and Federal, to guarantee the right of any citizen to vote, provided he is legally qualified in accordance with his State laws.

Mr. MCCORMICK. Do you think the longer and more strenuously the South fights this the harsher the legislation will be when it finally comes and the more outbreaks of disturbances you will have in your own part of the country?

Senator TALMADGE. I would hope, of course, that the Congress of the United States would not follow the efforts of some to enforce the second reconstruction on the South. I am very happy that in my own State we have had no outbreaks of violence of any kind. I hope that that situation continues.

Mrs. MCCLENDON. You say we don't need any more laws to protect the civil rights of Negroes in the South. Then, what can people like yourself, who don't believe in persecuting Negroes, do to insure that the people in your own State don't keep Negroes from voting, like the people in Alabama kept the Tuskogee professors from voting?

Senator TALMADGE. I would say in answer to your question that here are 17 pages of Federal laws that guarantee every citizen in America the right to vote. There are three different remedies. In my own State we have approximately 175,000 to 185,000 Negroes who are registered and who do vote. They have elected officials within my State. Frequently they are the balance of power in mayors' races and local races of all kinds. The Negroes in Georgia do vote in very substantial numbers. In some counties in Georgia we have a greater percentage of Negroes registered than we have of the white population. In three counties in Georgia we have more Negroes registered and voting than there are white people. So that is wholly misinformation that you have received.

Mrs. MCCLENDON. Yes, but there are other areas where you have it gerrymandered so there are just a few Negroes, or if there are more Negroes, they don't get credit for their votes.

Senator TALMADGE. We have no gerrymandering anywhere within my State.

Mrs. MCCLENDON. Don't you think you should conduct a campaign to get the people to get out the Negro vote?

Senator TALMADGE. The junior chamber of commerce in my State usually has an annual project to urge all citizens to register and get out the vote. All citizens who are qualified have been encouraged to vote. We can't help it if some citizens don't exercise that right. My colleague, Senator RUSSELL, inserted in the RECORD this past week a statement by the leader of the National Association for the Advancement of Colored People in Cleveland, Ohio, which stated that only 25 percent of the Negroes in Cleveland were registered and that of that 25 or 26 percent only about 25 or 26 percent of them voted. We have a much higher percentage than that who are registered in Georgia and a far higher percentage vote in Georgia.

Mr. VAN DER LINDEN. We have always considered Tennessee and Texas to be Southern States, and yet we find that the Tennessee Senators, KEFAUVER and GORE, and those from Texas, LYNDON JOHNSON and YARBOROUGH, are giving you no help in your southern filibuster against the civil rights bill. Could you tell us why that is?

Senator TALMADGE. I wouldn't presume to suggest what other Members of the U.S. Senate ought to do. Sometimes it is difficult to determine my own course of action, and certainly every Senator is entitled to vote and to follow his ideas as he sees fit in the Senate.

Mr. VAN DER LINDEN. Speaking of LYNDON JOHNSON, there are some reports that he is losing some of his southern support for the presidential nomination because he is working for a civil rights bill. Do you think he has really been hurt or does he still have a chance for the nomination?

Senator TALMADGE. I have been so busily engaged in fighting this iniquitous, obnoxious, and unconstitutional proposed legislation that I haven't had any time whatever to think of presidential candidates a long time in the future.

Mr. VAN DER LINDEN. Could you think of one for yourself, Senator? Suppose there is a movement in the South as we hear there will be, to have independent electors in some of the States, including Georgia. Could you be drafted to be that candidate?

Senator TALMADGE. I certainly am not a candidate for President or any other national office except the U.S. Senate. I am a realist. I have no illusions about my being elected President or to a lesser office nationally at the present time. I hope I can continue to serve responsibly in the U.S. Senate.

Mr. WILSON. You have undertaken to make it appear here that Negroes are not denied the right to vote in the South, citing your own State of Georgia. The Civil Rights Commission has come to an entirely different conclusion—made an original recommendation on the basis of which some of the legislation now is proposed. Was the Civil Rights Commission completely wrong? Didn't they get the right information on the situation in the South?

Senator TALMADGE. We don't live in a Utopia. I would suggest that our law is not enforced 100 percent everywhere. The Civil

Rights Commission did point out that there are several hundred thousand Puerto Ricans who are disenfranchised in New York State because they cannot speak or write the English language.

Mr. WILSON. What has that to do with Negroes voting in the South?

Senator TALMADGE. You were using the Civil Rights Commission as a final authority in this situation. I wanted to say some of the other things that they reported also. Now, the Senators from New York admit that that situation is true, but they say that they have qualification laws there, and I think New York State ought to have its own qualification laws. We have the same type laws in Georgia and in other Southern States. We have literacy qualifications. The Civil Rights Commission proposed a constitutional amendment that would even permit people who were lunatics and idiots and imbeciles and convicted felons to vote. I don't consider that very authoritative evidence when they make such a recommendation.

Mr. WILSON. You might not consider it authoritative, but wouldn't you have to agree that the overwhelming majority in the U.S. Senate today wishes a new civil rights bill—wishes the 1957 act to be strengthened? Would you agree?

Senator TALMADGE. I would say that in this presidential election year when we elect a President, when we elect a Vice President, and one-third of the Members of the Senate and all of the Congressmen and a great many Governors and statehouse officials, a large number of politicians do pander to the self-interest vote of the National Association for the Advancement of Colored People, and they would like to vote for virtually any legislation that contains the label or the slogan "Civil Rights," regardless of its nature.

Mr. WILSON. Yes, but there was no presidential election in 1957 when the act which is now proposed to be strengthened was originally passed.

Senator TALMADGE. Of course, they anticipate elections. They are ready to appeal to that vote at any time, but they are particularly anxious to appeal to it in a presidential election year.

Mr. WILSON. You just want to go against the overwhelming majority of the Senate, is that your feeling?

Senator TALMADGE. As long as I am a Member of the U.S. Senate I am going to uphold the Constitution of the United States of America. I am going to represent my State and my Nation as I best see fit. And I know that this illegal, obnoxious legislation is not in the best interests, to grant authority to a centralized government in Washington and take it away from the people on the local level.

Mr. WILSON. Let me ask you another question on that particular point: You say this is obnoxious. A large majority of the Senate you admit does not think it is obnoxious. How long do you think that large majority is going to permit what some people call a spectacle to continue?

Senator TALMADGE. I don't consider it a spectacle. As long as I am physically able to continue, I am going to do so, and I can assure you that there are a great many Members of the U.S. Senate who feel likewise. One hundred years following the War Between the States is no time to reenact reconstruction legislation in a much more heinous form than Thaddeus Stevens ever dreamed of himself.

Mr. WILSON. Yet, the Attorney General, the majority of the Senate, a large body of the opinion in this country, do not agree that this is Reconstruction legislation.

Senator TALMADGE. I did not come to the U.S. Senate to practice conformity. I came here to represent my constituents and my country, and I intend to do so.

Mr. WILSON. Nobody is asking you to practice conformity. All people are asking for, as I understand it—and let me ask you this in the form of a question—is an opportunity to vote on the issue. That is all that is being asked for in the Senate?

Senator TALMADGE. There has never been any good legislation defeated by unlimited debate. On the contrary, many, many vicious bills have been defeated by the use of that strategy. During the War Between the States they tried to suspend the writ of habeas corpus. Unlimited debate defeated it in the U.S. Senate.

Mr. WILSON. You do not think it is going to defeat this bill, though, do you?

Senator TALMADGE. I do not presume to guess what it might do. I can tell you as long as I can fight it, I am going to do so.

Mr. BROOKS. Senator, I wonder if we could return to Mr. van der Linden's question about Senator JOHNSON and his presidential ambitions. If the southerners turn thumbs down on JOHNSON for President as a result of his activity in this fight, who might be their candidate?

Senator TALMADGE. I would not presume to know. I have no personal candidate. I do not think my own State delegation has made any choice. I think any thinking in that regard at the present time would be premature.

Mr. BROOKS. Any of the presently avowed candidates, are they softer on the question of civil rights than JOHNSON?

Senator TALMADGE. No. All of the presently avowed candidates for the Democratic presidential nomination support proposals along the lines now pending before the U.S. Senate.

Mr. BROOKS. Should there be a move to cut off debate and that move should be supported by Senator JOHNSON, do you think that might further lose strength for his presidential candidacy?

Senator TALMADGE. I wouldn't want to anticipate "iffy" questions. Right now our problem is fighting this legislation, and right now it requires 24 hours of our time, and certainly we can't take time out to wonder about a presidential candidate July 11.

Mr. BROOKS. Some of your colleagues have expressed alarm over the physical strain of this thing. How are you bearing up?

Senator TALMADGE. Pretty well. Of course, it is a great torture to be put on the grill 24 hours a day, 6 days a week, but fortunately my health is good, and I have been holding up very well under the strain.

Mr. BROOKS. How long do you think you can keep going?

Senator TALMADGE. I think I can keep going indefinitely. I found that during my service in the Navy I could work 7 days a week with about 4 hours sleep a day, and I think I can do as well in the U.S. Senate.

Mr. MCCORMICK. Senator, you compared the figures in Georgia a while ago with the figures in Cleveland. According to the Civil Rights Commission, about 75 percent of the white eligible voters are registered in your State and something around 25 percent of the nonwhite eligible voters are registered. Is that a commendable figure as it stands, do you think?

Senator TALMADGE. Of course, we have literacy qualifications in my State that apply to white and colored prospective voters alike, and no one can make someone assume the obligations and responsibilities of citizenship against their will. In some areas, our white people don't register as well as they ought to. In some areas, our colored people don't register as well as they ought to. But I hold in my hand a photostat of the Cleveland Plain Dealer of Monday, February 29, 1960, and it has a picture of Charles H. Holmes and Harold B. Williams, the officials of the National Association for the Advancement of Colored People in Cleveland, Ohio, and they say that only 26 percent of the Negroes over 21 are registered to vote and that only 26 percent of those registered actually vote. Now we do much better than that in Georgia.

