importance of enacting a States water rights bill that will accomplish the desired purpose of protecting water rights vested under State laws.

RECOMMENDATIONS

The following recommendations embody principles essential to a well-rounded yet progressive irrigation and reclamation program to be correlated with and complementary to a national program of development, utilization, and conservation of our Nation's water resources.

It is recommended that:

1. Where opposition to water development programs exist, officers, members of, and delegates to, the National Rivers and Harbors Congress should act without delay to neutralize such opposing influences with any effective means available at local, State, and National levels.

2. Authorization and construction should not be subjected to a stop-and-go policy. Funds for reclamation portions of multiple-purpose developments should be increased and maintained at a level that would be consistent with the annual gross national product.

3. The Congress of the United States should establish the policy and criteria under which all Federal water development projects will be authorized and constructed.

4. On multiple-purpose projects, wherever practicable, the development of water resources should be preceded by basinwide planning.

5. Power revenues derived from Federal projects should be used on a basinwide or areawide basis to assist in repayment of irrigation allocations on Federal projects.

6. The principle of the interstate compact should be encouraged in order to avoid litigation between and among States and to preclude domination of the development and control of natural resources by Federal agencies.

7. Procedures under which Federal water resources projects are investigated and reported should be simplified.

8. Criteria under which Federal agencies evaluate water resource development projects before submitting them to Congress for authorization or construction should be reviewed and reestablished to include consideration of all future benefits.

9. Basic land and water inventories, soil and water research, snow surveys and stream forecasting should be continued, expanded, and modernized in order to provide adequate data for current and future planning.

10. The use of conservancy-type districts capable of levying taxes on project beneficiaries as agencies to execute repayment contracts with the Federal Government should be encouraged in order to more equitably allocate costs of a project and meet the burden of expensive and complex project construction.

11. In planning and constructing water resource projects the principle of supplying supplemental water to lands presently inadequately irrigated should be given priority over bringing new lands into cultivation.

12. It is further recommended that the National Rivers and Harbors Congress, through its executive offices and appropriate committees:

(a) Accelerate its campaign in support of a water-utilization program designed to fully develop our land and water resources placing special emphasis on starting new water development projects that are financially feasible and economically justified;

(b) Continue to bring to the attention of the executive and legislative branches of our Federal Government the need for a continuous, progressive, planned program of project authorization;

(c) Urge and actively support adequate appropriations for investigating and planning conservation water-use projects:

(d) Support legislation requiring compliance with and adherence to State water laws by Federal agencies.

(e) Support legislation to require Federal agencies to employ more liberal and realistic criteria in their evaluation of water development projects prior to authorization and construction.

SUMMARY

In summary, the purposes of the committee on irrigation and reclamation of the National Rivers and Harbors Congress shall be to promote the development, control, conservation and utilization of the Nation's water resources, to work for the continuation of the services and the coordination of activities of Federal agencies dealing with water resources, to cooperate with and assist in securing authorization and construction of Federal conservation water-use projects which meet with the approval of States and local agencies, to assist water users of the Nation in the economic development of river basins, to preserve the rights and interests of the States in their water resources, to promote the enactment of legislation favorable to these principles.

---

# SENATE

## TUESDAY, JUNE 21, 1960

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

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

Most merciful God, who art the fountain of all grace, the source of all goodness, in whose keeping are the destinies of men and nations:

Before our wistful yearnings break into the faltering words of our stammering tongues, Thou seest our deepest needs. Every thought of every heart is fully known to Thee.

Open our eyes to the futility of changing systems and maps without changing men. Make us aware and sensitive to the beauty and strength of a spiritual world more real even than the dust beneath our feet, or June gardens where loveliness reigns—more real than the feathered songsters that wing their trackless way above our heads.