Mr. MCCORMICK. According to the Civil Rights Commission, you don't do much better, but aside from that, do you think two wrongs make a right?

Senator TALMADGE. I certainly don't, but there is no way on earth that anyone can make you register and vote against your will, and I wouldn't presume to try. That is a responsibility and an obligation but no citizen can be forced or coerced to register and vote, and then not all of them have the literacy qualifications. A good many of our white people don't have them.

Mr. MCCORMICK. In that connection, 22 Georgia counties, according to the Civil Rights Commission, have a Negro registration of less than 5 percent of eligible people. Isn't that a tremendous reflection on either your State's educational system or your ability to work up a little enthusiasm for democracy among your people?

Senator TALMADGE. I would say that if it is, there are adequate remedies in our State law, and here are 17 pages of guaranteed voting rights under the Federal law. There are three different rights under the Federal law. First, any citizen who thinks that he is being illegally deprived of the vote can go into the Federal court; he can get an injunction; he can recover damages against the registrar. Second, there is a criminal law. He can be indicted; he can be convicted and sentenced to the Federal penitentiary and fined. And thirdly, there is the Civil Rights Act of 1957 that authorizes this group to have the Attorney General of the United States of America file a suit in the name of the United States of America as their tax-paid private lawyer to enforce their rights.

If those remedies aren't sufficient, there are no laws on the face of the earth that will be.

Mr. MCCORMICK. Just one more thing, Senator. I don't have to point out to you that it was in Terrell County, Ga., that the voting director, or whatever you call him, has in effect defied the Civil Rights Act of 1957 in the face of the Supreme Court decision upholding its validity. How can existing laws get around this open defiance?

Senator TALMADGE. I read his statement. I happen to know that gentleman. He is a graduate of the Harvard Law School. He stated that he would follow the Georgia voting laws, and in doing that, of course, he is performing his duty under the law.

Mrs. MCCLENDON. The Long amendment this past week guaranteeing that the Dirksen substitute bill would not interfere with free speech was voted down in the Senate. I wonder if you feel that the Dirksen bill or the administration bill would cripple the liberties of all the people in the land while attempting to give civil rights to some?

Senator TALMADGE. Why, of course, it would. The very theory of civil rights, that is the present theory of bills now pending before the Congress—and I might say there are over 200 bills in the Senate alone, the last time anyone weighed them they weighed something in excess of 8 pounds; they have quit counting them now, they just weigh them—but it grants rights to one group of citizens that it denies to others. For instance, the Civil Rights Act of 1957: You can't have the Attorney General of the United States as your tax-paid lawyer, yet members of the National Association for the Advancement of Colored People can. You can't have your rights litigated by the chief law enforcement officer of the country. You can't have your defendant rights to a jury trial denied because the Attorney General filed the suit in the name of the United States, but that is what we passed in the Civil Rights Act of 1957.

Mrs. McCLENDON. Do you mean to tell me that under the Civil Rights Act of 1957 that a Negro filing a complaint, has the Attorney General to represent him and that he can do this and a defendant in that case does not have to have a jury trial?

Senator TALMADGE. You have put your finger exactly on it. His right to a jury trial is conditioned by whether the fine exceeds $300 or the jail sentence exceeds 45 days. That is true notwithstanding the Constitution of the United States of America, guaranteeing the right of trial by jury in not one, not two, not three, but in four separate places.

Mr. VAN DER LINDEN. A moment ago I mentioned the move in about half a dozen Southern States to set up machinery whereby they could cast their voes for independent candidates for President if they didn't like the ones produced by the two major conventions. This has seemed to be so alarming to Mr. Paul Butler, the Democratic National Chairman, that he has recently issued a warning to your State and 5 others that they had better not do that because their credentials at the convention in Los Angeles would be challenged. Do you think Mr. Butler's statements like that would be acceptable to your people, or do you think maybe he ought to just quit?

Senator TALMADGE. I doubt if Mr. Butler can speak for the Democratic Party. He has rendered a great disservice to the party already. The party would be much better off if he resigned. It is the duty of the chairman of any political party to try to keep down breaches within the party, to try to heal wounds, and assuage injured feelings, but Mr. Butler has made war on one section of the party. My judgment is he won't last long after the Democratic convention in Los Angeles, come July 11, and the quicker he leaves the party, the better off the Democratic Party will be.

Mr. VAN DER LINDEN. The first part of the Dirksen civil rights bill would make it a Federal crime to obstruct a court order, but only in these school integration cases. Do you know why the court order in only the school cases should be singled out?

Senator TALMADGE. Of course not. It makes it a crime to violate that court order, and that court order alone, when a violation of it is already subject to contempt procedure, but every other court order wouldn't be a crime. But there is one even worse than that. In the second section here, fights to avoid criminal prosecution—where they bomb a church building or a school building. Under that act, it is so discriminatory that someone who fired a five-inch firecracker in a school building in Washington, D.C., and crossed over into Virginia could be tried under the terms of that act. But if some anarchist killed every member of the Supreme Court with a bomb, every member of Congress with bombs, the President of the United States with bombs, he would be exempt. It is a ridiculous thing in the extreme. If it was made uniformly applicable, if it was made constitutional, I could vote for that, where it affects all heinous crimes, but I certainly wouldn't make it apply to a child who shoots a firecracker in a school building and exempt someone who assassinates the President of the United States.

Mr. WILSON. I haven't got it clear yet whether you think there will be any kind of a political backfire in the South this year. Will there be any third party formed? Will there be any kind of an organization to oppose the Democratic nominee in case he is one of those who seems to be a prospect at the present time?

Senator TALMADGE. I think that is premature at the present time. I sometimes wonder how long the Southern Democrats who established the Democratic Party and have nurtured it through all of its years, lean as well as good years, are going to be made the political whipping-boy, year after year, purely for political purposes. Some of these times they are going to begin to resent it, and my judgment is that it is possible this year.

Mr. WILSON. There are 18 of you in the Senate taking part in this filibuster, is that right?

Senator TALMADGE. I don't know that I can speak for any other Senator. I have made speeches at considerable length on the subject, and I am going to do so in the future. All other Senators are better qualified to speak for themselves than I am for them.

Mr. WILSON. The point that I am getting at is that you are really a pretty small minority, and you never have been able to make yourselves effective in national politics for years, not since the two-thirds rule was put through by Roosevelt and Farley, or repealed. The South hasn't been a force in national politics since then, is that right?

Senator TALMADGE. I wouldn't say that the majority is always right. The majority crucified Jesus Christ. The majority is wrong as often as it is right.

Mr. WILSON. Do you mean the majority is trying to crucify the Constitution in this case?

Senator TALMADGE. That is right. Of course, they are. They're trying to crucify the Constitution; they are trying to crucify the South; they are trying to establish a second reconstruction in the South, even more heinous in many forms than the first reconstruction.

Mr. WILSON. No provision in the Constitution for the right to vote without regard to race, creed, or color?

Senator TALMADGE. There are 17 pages of laws that I have demonstrated to this panel; this is the third time. So that is a phony issue.

Mr. WILSON. But the Civil Rights Commission says you are completely wrong Senator.

Senator TALMADGE. I don't accept the Civil Rights Commission report with the same degree of finality that I would the Ten Commandments handed down by the Lord to Moses.

Mr. BROOKS. Senator, I am afraid you are going to have to accept the finality of the program, because our time just ran out. I am sorry to interrupt. Thank you very much, Senator TALMADGE, for being with us.

---

## Medical and Health Care for the Aged

EXTENSION OF REMARKS
OF
### HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
*Monday, March 28, 1960*

Mr. CURTIS of Missouri. Mr. Speaker, March 23 I placed in the CONGRESSIONAL RECORD, page 6320, a speech that I gave before the American Academy of General Practice—physicians—at Kansas City, Mo. Three weeks later I gave the same speech before the convention of Missouri insurance agents in St. Louis, Mo. As I stated when I placed this in the RECORD, I prepared this speech to be delivered to these seemingly diverse groups. In this speech I discuss the general background of the problem that our society faces of medical care and hospital care for the aged.

I had expressed the belief in that speech that the tremendous progress made in our American society in advancing the well-being of all American citizens had made ineffective the demagogery which was based upon using the Federal Government as a means of transferring wealth from the have to the have-nots. This belief is right now being placed to a more severe test than I had anticipated. I am wondering if indeed it is true that we can have a rational national debate on the subject of Federal spending.

A pressure group which is probably the most effectively organized for political action of any group in our society today has apparently decided to use the problem of medical and hospital care for the aged as an issue to test whether or not this kind of demagogery can still be used successfully. This group is the Americans for Democratic Action, of which the most powerful segment is the Political Committee on Education of the CIO–AFL, dominated by Walter Reuther, a member of the ADA executive committee. The COPE of the CIO–AFL apparently has decided to abandon the issue of the Landrum-Griffin bill for the 1960 campaign and see whether or not they cannot make the Forand bill which professes to meet an aspect of the problem of the medical and hospital care for the aged do in its stead.

Those eligible for disability benefits would not be covered, nor would the measure provide for payments to mental or tuberculosis hospitals.

Despite the fact that old age is relative, and based upon physiological changes, the Social Security Act bases it on birthdays—65 for a man, 62 for a woman.

By this standard, there are now some 15.5 million Americans over 65 who can be called aged.

This group is living evidence that we have the finest system of scientific medicine in the world, and that our standards of living are unparalleled in history.

Each year, our older population will increase. And by 1970 this fortunate Nation can expect to have 20 million people over 65.

But the growing numbers of our aged have, to some extent, caught us unprepared. For example, we are only beginning to understand the waste of human resources involved in arbitrary retirement of these people because of their chronological age.

And so millions of men and women—many of them as healthy and as capable as they were at 40—are shelved long before they should be, long before they want to be.

With retirement, cash income usually drops. And at the same time, the need for health care services increases until it is about twice that of the younger adult.

It is this combination of lower income and greater need for health services that has led some well-meaning people to believe that medical expense is the most critical problem besetting our aged population.

In their opinion, only the Federal Government can provide an adequate answer.

Against this background, let us examine the premises upon which the supporters of H.R. 4700 base their arguments.

Although the health needs of our older people may be greater than those in other age groups, are the aged too poor to pay for their own medical care?

The answer is that some are, but the overwhelming majority are not.

We are told that three-fifths of all people 65 and over have less than $1,000 annual income.

Although in one sense accurate, it would be hard to find a more misleading statistic.

It is equally accurate and just as misleading to state that in 1957—the most recent year to which that misleading figure applies—63.7 percent of all Americans had incomes of $1,000 or less per year.

In 1957 almost half of those persons over 14 years of age also had incomes of $1,000 or less per year. And 47 percent of those between the ages of 14 and 65 had incomes below $1,000 a year.

Supposing we organize a social club with only two requirements for membership: First, that no wives had incomes of their own; and second that all husbands earned at least $25,000 a year.

If we used the same statistical techniques as those employed in compiling the figure of "three-fifths of all people 65 and over have less than $1,000 annual income," we could come up with this statement:

Half the members of this social club have incomes of less than $1,000 a year.

Obviously, the money income figure cited by the Department of Health, Education, and Welfare for those 65 and over is of little help to us in considering the financial problems of the aged.

Income drops after retirement, yes. But no age group is likely to have as favorable a liquid asset position as the aged, 74 percent of whom now own liquid assets in one form or another.

Furthermore, the needs of the aged person are usually modest. The heavy expenses of raising a family are behind. For the most part, homes are paid for. In fact, according to OASI, "almost three in every four beneficiary couples owned their own homes—most of them free of mortgage—and the median equity in nonfarm homes for the homeowners was $8,360."

Only 4 percent live in the homes of relatives.

A survey in 1957 by the National Opinion Research Center determined that only 9.6 percent of those interviewed would be unable to pay a medical bill of $500.

And so when we consider the financial resources of the aged, we can do it sensibly only if we know how many have income from employment, social security, pensions, annuities, savings, investments, insurance, or other assets.

We can only measure financial resources intelligently if we consider them in terms of family income and assets, not individual income and assets.

And when we attempt to figure out the number of people who cannot afford adequate health care, we must know how many already receive it from a religious group, a fraternal group, through membership in a union, as ex-seamen, as members of the Armed Forces, as professional courtesy, as members of specific religious orders, as veterans entitled to compensation and care.

We know, for instance, that 16 percent of the aged are public welfare recipients. As such, under federally aided public assistance programs, they are eligible to receive medical care.

We do not know the answers to questions like these:

How much do the families of the aged help out? And how many of our older people are affluent?

My point is that the economic problems of older people are not only complex and diverse, but difficult to analyze precisely. Yet it is suggested that we take a serious and irreversible legislative action, with tremendously important consequences, with no real guideposts.

We are being asked to grope our way through the statistical darkness on the off-chance that we will stumble into an effective solution.

No one denies that there are instances of severe hardship among our older people—or among any other age group, for that matter. Such cases do exist, although to what degree we can only guess.

Certainly the weight of sound evidence seems to suggest one conclusion:

The financial and health problems of the aged have been considerably exaggerated by the proponents of Forand-type legislation. And on the basis of the facts as we presently know them, it is impossible to justify the creation of a massive Federal mechanism for compulsory national health insurance—even though that mechanism would deal only with a single and somewhat artificially determined category.

Implicit in the thinking of those who support H.R. 4700 is the belief that the health care needs of older people can be conveniently separated from their other needs. Nothing could be a greater mistake. Some of our aged have many needs—in housing, in recreation, in preparation for retirement, in finding acceptance, and understanding within the community, in developing new interests, in using talents, and capabilities.

As an example of how interrelated the needs of the aged can be, a former housing commissioner of the State of New York has pointed out that hospital confinement of older people could be reduced by 20 percent if adequate housing were made available for them.

PRIVATE NURSING HOME LAW WHICH I SPONSORED

Further, the Nation's doctors have repeatedly stated that no person, regardless of age, needs to forgo a physician's services because of inability to pay.

Expert medical testimony before the House Ways and Means Committee establishes another point: the aged have individual health needs. As Dr. Frederick C. Swartz told the Ways and Means Committee:

> Care for any segment of our population—the aged included—calls for a cooperative attack on the problem by nurses, doctors, hospitals, social workers, insurance companies, community leaders, and others. It requires flexibility of medical technique—an ingredient which would unquestionably vanish the moment Government establishes a health program from a blueprint calling for mass treatment.

In the case of the aged, their health problem primarily involves acute illness and the so-called degenerative diseases. In a very large percentage of cases, the main need is not for an expensive hospital stay or a surgical operation, but for medical care at home or in the doctor's office. In other cases, the important requirement is nursing care in the patient's home, or the home of relatives. And in still others, custodial care in a nursing home, or public facility may be the only answer. The point is that the medical needs of this particular segment of the aged are subject to countless variations.

The Forand bill, let me point out, wishes not only to grant the aged population most needy assistance but also to move the Federal Government into the very area of medical care where private insurance is now most effective—the area of hospitalization and surgery.

---

## Rural Development Program—Excellent Work Being Done in Schuylkill County To Build Stability and Prosperity

EXTENSION OF REMARKS

OF

### HON. IVOR D. FENTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 28, 1960*

Mr. FENTON. Mr. Speaker, under leave to extend my remarks in the RECORD I want to direct attention to the Committee for Rural Development.

Last October while Congress was not in session, the President signed an Executive order establishing the committee, and it is possible that some of my colleagues in Congress may not have had this order brought to their specific attention. Certainly the many readers of the CONGRESSIONAL RECORD have not had the opportunity to see the order through the RECORD.

The administration has taken important steps in recent weeks to strengthen and expand the rural development program nationally. This is gratifying news, which will especially interest those Members of Congress who represent rural areas where families on small farms are having a hard time earning an adequate income due to rapid changes in the Nation's agricultural production and competition from the larger commercial units.

I have a firsthand knowledge of the rural development program, since Schuylkill County in my district is presently one of the participating areas. In this county the Pennsylvania Agricultural Extension Service under the very capable direction of Mr. C. L. Robertson, the county agent, his associate county agent, Mr. Guy Temple, and other agencies, have joined with local leadership to promote better farms, better living in rural communities, and new off-farm enterprises.

Among other activities are the following: Through the leadership of those working with the rural development program, Schuylkill County's fine youngsters are being encouraged to participate

in community improvement plans. Industry tours and other vocational guidance programs have also been set up for these young people. Leaders from all over the county are receiving help in tying together and stepping up industrial development plans. Plans to improve the tourist business locally are also going forward.

The Agricultural Extension Service has assigned Guy Temple, associate county agent, to head this program in Schuylkill County and it is with a great deal of pride that I call your attention to the following report just prepared for me by Mr. Temple:

The Schuylkill County rural development program came into being as a pilot program in the fall of 1957. The program first obtained a part-time worker in September 1958. Considerable time has been spent in becoming acquainted with the county, its people, and learning more about the rural development program.

A committee has been formed, namely, the Schuylkill County Rural-Urban Development Council, which is made up of representatives from business and agriculture, as well as other civic and community leaders.

The first work of the council was a problem affecting nearly all rural sections of the county, that of deer damage caused by an overpopulation of deer. The feeding of this deer herd has caused a great economic loss to many farmers of the area. As in all situations, there were two sides to the problem: the landowner having damage and the sportsman desiring a plentiful supply of game. Many individuals and groups had attempted to get this problem corrected. However, their efforts were not fruitful because factual information on damage and loss was not available.

Through the cooperation of the Pennsylvania State University resident and extension staff in the schools of agricultural economics, rural sociology, forestry and horticulture, and a local committee, a questionnaire was formulated. Locally, 4–H members, vocational agriculture departments, and interested groups in the county served as enumerators for the survey. Approximately 60 enumerators assisted in the survey, contacting nearly 200 landowners.

The work completed by the council with the assistance of other organizations confirmed that the deer damage was of a great economic concern to rural landowners. The loss in crops and property damage was $492,000, nearly 5 percent of the total value ($10,686,000) of agricultural production in the county.

These survey results were released to Pennsylvania Game Commission personnel, all county sport associations, and news articles were released to all county newspapers, plus two papers with statewide distribution.

We have since been informed that survey results were a major influence on the Pennsylvania Game Commission decision to place a larger number of antlerless deer licenses in Schuylkill County for the 1959 season.

It is anticipated to provide additional information through meetings and mass media to further improve landowner-and-sportsman relations.

As numerous contacts were made concerning the program it became evident that many people, including county, State, and Federal personnel were not aware of the functions or assistance available from established county, State and Federal public service agencies. This information was assembled in handbook form by the county steering committee and the State extension service provided the funds for printing. The handbook was distributed to community leaders and groups throughout the county. The council hopes to add additional agencies to this handbook and also attempt to keep it up to date.

Early in 1959, an attempt was made to contact as many county groups as possible and present a program to initiate some thought on their immediate community problems. As a result, many problem areas were more clearly defined to the people as well as to the Rural Development Committee.

From those problem areas mentioned, the steering committee elected to place emphasis on the following four areas:

1. Beautification of the county.
2. Zoning.
3. Youth.
4. Agriculture roundtable.

1. Beautification of the county: The various agencies of the rural development program are still working closely through their regular programs, with those farmers who have possibilities of learning the management skills necessary to efficiently operate their farm business. However there are many farmers who do not possess or cannot effectively learn the managerial skills. Consequently the council felt that these people might better their economic position through industrial employment. Therefore, any work done to improve the county will aid the existing industrial development groups in their efforts to attract industry, which will in turn offer this rural low income group new opportunities.

Industrial development groups in the area are doing a fine job in their work to attract and bring in new industry. However their job is made more difficult due to the general appearance of the area. Today industry considers esthetic value of an area as well as other considerations. Years of coal stripping has left many unsightly spoil piles along many of our highways leading into the county, and in some areas, even adjacent to homes. The council contemplated a project to reforest as many of these banks as possible. However an unforeseen, but pleasant circumstance has occurred which has partially sidetracked these plans—the announcement by the Philadelphia and Reading Corporation of their intentions to establish a refining industry in the area that will use some of the material in these banks.

However, experimental work to ascertain the species of trees, grasses and shrubs that are best adapted to culm bank planting is continuing. The Soil Conservation Service, Agricultural Extension are cooperating on this work, with the first trial plantings to be made in April 1960.

There is one beautification project in Mahanoy City, that can be pointed to as completed. A small park in the center of the city is now the pride of that community. It was accomplished through local effort. The Council through the Extension Service assisted this group in drawing up the plans for the park.

2. Zoning: New industries are already locating in the county and there is the possibility of a new Federal highway crossing the county. Many people when considering these possibilities felt the need for some long-range planning and subsequent zoning.

Present plans are for an educational program to provide an opportunity for people of the local communities to learn the true story of zoning, both its advantages and disadvantages. This is an attempt to get the right information disseminated before many false rumors become prevalent.

3. Youth: Many people expressed in the survey that they felt that many rural youth were only aware of farming as an occupation in the field of agriculture. In September of 1959 a new youth program called "Town and Country Business Club" was inaugurated. The program has four State objectives:

1. Provide a greater understanding of business as it operates in the marketing field through firms associated with agriculture.

2. Help in exploring the career opportunities in business closely related to farming so that capable farm youth remain in agribusiness careers.

3. Give youth who will remain on the farms a better appreciation of the problems and nature of agricultural marketing.

4. Point up the needs and benefits of training and education for youth anticipating employment with agri-business firms.

Presently 38 different rural youth have attended meetings of this group. The group recently won a statewide contest and in addition had one of the members, Miss Sandra Krebs, chosen as "All-American Teenager" at a related youth power Congress in Chicago. This program also is serving as an avenue for better relationships and interchange of ideas between agriculture and business.

4. Agriculture roundtable: An attempt will be made to develop such a program so as to disseminate information of a public affairs nature to as many rural residents as possible.

In addition to the above-mentioned activities the various agencies involved, soil conservation service, extension service, department of forest and waters, farm and home administration, agricultural habilitation and conservation committee, office of employment security, local chambers of commerce, and others are continuing their own respective programs of aids and assistance to the people of Schuylkill County.

Mr. Speaker, the rural development program, I am convinced, will grow into a major national effort to build stability and prosperity into our fine rural communities.

At this time I would like to include the text of President Eisenhower's Executive Order 10847 setting up the Committee for Rural Development Program on a formal basis to provide leadership and uniform policy guidance to the several Federal departments and agencies responsible for rural development program functions and related activities so that they may take more effective and concerted actions in carrying out those functions and activities and cooperate more effectively with non-Federal participants, both private and governmental, in the program.

The White House, in releasing the Executive order, had the following to say:

Members of the Committee include the Under Secretary of Agriculture, Chairman; the Under Secretary of the Interior; the Under Secretary of Commerce; the Under Secretary of Labor; the Under Secretary of Health, Education, and Welfare, the Administrator of the Small Business Administration and a member of the Council of Economic Advisers designated by the Chairman of the Council.

The rural development program was initiated in 1955 as a cooperative effort of the Federal, State, and local governments, including the participation of private individuals and agencies, to develop the human resources in rural America with particular emphasis on improving the conditions of the numerous low-income families, both farm and non-farm, living in rural areas. In a special message to the Congress, April 27, 1955, the President directed attention to the problems of low-income rural families

and presented recommendations for a concerted program developed in a study and report prepared by the Department of Agriculture.

Operating through State committees and centering in selected pilot counties, the rural development program includes specific activities, such as improving incomes from farming, providing more efficient farm marketing, promoting off-farm work, balancing agriculture with industry, evaluating rural manpower assets, increasing opportunities through vocational training, attaining better health, and improving basic education.

Today's Executive Order makes formal organization arrangements for the Federal Committee for Rural Development Program which has been functioning informally since the program was initiated. The seven-man Committee will direct its activities toward providing leadership and uniform policy guidance to the several Federal departments and agencies responsible for rural development program functions and related activities so that they may take more effective and concerted actions in carrying out those functions and activities and cooperate more effectively with non-Federal participants, both private and governmental, in the program.

Under the Executive order, the Committee is instructed to continue particular emphasis on effective public and private cooperation and leadership for rural development at the State and local levels.

EXECUTIVE ORDER ESTABLISHING THE COMMITTEE FOR RURAL DEVELOPMENT PROGRAM

Whereas a substantial number of families, both farm and non-farm, living in rural areas have relatively low cash incomes and do not share equitably in the economic and social progress of the Nation, and it is desirable to encourage and assist such families by providing greater opportunity for their participation in the Nation's production of goods and services and in community, civic, and other affairs; and

Whereas the Federal Government, in cooperation with the several States and local governments and private agencies and individuals, has undertaken a rural-development program designed to develop the human resources in rural America by a series of concerted actions to identify the needs of low-income rural people and to help them to achieve greater rewards for their contributions to our national progress; and

Whereas the rural-development program has achieved steady progress toward its objectives, and the time has now come to consolidate its accomplishments and to provide more formal Federal organization for the program: Now, therefore, by virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

SECTION 1. (a) There is hereby established the Committee for Rural Development Program, hereinafter referred to as the Committee, which shall be composed of the following members:

(1) The Under Secretary of Agriculture, who shall be the Chairman of the Committee.

(2) The Under Secretary of the Interior.

(3) The Under Secretary of Commerce.

(4) The Under Secretary of Labor.

(5) The Under Secretary of Health, Education, and Welfare.

(6) The Administrator of the Small Business Administration.

(7) A member of the Council of Economic Advisers designated by the Chairman of the Council.

(b) To assure effective functioning of the Committee and uninterrupted participation of each department and agency represented on the Committee, the head of each such department or agency shall designate an appropriate officer or employee of his department or agency as an alternate member to participate in the affairs of the Committee whenever the member may be absent or otherwise unable to participate.

(c) The Committee may request the head of any other Federal department or agency to designate a representative to participate in the affairs of the Committee as desirable in furthering the work of the rural-development program and related activities.

SEC. 2. The activities of the Committee shall be directed toward providing leadership and uniform policy guidance to the several Federal departments and agencies responsible for rural-development program functions and related activities so that they may take more effective and concerted actions in carrying out those functions and activities and cooperate more effectively with non-Federal participants, both private and governmental, in the program.

SEC. 3. In conducting its activities, the Committee shall place particular emphasis on effective public and private cooperation and leadership for rural development at the State and local levels, and to that end shall provide guidance for the conduct of Federal rural-development program functions and related activities in a manner designed to produce maximum State, local, and private participation and initiative in identifying and meeting local needs.

SEC. 4. Each department and agency responsible for functions and activities that can contribute to the objectives of the rural-development program and related activities shall carry those functions and activities forward in such a manner as to make the fullest possible contribution to the objectives of rural development.

SEC. 5. The departments and agencies represented on the Committee shall, as may be necessary for the purpose of effectuating the provisions of this order, furnish assistance to the Committee in consonance with section 214 of the act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691). Such assistance may include the detailing of employees to the Committee, one of whom may serve as its executive secretary, to perform such functions consistent with the purpose of this order as the Committee may assign to them.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *October 12, 1959.*

---

## You and Your Future

EXTENSION OF REMARKS

OF

## HON. FRANK IKARD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 28, 1960*

Mr. IKARD. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to bring before the House the following material compiled by our distinguished colleague from New Mexico, the Honorable THOMAS G. MORRIS. This material will be of tremendous benefit to the many high school graduates who might otherwise not be able to continue their education. I think he should be commended for his efforts. The following represents considerable research and I consider it a privilege to have it inserted in the CONGRESSIONAL RECORD:

YOU AND YOUR FUTURE

FUTURE EMPLOYMENT OPPORTUNITIES

A democratic society such as ours is dynamic and growth is a necessary part of the system. With this growth more opportunities are available for well-qualified young people today than ever before in our entire history. Because our Nation is not producing an adequate number of men and women with sufficient qualifications, thousands of interesting and highly salaried positions remain unfilled. Let me illustrate this point with some figures: The Department of Labor surveyed 200 large firms, one-half reported they were unable to hire enough research scientists and engineers; industry needs one engineer and five highly trained technicians for every 40 workers; in 1958–59 it is estimated we were short 135,000 qualified teachers; the journalism and newspaper field has an acute shortage of qualified people.

We live in a civilization and world that requires education. Your future depends on you becoming well educated. The job applicant with advanced training will have a better opportunity to get and hold a job than his untrained fellow worker. During the most recent recession, nearly 1 in 5 unskilled laborers experienced unemployment, while only 1 in 50 professional and technical workers were jobless. White collar workers, who generally have to meet higher educational requirements, were relatively steady in their employment.

By the time you are 25, there will be millions of new job openings in our economy, but most of them will go to persons with a solid educational background. There will be a decline in the number of jobs for unskilled workers and it is estimated that the United States will have one-half million fewer such workers in 1967. Irregular employment and lower wages will face the uneducated in the economy of the future. Yet past experience shows us that many of the 2 million high school graduates of 1960 will not go on to college, and will slip out of the stream of education. In fact, only 45 percent of those who graduate are expected to continue their formal education, either in an institution of higher education or business or vocational school. Are you to be in the 55 percent group and let your education stop?

The Department of Labor estimated that in the next 10 years, business and industry will need about 13½ million additional workers, including 5.1 million skilled and semiskilled workers, 3⅓ million professional and technical workers, and almost 6 million managerial and other white collar workers. By 1965 there may be a shortage of skilled workers and because of this gap, rapid advancement will be possible for workers with good preparation. In addition to those needed for replacement, we will need 45,000 new doctors, 75,000 college-trained nurses, 485,000 more elementary and high school teachers, 120,000 more college teachers, 80,000 more natural scientists, and 100,000 engineers. Education will be the foremost qualification for these additional workers.

The desire for you to get a job this summer and forget about higher education will be appealing but let me remind you that your economic gain and social satisfaction are merely temporary. The 1960's hold the promise of a decade of historic significance in the development of this Nation and in achieving a better way of life for our citizens. As tools and methods become more and more complex, they offer increasing opportunities to give a better and safer life for all. But, at the same time, they place increased demands upon the worker. He must be prepared to cope with the changes in the nature of work that new machines and methods create. With each change, he must be prepared to enlarge his own knowledge and skill to keep pace with technological progress. Education is the basic equipment which helps a man to grow with his job and to move on to better opportunities. A nuclear physicist and a toolmaker need different amounts of education but both need the same basic

education. They then move on to the particular areas of study required for their respective fields. Only by becoming qualified through a better education will you insure the realization of your greatest ambition.

EDUCATION AFFECTS EARNINGS

Dr. Paul C. Glick, Chief Social Statistician of the U.S. Bureau of the Census, has analyzed lifetime earnings of Americans and compared them with years of schooling. The following findings show how smart it is to be educated.

| Years of schooling: | *Lifetime earnings* |
|---|---|
| 1 to 4 | $72,000 |
| 8 | 116,000 |
| 4 years of high school | 165,000 |
| 1 to 3 years of college | 190,000 |
| 4 or more years of college | 268,000 |

He also found that in families headed by grade school graduates, the median annual family income was $4,386 as compared with $5,667 for high school graduate households and $8,143 for college graduates. Education, of course, has far more value than a dollar tag can show. It opens the way to more interesting kinds of jobs and a much more satisfying life.

APTITUDES FOR FURTHER EDUCATION

Many students do not go on to college because they are afraid they do not possess the necessary ability. Perhaps they are a trifle slower than their classmates in grasping things and maybe find it more difficult to comprehend the basic subjects than many of their friends. Those of you who feel this way may, after reading the foregoing statements, think more strongly than ever that there is no place for you in the upper echelons of our highly complex society. Nothing could be further from the truth. Read the following.

Dr. S. Strauss, a teacher in Washington, D.C., conducted a study of the backgrounds of more than 600 Americans who were awarded the Ph. D. degree in recent years. He found that 43 percent had a high school IQ below 120, and several were down in the 90's. One boy with a reported IQ of 94 had been placed in a nonacademic program in his high school by a counselor. Dr. Strauss found that two-thirds were below the top 5 percent of their class, and one-half were below the top 10 percent. He hates to make a sweeping generalization but is inclined to believe that academic progress can be stated as a formula: ability plus effort equals success. The greater the ability, the less effort is needed, and vice versa.

Many an able youth never continues his education because he is unwilling to subject himself to the necessary rigorous discipline or because he strives for other goals. I hate to think of the talent that is wasted because individuals underestimate their abilities. You should consider the above before deciding not to continue your education. If you have average abilities and are willing to work hard at your studies, there is a future and a college for you. Just because a student has to work harder than many of his fellow students does not mean that he shouldn't plan to continue his schooling. On the contrary, very often the so-called slow student outstrips his more gifted classmates, simply because he has to work harder to get what he seeks. So, don't give up. Concentration and effort are, in themselves, qualities in great demand.

PAYMENT OF EXPENSES

It is true, costs of attending a college or university have increased a good deal and particularly in the last 10 years. Many students and families, after looking at the cost of a 4-year college education, are inclined to give up the idea of going to college. However, never before have so many sources of money been available to assist students in meeting expenses. Scholarships, loan funds, and gratuities are available by the thousands, ranging from small prizes offered by a local organization to fellowships worth several thousands of dollars. About one student in five receives scholarship aid in some form from universities, colleges, foundations, private organizations, labor unions, and Federal and State legislatures. During 1959–60 more than $120 million is available for assistance to students. In actual practice, a large number of the available aids go unclaimed. The interested and qualified student who conducts an exhaustive search can usually find a program either general enough or tailormade to fit his own need. The ultimate benefit will outweigh the difficulties of obtaining aid.

PART-TIME WORK

Most of the colleges give part-time jobs to deserving students who are not able to meet all expenses. In fact, more students earn part of their college expense by on-campus jobs than the number receiving institutional scholarships. In New Mexico during the 1955–56 school year, 1,758 students earned an average of $355 per month on part-time jobs while only 1,165 scholarships were given with an average of $207. Indeed, one of the most effective ways a student may earn money for his college education is through summertime employment.

DEFERRED PAYMENTS, "LEARN NOW—PAY LATER"

Since the burden of paying higher costs for an education at a college or university is much greater today, some colleges have seen the need to allow payment of expenses on an installment basis rather than in a lump sum. Generally, tuition must be paid at registration unless special arrangements have been made with the institution. However, nearly all room and board charges may be paid in installments. There are several tuition payment plans that help parents meet college expenses on a monthly basis, such as the Tuition Plan, Inc., 347 Fifth Avenue, New York 16; Insured Tuition Payment Plan, 112 Water Street, Boston 9, Mass.; Midland Time Plan for Education, Marine Trust Building, Buffalo 5, N.Y. Certain banks have also made arrangements for deferred payments with colleges in their communities; for example, the Indiana National Bank, in Indianapolis, has a system where the parent contracts to pay a fixed amount monthly and the bank meets all the college bills when due, up to a certain amount, with payments spread over a 6-year period.

CHILDREN OF VETERANS

Children of veterans who died as a result of disease or injury incurred while in service should write to the New Mexico Veterans Service Commission, Santa Fe. If service was entered from New Mexico, free tuition to New Mexico State schools plus $300 maximum for matriculation, board, room, fees, books, and supplies is offered to those selected on basis of need and merit. National scholarships available for children of veterans are described in the booklet, "Need a Lift?" which may be obtained by sending 15 cents (to cover the cost of printing and postage) to the National Child Welfare Division, the American Legion, Indianapolis 6, Ind. For scholarships and funds on the State level, contact the American Legion, 3205 East Central Avenue, Albuquerque.

NATIONAL DEFENSE EDUCATION ACT

Previously, undergraduate eligibility for Federal support for educational purposes was determined almost exclusively by past military service, commitment to future service, or orphanhood resulting from a parent's death from service-connected injury or disease. These are all still available to those who are in these categories. However, under the new National Defense Student Loan Program, any student who is enrolled on a full-time basis can apply for a loan. It is up to the college to set its own eligibility, but financial need and ability to make good marks are important items that each institution considers. Those students who plan to study teaching, science, mathematics, engineering, or modern languages are given special consideration. There is a limit of $1,000 for each school year and $5,000 for an entire college career; however, it is likely that most loans will be in small amounts. One can repay the loan in installments, starting a year after training is finished and be repaid within 10 years. If you become a full-time teacher in a public elementary or secondary school, the loan will be canceled out at 10 percent for each year you teach, up to a maximum of 50 percent. The interest on the loan is 3 percent starting when the repayment schedule begins. Further information may be obtained from the college you elect to attend.

As of February 29, 1960, New Mexico institutions had made loans totaling $289,230 to 742 students. The 1959–60 school year allocation to New Mexico under the law is $149,545, matched in part by the universities.

FEDERAL STUDENT TRAINEES

The Federal Government participates in and operates certain educational programs in a wide variety of national and international educational activities. However, other than the Education Act, nearly all of the foreign and Federal Government programs require college work before consideration is given. After you have entered college, more information concerning advanced Government programs can be obtained from the dean of students, or the Government department responsible for the area of study in which you are interested.

The Government does have a cooperative work-study program which provides an integration of academic study with practical work experience and training on the job in an organized program, usually of 5 years duration, under which students alternate periods of attendance in college with periods of employment. In addition, there is another program which is the vacation work-study plan, where the student is employed by a Federal agency during the vacation period in locations throughout the United States, with offerings in nearly every field imaginable. These programs give you the opportunity to work under the guidance of professional personnel and help you decide if a particular field is all that you had hoped it would be. Interested students should contact your nearest civil-service office for further information and watch for trainee examination announcements.

There is a student Army nurse program that is available during the third year of a 3-year nursing program or for the third and fourth years of a 4-year training program. Participants are able to continue their education while receiving full pay and allowance as either officers or enlisted personnel in the Army Reserve. For further information write to the Surgeon General, Department of the Army, Washington 25, D.C.

NATIONAL APPRENTICESHIP PROGRAM

Apprenticeship training is a practical answer to the need for maximum development of skills and technical abilities. Training in the skilled trades is good insurance.

New Mexico has an apprenticeship law which provides for a statewide apprenticeship program. The law is administered by the Labor and Industrial Commission, Santa Fe, and a management-labor council acts on policies, with the entire program an integral part of the national program.

There are more than 90 apprenticeable trades, most require at least 3 years' training and many others 4 or more. In New Mexico we have more than 900 in the building-trades program, and only 155 in other trades such as machinists, printers, electrical workers, pressmen, and auto mechanics.

The need for skilled workers and technicians is pressing. Those of you who want to learn a special skilled trade, receive training, while earning and working, contact the Labor Commissioner, New Mexico Apprenticeship Council, Labor and Industrial Commission, Post Office Box 1726, Santa Fe, or State Supervisor, Bureau of Apprenticeship and Training, Department of Labor, room 234, 610 Gold Avenue SW., Albuquerque.

LOAN FUNDS AND SCHOLARSHIPS

You should establish your eligibility to enter the school of your choice and then qualify your financial need if some form of educational aid is required. You or your parents should be prepared to supply evidence that such a need is the case. The college bulletin or catalog lists scholarships and funds available. If more information is desired, ask the dean of the college you plan to attend what is available in the way of scholarships, loan funds, and student employment. However, remember that many awards are made on national scholastic and competitive standing, such as the National Merit, Westinghouse Science, and the General Motors scholarships.

Loan funds, either emergency or long-term up to a year, are maintained by most colleges to assist worthy students, who have evidence of ability to repay. Agreements usually have to be cosigned. It is well to remember that many banks will make loans for tuition, room, and board to students who demonstrate ability and promise.

It is difficult to list all of the many different funds available, with so many varied requirements, all of which are changing constantly. For example, Yale has available funds for boys whose last name is DeForrest; the University of New Mexico has a scholarship for a worthy graduate of a New Mexico high school who is selected on the basis of financial need, interest in engineering, high-school record, and participation in athletics. New Mexico State University awards a scholarship annually to an entering freshman who majors in the dairy field. At Eastern New Mexico University, certain honor students are selected to receive scholarships; New Mexico Military Institute has a scholarship for a young man whose interest in military affairs will assure him a commission; New Mexico Highlands University awards a scholarship to an outstanding high school student who is planning a teacher career. New Mexico Institute of Mines and Technology awards a full tuition scholarship to entering freshmen who have shown superior scholastic ability in high school. To students who show an active interest and ability in drama, New Mexico Western College grants tuition scholarships; St. Michael's College has provision to assist students who have the intellectual ability to do college work but lack adequate finances. College of St. Joseph administers a scholarship based on a competitive examination.

In addition, the International Mineral & Chemical Corp. in Carlsbad offers a $600 4-year scholarship to a resident of Eddy County; Jones Graphic Arts Products Co. of Albuquerque gives a tuition scholarship to a high school graduate from New Mexico or Arizona; the New Mexico Library Association in Roswell gives a $300 scholarship to a girl interested in the field of library work; New Mexico Motor Carrier Association in Albuquerque gives two competitive scholarships of $500 each to qualified applicants planning to attend New Mexico colleges. The AFL–CIO gives six full scholarships, administered by the National Merit Council, three of which are limited to members' children. These are only a few of the many and varied funds available.

It is not necessary for the applicant to have a brilliant high school record. Frequently, the chief purpose of a scholarship fund is to assist a student who has a good, but not necessarily outstanding, record and who can be expected to profit from a college education but is prevented for economic reasons from obtaining one.

After looking over the array of opportunities for scholarships, I suggest you investigate those for which you have a special qualification of special interest. As an example, the education and manpower committee of the New Mexico section of the American Chemical Society sponsors awards to the students making the three top grades on a chemistry examination administered by the New Mexico Institute of Mining and Technology and given by the local high school science teacher. Sears, Roebuck Foundation provides scholarships for freshmen students majoring in agriculture or home economics, who would have had financial difficulty in attending college. This scholarship is administered by the New Mexico State University.

Loans are available to those students who desire to become nurses but lack funds. Write directly to the Bergen Foundation, 6536 Sunset Boulevard, Hollywood 28, Calif., after you have established that you meet the entrance requirements of the hospital where you want to train. The Committee on Careers, National League for Nursing, 10 Columbus Circle, New York 19, has valuable information for prospective nurses. The University of New Mexico has a College of Nursing and several scholarships are available. Contact the dean, College of Nursing. The College of Pharmacy grants freshman scholarships to New Mexico high-school graduates who enter the pharmacy program at the university. For information, apply to the dean, College of Pharmacy, University of New Mexico. The National Foundation, 800 Second Avenue, New York 17, offers 4-year college scholarships for graduating high school seniors entering accredited B.A. programs in physical therapy, occupational therapy, or professional nursing.

Perhaps the State department of education in Santa Fe can give you additional information concerning scholarships and loan programs designed for students planning to become teachers. For those interested in medicine, you should contact the State board of health in Santa Fe or, for more detailed information, the Association of American Medical Colleges, 2530 Ridge Avenue, Evanston, Ill. In most medical schools, there were loan funds available in excess last year. However, bear in mind that you have to be accepted by a medical school before most of the loan funds and scholarships can be considered.

For information relating to foreign scholarships, write to Information and Counseling Division, Institute of International Education, 1 East 67th Street, New York 21.

ARMED FORCES EDUCATION AND TRAINING PROGRAMS

U.S. service academies: Because the opportunities afforded by each academy are as varied as the service they represent, interested students should write to the following:

Army: The Registrar, U.S. Military Academy, West Point, N.Y.

Air Force: Director of Admissions, U.S. Air Force Academy, Colorado Springs, Colo.

Navy: Chief of Naval Personnel, Navy Department, Washington 25, D.C.

Coast Guard: The Commandant, U.S. Coast Guard, Washington 25, D.C.

Merchant Marine: Registrar, U.S. Merchant Marine Academy, Kings Point, N.Y.

January or February is usually the deadline for applications for the next school year for most of the academies. However, the student who prepares himself beyond the high school level will be in a better position to compete for the entrance examinations for future years. In fact, many of those accepted for some of the academies have had training beyond high school.

Reserve Officers Training Corps. Several universities have established ROTC units, with a program of instruction that leads to a commission as a second lieutenant, as you receive your college education. For more detailed information consult the college catalog.

INDIAN STUDENTS

"Higher Education Aids for Indian Young People" is the title of a pamphlet which outlines all available financial aids for Indian students. It can be obtained without charge from the Haskell Institute, Bureau of Indian Affairs, Lawrence, Kans.

The Federal Government, through the Agency Office, Bureau of Indian Affairs, administers three means of assistance. Grants: Each area annually grants small supplementary aids to those who have good records and who need assistance. Working scholarships: There are boarding schools located near colleges which furnish room and board in exchange for 14 hours of work each week. One is located in Albuquerque. Education loans are maintained for emergency cases.

For girls who are financially unable to pursue nurses' training, scholarships are given by the National Society of the Colonial Dames of America. Contact your Bureau of Indian Affairs for complete information. The Indian Board of Home Missions of Congregational Churches of America assists Indian students without regard to religious affiliation or tribe. Many Indian tribes assist their young people. The Jicarillia-Apache has a substantial scholarship program, as do the Navajo and Mescalero-Apache Tribes. Contact your tribal governing body.

CHOICE OF SCHOOL

The counselor or principal in your high school is the best source of information about the choice of a college or university as well as for scholarships offered by local companies or individuals. He has an extensive file of college catalogs and other descriptive publications concerning the facilities of the various institutions. If some of the information you desire is not available through him, the references below list suggested sources of information for prospective college students, their parents, and their counselors. Consult your local library or any library in some of the larger towns for additional information.

CHOICE OF CAREER

If you are undecided as to what field you would like to enter, the American Legion booklet, "Need a Lift?" mentioned above, has compiled a list showing career organizations which will provide helpful information about job opportunities, subjects required, where to get training, and other related topics. Also consult the career planning references below.

A special word for those who may be thinking of an agriculture career. Do not overlook it. It is and will remain the Nation's basic industry. Indeed, the Department of Agriculture estimates that about 15,000 new jobs are created each year for college graduates and only 8,500 to fill them. Dr. R. B. Corbett, president of New Mexico State University, recently stated, "Years ago the common saying was that engineers were a dime a dozen—there is no future in engineering. Yet today men trained in engineering are the scarcest and most demanded in our economy today." He suggests a parallel between engineering and agriculture. The manpower demand is declining in agriculture, but it is changing from a way of life to an exact science. The farmer will need to have a good working knowledge in many fields of science—chemistry, pathology, genetics, and business management. Demands for agriculturally trained people are needed off the farm as

well as on, such as agriculture research, industry, business, education, communication, conservation. There will continue to be jobs for properly trained farm youth.

Please do not forget this is only a part of the vast information available and that I am not a professional educator. The alert student requiring financial assistance to attend college or vocational school, those choosing a career or searching for a training school, will explore many sources not mentioned. Remember that many social and fraternal organizations, denominational and religious groups, foundations, professional associations, labor unions, and some of the larger industrial companies supply financial aid to worthy students.

SCHOLARSHIP AND FELLOWSHIP REFERENCE MATERIALS

"American Foundations and Their Fields," seventh edition, New York, American Foundations Information Service, 1955.

"How to Finance a College Education," Craig, W. Bradford. New York, Henry Holt & Co., 1959; 79 pages; $1.95, paper.

"Handbook on International Study," a guide for foreign students on study in the United States and for U.S. students on study abroad. New York, Institute of International Education.

"Lovejoy-Jones College Scholarship Guide," Lovejoy, Clarence E., and Theodore S. Jones. New York, Simon & Schuster, 1957; $3.95, cloth; paper, $1.95.

"Fellowships in the Arts and Sciences," third edition, 1960–61. Washington, D.C., Association of American Colleges, 1959; 220 pages; $3.75.

"Information on Science Scholarships," National Science Foundation, Washington, D.C., U.S. Government Printing Office, 1957; 6 pages (NSF–57–34).

"U.S. Veterans' Administration," questions and answers on the war orphans education program. Washington, Veterans' Administration Information Service.

"Federal Aid to Students for Higher Education," U.S. Congress, House Committee on Education and Labor. Washington, U.S. Government Printing Office, 1956; 191 pages.

"Government Programs in International Education," House Committee on Governmental Operations. Washington, U.S. Government Printing Office, 1959; 251 pages.

"Financial Assistance for Students in Higher Education," pamphlet, Office of Education, Washington 25, D.C., 1960.

"Medical Scholarship and Loan Fund Program," Council on Rural Health, American Medical Association, 535 North Dearborn Street, Chicago 10, Ill.

"Social Work Fellowships and Scholarships in the United States and Canada," Council on Social Work Education, 345 East 46th Street, New York 17, N.Y.

"Education Grants and Awards in the Field of Music," Music Educators National Conference, NEA Education Center, 1201 16th Street NW., Washington, D.C.

"Information About Business Training and Scholarships," National Association and Council of Business Schools, 2400 16th Street NW., Washington, D.C.

"Credit for College; Student Loan Funds in the United States," College Life Insurance Co. of America. Indianapolis, The Company, 1959.

"National Register of Scholarships and Fellowships," volume 1, scholarships and loans. New York, World Trade Academy Press, Inc., 1958.

REFERENCE MATERIALS LISTING COLLEGES AND UNIVERSITIES

"Accredited Higher Institutions," Office of Education Bulletin No. 1, Washington, D.C.; U.S. Government Printing Office, 1956; 109 pages; 55 cents (1960 edition in preparation).

"American College Counselor and Guide," by Benjamin Fine, New York; Prentice-Hall, Inc., 1955; 413 pages; $4.95.

"American Junior Colleges," fourth edition, edited by Jesse P. Bogue, Washington, D.C.; American Council on Education, 584 pages; 1956 (1960 edition in press).

"American Universities and Colleges," seventh edition, edited by Mary Irwin, Washington, D.C.; American Council on Education, 1956; 1,210 pages; $12 (1960 edition in press).

"The College Blue Book," ninth edition, New York; Christian E. Burckel, Yonkers-on-Hudson, 1959; 1,168 pages; $22.50.

"The College Handbook," 1959–61, by S. Donald Karl and Barbara L. Kiehl; College Entrance Examination Board, 425 West 117th Street, New York 27, N.Y., 1959; 556 pages; $2.

"Education Directory, Part 3: Higher Education 1959–60," Office of Education, Washington, D.C.; U.S. Government Printing Office, 1959; 205 pages; 70 cents.

"Junior College Directory," 1959, by Edmund J. Gleazer, Jr., Washington, D.C.; American Association of Junior Colleges, 1959; 52 pages; $1 (1960 edition in press).

"Lovejoy's College Guide," fifth revised edition, by Clarence E. Lovejoy, New York; Simon & Schuster, Inc., 1959; 290 pages; $2.50.

REFERENCE MATERIALS ON METHODS OF SELECTING A COLLEGE

"Choosing the Right College," by Annette Turngren, New York; Harper & Bros., 1952; 149 pages; $2.50.

"College Bound," by Samuel C. Brownstein; Barron's Educational Series, Inc., Great Neck, N.Y., 1957; 214 pages; $1.98.

"College and You," by Calvin S. Sifford, Bloomington, Ill.; McKnight & McKnight Publishing Co., 1952; 214 pages; $2.50.

"How To Choose That College: A Guide for Students and Parents," by Clarence C. Dunsmoor and Oliver C. Davis, Boston, Mass.; Bellman Publishing Co., Inc., 1951; 52 pages, 90 cents.

"Looking Ahead To Go or Not To Go to College: Deciding for College," Ira M. Smithles Strang Associates, 3376 Washtenaw Avenue, Ann Arbor, Mich.

"How To Get Into College," Frank H. Bowles. New York, E. P. Dutton & Co., 1958. 157 pages, $2.95.

CAREER AND EMPLOYMENT PLANNING

"Planning a College Education," Bucher, Charles A., New York, New York Life Insurance Co., 1958 (indicates college tuition rates and other college fees).

"Lovejoy's Vocational School Guide," New York, Simon & Schuster.

"Guide to Correspondence Study," National University Extension Association, Division of Correspondence Study. Minneapolis, the Association, University of Minnesota.

"Careers in Home Economics," Guide Lines, February 1959; U.S. Office of Education, Washington, D.C.

"Teaching as a Career," pamphlet No. 122, U.S. Office of Education, Washington, D.C.

"Cost of Attending College," bulletin 1957, No. 9, U.S. Office of Education, Washington, D.C.

"Helping Rural Youth Choose Careers," miscellaneous publication No. 771, U.S. Department of Agriculture, Washington, D.C.

"Employing College Students; a Guide for Bank Management," American Bankers Association, Committee on Executive Development. New York, American Bankers Association, 1959.

"Job Guide for Young Workers," 1958–59 edition; U.S. Bureau of Employment Statistics, U.S. Government Printing Office, Washington, D.C.

"Occupational Planning and College," 1954, U.S. Bureau of Labor Statistics, U.S. Government Printing Office, Washington, D.C.

"Federal Jobs Overseas," pamphlet No. 29, January 1959, U.S. Civil Service Commission, U.S. Government Printing Office, Washington, D.C.

"Career Opportunities in the U.S. Foreign Service," Department of State publication No. 6506, February 1958, U.S. Department of State, U.S. Government Printing Office, Washington, D.C.

"Girls' and Women's Occupations," selected references, July 1948–September 1954. (Vocational Division Bulletin No. 257.) U.S. Office of Education, Government Printing Office, Washington, D.C.

"After High School—What?" 1954, leaflet No. 8; U.S. Women's Bureau, U.S. Government Printing Office, Washington, D.C.

"Careers for Women in the Armed Forces," revised edition; U.S. Women's Bureau, U.S. Government Printing Office, Washington, D.C.

"Future Jobs for High School Girls," pamphlet No. 7, 1959; U.S. Women's Bureau, U.S. Government Printing Office, Washington, D.C.

"Career Opportunities in Government," 1958, Institute of Public Affairs, the University of Texas, Austin.

## Appeal for the Vanishing Primary

EXTENSION OF REMARKS
OF
## HON. JOSEPH S. CLARK
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
*Monday, March 28, 1960*

Mr. CLARK. Mr. President, in the New York Times magazine of yesterday, March 27, appeared an article by our able colleague from Wisconsin, the Honorable WILLIAM PROXMIRE, entitled, "Appeal for the Vanishing Primary." The article reflects the freshness and boldness of thought that all of us have become accustomed to expect from the Senator from Wisconsin. I commend his article to readers of the CONGRESSIONAL RECORD and ask unanimous consent that it may be printed in the RECORD.

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

APPEAL FOR THE VANISHING PRIMARY—A SENATOR ANSWERS THOSE WHO WOULD ABANDON THE PRESIDENTIAL PREFERENTIAL POLL, AND SUGGEST THAT THE ANSWER TO THEIR CRITICISMS LIES IN THE EXPANDING SYSTEM

(By WILLIAM PROXMIRE)

WASHINGTON.—This Sunday hundreds of thousands of Wisconsin citizens are fighting out the presidential primary campaign of 1960. On the steps of churches, over a beer in taverns, in dairy barns and kitchens and automobiles, the argument, the contradiction, the agreement, the joking are rolling along faster and faster as the April 5 deadline approaches, a deadline that may seal the fate of HUBERT HUMPHREY, and JOHN F. KENNEDY.

The season of the primaries is upon us and the people of my State are happily engaged in what has become a rare—I think far too rare—American privilege: having a voice in deciding who is going to be either of the two (the nominees of the two major parties) who will have any chance to become the next President of the United States. In future weeks and months the people of some other States will have a similar opportunity.

There are a thousand reasons why this is a disorganized, irresponsible way for the country to be influenced in its choice of the occupant of so great an office. Many of the hundreds of thousands of conversations going on today in Wisconsin, for example, are irrelevant to the issues. Thousands of votes will be influenced by Muriel Humphrey's homey and simple coffee-hour campaigning for husband HUBERT, or racket-busting Bob Kennedy's tireless farm-to-farm barnstorming for brother JACK. And of course, KENNEDY'S religion is constantly discussed and will persuade many.

Primaries have more serious inadequacies. Some were outlined by David Broder in this magazine a few weeks ago. Certainly the candidates may be hurting each other, and our Democratic organization in Wisconsin may be suffering a division that will take months to repair. And, as Adlai Stevenson pointed out in another recent article, the primaries impose a severe physical, financial, and time-consuming burden on the candidates.

A primary costs hundreds of thousands of dollars, while often exciting no contest at all. This year, for instance, will mark the first significant Democratic presidential contest in Wisconsin in 36 years.

It can be argued that a primary often fails to offer voters a meaningful choice. In 10 of the 15 States that permit presidential preferential polls, delegates to the national conventions are not bound, and often they are little influenced, by the voice of the people. In the remaining five States delegates are bound by the primary results. But in California a favorite-son delegation picked by the Governor will probably be unopposed. Indiana voters are expected to have no alternative to KENNEDY. In Maryland, WAYNE MORSE is the sole alternative to KENNEDY. In Oregon MORSE will run as a favorite son.

And what kind of choice will the Wisconsin voter really have on April 5? Only two of the five leading Democratic candidates are entered in Wisconsin. How about Symington or Johnson or Stevenson supporters? What choice do they have?

This weakness is only partly answered by the obvious fact that only KENNEDY and HUMPHREY chose to enter in Wisconsin. All candidates were free to enter. Presumably, any candidate really interested in the Democratic nomination, and who thought he had a very good chance in Wisconsin, would try to pick up the delegation by submitting his name.

Another weakness of the Wisconsin primary is that normally Republican voters, recognizing that Vice President NIXON is unopposed and little needs the prestige of a big vote in Wisconsin, can cross over in the primary. If they do so in sufficient numbers and the contest is otherwise reasonably close, Republicans can pick the Democrats' nominee.

One answer to this is that Republicans are American citizens, too. Why shouldn't they have a chance to influence the selection of the man who may be their next President? Of course, many Democrats won't buy this answer. They might, however, settle for the certainty that Republicans will be a minority, and probably a small one, in this Democratic primary.

In view of these serious weaknesses and imperfections, what can be said for the practice of having the plain voter play such a telling role in answering the big question?

There are three compelling arguments for the primary.

The first is that in an age of political apathy and indifference, of too much passive diversion and not nearly enough citizen responsibility, the presidential primary is exactly the kind of colorful, exciting, significant contest for public office that will persuade the citizen to discharge the active responsibility that he so rarely is called upon to assume. This is good for the voter as a man and as a citizen.

Besides, there is no more important activity for men who want to be President of the United States than to get out and talk about the Nation's problems with the Nation's citizens. It is too often a temptation for candidates to avoid this most essential obligation to democratic leaders.

Wisconsin today affords an excellent example of the benefits to the voters of a presidential primary campaign. In the past 9 years I have campaigned intensively five times for statewide office in Wisconsin. I have met and shaken hands with well over a million Wisconsin citizens during this time. Since the presidential campaign began in earnest in Wisconsin, I have once again been out in the State talking with thousands of farmers and workers, tavern keepers and hardware merchants, housewives and college students. A sharp and exciting change has come over my State in the past few weeks.

Besides the irrelevant conversations, there is also a gratifying amount of talk about KENNEDY'S battle for labor reform and HUMPHREY'S fight for the dairy farmer; discussion of KENNEDY'S strikingly thoughtful, logical, informed replies to questions—his impressive mental equipment—and of HUMPHREY'S broad and deep competence in everything from fiscal policy to foreign policy.

Secondly, the primary makes sense because no one—not brilliantly informed delegates, not hard-working party leaders, not mayors or Governors or Senators—has as much right to say who should be the elected officials of a democracy as the plain voter—all the voters. And this should apply most strongly to the elective office that constitutes the greatest authority and heaviest responsibility the American people can give to any man. It should apply particularly to the primary system, because this reduces the choice of presidential candidates to two and affords the only real choice for the millions of Americans who consistently vote for one or the other of the major parties in November.

This is true not only because of the faith all Americans presumably share in popular democracy. It is true also on the practical ground that the plain voter, with all his shortcomings, will usually give a better answer than the political professionals in casting his vote. He will do so because he will usually ask the right question.

It has been my experience through three losing and two winning statewide campaigns that the voter almost never votes for a man simply because he thinks he will win. On the other hand—as I will try to show a little later—this is by all odds the major consideration of the party leader, the public official, the delegate.

Instead, the voter usually tries to answer the following question with his ballot: Who will make the best President of the United States? Often he may not have enough information to arrive at the right answer, but frequently he will. Today there is the magic of television and radio. Newspapers are reporting more fully, fairly and accurately than ever before. And both HUMPHREY and KENNEDY will have talked directly and personally to tens of thousands of Wisconsin citizens by election day.

After this kind of intensive campaign most plain voters may have a closer understanding of the characters, the minds and the attitudes on big issues of the candidates than Americans have generally had throughout our 170 years of democracy.

The third reason I vote for the primary system is the extremely serious weaknesses of the alternatives. The prime alternative is the selection of delegates by a State convention. Thirty-five States do this exclusively with no public presidential poll.

Why should such delegates—enjoying the wise and personal influence of party leaders, Governors, Senators, newspaper editors, top business and labor officials—usually better informed and more deeply interested than other voters—why should these delegates be considered such a grim alternative?

The answer is evident to anyone who has thoughtfully attended a State convention. Often a party chairman, a Governor or an unofficial but potent leader will actually select the delegation to the national presidential convention. In doing so, the leader, if his power is great enough, will pick delegates who will be amenable to his persuasion. Otherwise, he will unite with other party leaders until they can put together a strong enough combination to win convention approval. In any event, State conventions select the men and women who will represent the State in determining the presidential nominee on an emphatically partisan basis.

There is one all-pervasive and consistent principle: dedication to the welfare and success of the party as an entity. This is rarely the national party. It is far more often the State party—or even the dominant faction of the party within the State. The convincing argument is: What candidate can do the party the most good? The answer to this is usually—though not always—which candidate can win? Even a nationally winning candidate may not be best for the leaders in each State.

This victory criterion is the dominant one, but it is not the only basis of selection. The criterion in some cases may be: Will he help the ticket most in our State? The answer in New York may be quite different from that in Mississippi.

In both State and National conventions idealism is obvious. There is earnest concern with the national interest and a desire to nominate the man who will serve the Nation most ably. But the cry that never fails to bring partisan delegates up fighting in the intensely partisan atmosphere of a convention is "The man who will win in November."

From years of experience in campaigns, from public opinion polls, from scattered primary election results the delegates in general make the best guess they can as to who will be most likely to win in November. Of course, their decision is tempered. Even the most popular candidate cannot win if he is not acceptable, for whatever reason, to enough powerful State leaders. But, by and large, the decision is a giant guess on who has the best chance in November.

How much better to go directly to the voter, as Wisconsin is doing, and let him decide. At least let him decide how the votes of his own State should be cast at the national convention, after the voter has asked himself, not who will win, but who will make the best President.

I vote for the primary with all its obvious weaknesses, and though it has been losing ground. From its high point of 22 States, it was down to 19 States in 1956. It has fallen to 15 this year, and in 1964 the number will probably be even less.

Even in my own Wisconsin, where the Nation began the process of popular participation in Presidential campaigns by the first direct election of delegates to national conventions in 1905, the primary is in serious danger. The largest newspaper in Wisconsin has asked that State officials give earnest consideration to abolishing it. Top officials of both parties in Wisconsin will be sorely tempted to do so. With the grief the primary causes party organizations when it works, the wonder is that it has survived as long as it has.

For those who believe in popular democracy, the death of the Presidential primary

would be a tragedy. If the Presidential primary disappears, a passive, apathetic America will slumber deeper than ever, as the real decisions on who should be President of the United States are determined by a small group of deeply interested men and women in an atmosphere of almost irresistible partisanship.

No one would contend that the present, incomplete system of primaries is perfect, and many of us think the whole nomination process should be overhauled. To this end I shall introduce in the Senate in the near future a proposal for a constitutional amendment for a nationwide Presidential primary through which the rank-and-file voters could choose their own candidates.

Public opinion polls over the past few years have indicated that an overwhelming majority of Americans, no doubt disillusioned by what they have seen of the national conventions since televised coverage began in 1948, favor such a national primary and want a bigger share in choosing Presidential candidates.

I propose that in August of Presidential election years there be a nationwide primary vote to nominate the Presidential candidate in each party which qualified by having polled at least 10 percent of the vote in the previous Presidential election. To appear on the primary ballot, a candidate must submit a petition signed by qualified voters equal to at least 1 percent of the total vote cast for all Presidential candidates in the previous election. These petitioners must be residents of at least six different States, including two of the States with the largest populations, two medium-sized States, and two small States. If none of a party's candidates receives a majority, a run-off primary will be held in September between the two in each party with the greatest number of votes.

Tens of millions of American citizens would thus select the two men who would carry the banners of the Republican and Democratic parties in November. The parties would continue to hold national conventions following the primary, in order to nominate their Vice Presidential candidates and to write their platforms. Platform writing could then enjoy the attention it deserves. The party platform would also be, as it should be, the direct responsibility of the party's Presidential nominee.

I would accompany this proposal with an election-spending law directly relating to these primaries. The law would (1) limit the amount that could be spent by, or on behalf of, all candidates, and (2) require full disclosure of all contributions and expenditures, above a modest minimum amount, 72 hours after being received or paid out.

This highly desirable reform will undoubtedly take some time to bring about—if, indeed, it is ever achieved—but in the meantime we should retain the primaries we have, so that there is at least some opportunity for plain people to influence the nomination.

The presidential primary is not yet dead. It desperately needs improvement. But it is well worth fighting for and saving.

The big issue in this Congress in 1960 has been the battle over the right of all Americans—specifically the southern Negroes—to vote. What a paradox it is that, at the very time we are so deeply and properly concerned with this fight, we are passively permitting almost all Americans to lose the big share of their presidential franchise.

In an America that was founded and has flourished on democracy and that is still dedicated at great cost and risk to fighting for democracy throughout the world, the right of at least some plain Americans to have a voice in the primary election of their President should be enlivened, not killed.

# SENATE

## TUESDAY, MARCH 29, 1960

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Dr. Julius Mark, senior rabbi, Temple Emanu-el, New York, N.Y., offered the following prayer:

Almighty God and Father, for ages past men have sought Thee. Where might they find Thee? How might they know Thee? Thou art as close to us as breathing, yet art farther away than the farthermost star. Thou art as familiar to us as the light of the sun, yet art as inscrutable as the vast solitudes of the night. To the seer of old Thou didst say: "Thou canst not see my face, but I will cause all my goodness to pass before thee."

Thus, Thy presence is manifest in the goodness which dwells in the hearts of all—whether they occupy stations that are exalted or humble—who strive to make this world a happier place for Thy children of all races, religions, and nations to inhabit by strengthening the bastions of freedom and forging more securely the bonds of human brotherhood in Thy fatherhood. Bless Thou the Members of this great legislative body, the Senate of the United States, who have been chosen by the citizens of our country to preserve and advance our precious democracy.

Gathered in this great Capital City, upon the invitation of the President of our country, are thousands of citizens from every section of our land to deliberate upon how best they can assist our children and youth to assume the responsibilities of citizenship in a nation dedicated to liberty. Wilt Thou, O Father, cause them and all of us to realize that if we build in wood, it will some day rot. If we build in marble, it will crumble before the onslaughts of time. Even if we build in steel, it is destined to flow as water before the melting processes of the universe. But if we build in human character—if we build usefulness, integrity, respect for law, and simple goodness in the lives of our youth—then we build for eternity. 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 28, 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, without amendment, the bill (S. 1159) to facilitate the acquisition of real property under the District of Columbia Alley Dwelling Act.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 10000. An act to amend further certain provisions of the District of Columbia tax laws relating to overpayments and refunds of taxes erroneously collected;

H.R. 10183. An act to amend the Fire and Casualty Act regulating the business of fire, marine, and casualty insurance in the District of Columbia;

H.R. 10684. An act to amend sections 1 and 5b of the Life Insurance Act for the District of Columbia;

H.R. 10761. An act to provide for the representation of indigents in judicial proceedings in the District of Columbia;

H.R. 10964. An act to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended; and

H.R. 11389. An act making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1961, and for other purposes.

## HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 10000. An act to amend further certain provisions of the District of Columbia tax laws relating to overpayments and refunds of taxes erroneously collected;

H.R. 10183. An act to amend the Fire and Casualty Act regulating the business of fire, marine, and casualty insurance in the District of Columbia;

H.R. 10684. An act to amend sections 1 and 5b of the Life Insurance Act for the District of Columbia;

H.R. 10761. An act to provide for the representation of indigents in judicial proceedings in the District of Columbia; and

H.R. 10964. An act to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended; to the Committee on the District of Columbia.

H.R. 11389. An act making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1961, and for other purposes; to the Committee on Appropriations.

## COMMITTEE MEETINGS DURING SENATE SESSION

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

The Veterans' Affairs Subcommittee of the Committee on Labor and Public Welfare.

The Subcommittee on Knowles Dam, of the Committee on Interior and Insular Affairs.

The Committee on Foreign Relations.

The Judiciary Subcommittee of the Committee on the District of Columbia.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the NASA Authorization Subcommittee of the Committee on Aeronautical and Space Sciences was authorized to meet during the session of the Senate tomorrow.

Mr. JOHNSON of Texas subsequently said: Mr. President, as I understand