As those in whose unworthy hands have been placed the crying needs of stricken humanity, may the thoughts of our minds, the sympathies of our hearts, the words of our lips, and the decisions of our deliberations be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

### THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 20, 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 a joint resolution (H.J. Res. 765) making a supplemental appropriation for the Department of Labor for the fiscal year ending June 30, 1960, and for other purposes, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 1543. An act for the relief of Angela D'Agata Nicolosi;

H.R. 2007. An act for the relief of May Hourani;

H.R. 3242. An act for the relief of Mrs. Virginia Lee Sage;

H.R. 5530. An act for the relief of Lelia Bernstorff Grauert;

H.R. 5738. An act to authorize the Secretary of the Army to transfer to the Waukegan Port District the commitment of the city of Waukegan, Ill., to maintain a public wharf in Waukegan Harbor on land conveyed to the city in 1914, and for other purposes; and

H.R. 5850. An act for the relief of the Borough of Ford City, Pa.

### LIMITATION OF DEBATE DURING MORNING HOUR

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

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

Is there morning business?

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

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

### COMMITTEE MEETINGS DURING SENATE SESSION

On the request of Mr. MANSFIELD, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary and the Committee on Foreign Relations were authorized to meet during the session of the Senate today.

On request of Mr. JOHNSTON of South Carolina, and by unanimous consent, the Subcommittee on Trading With the Enemy Act of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Education of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

## EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON NUMBER OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff, on March 31, 1960 (with an accompanying report); to the Committee on Armed Services.

CONTRACTS COVERING DRAINAGE CONSTRUCTION PROGRAM ON ROZA DIVISION OF YAKIMA PROJECT, WASHINGTON

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, drafts of contracts covering drainage works and minor construction required for completion of the drainage construction program on the Roza division of the Yakima project, Washington (with accompanying papers); to the Committee on Interior and Insular Affairs.

CONTRACT FOR DRAINAGE WORK, WELLTON-MOHAWK DIVISION, GILA PROJECT, ARIZONA

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a draft of contract relating to proposed drainage work, exceeding a total cost of $200,000, on the Wellton-Mohawk division, Gila project, Arizona (with accompanying papers); to the Committee on Interior and Insular Affairs.

## EXPRESSION OF THANKS FROM CHILEAN SENATE

The PRESIDENT pro tempore laid before the Senate a letter from the Assistant Secretary of State, transmitting a telegram dated June 9 from the American Embassy in Santiago, Chile, conveying a message from the Chilean Senate to the United States Senate expressing appreciation for the assistance given to Chile in connection with the recent disasters, which, with the accompanying paper, was ordered to lie on the table.

## RESOLUTION OF BROOKLYN, N.Y., INSURANCE AGENTS ASSOCIATION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Brooklyn Insurance Agents Association, Inc., of Brooklyn, N.Y., relating to the public debt.

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

Whereas it is our considered opinion that the constantly decreasing value of the American dollar has been brought about mainly through the steady increase in Government spending, bringing the public debt of the country to an all-time high; and

Whereas the interest and refunding of the public debt together with the steadily rising costs of Government services requires a tax-load on the American public which is fast approaching the confiscation stage; and

Whereas there is constant pressure by various groups for more and more so-called welfare legislation, whereby the public debt would be further increased, or alternatively, taxes would be increased to meet the costs of such projects; and

Whereas this association representing the insurance agency business in Brooklyn believes the time has come to call a halt to Government spending for any but defense purposes and the most essential services: Now, therefore, be it

*Resolved*, That we call on our representatives in Congress to actively oppose any legislation that would further increase the public debt, or increase the already heavy tax-load on the people, and that they further oppose any legislation that will extend the present "creeping" inflation in our American economy; and be it further

*Resolved*, That a copy of this resolution be sent to each Senator from New York, and to each Representative from Brooklyn in the Congress.

BROOKLYN INSURANCE AGENTS ASSOCIATION,
By W. F. STANZ, *Secretary*.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

H.R. 10695. An act to provide for the rotation in oversea assignments of civilian employees under the Defense Establishment having career-conditional and career appointments in the competitive civil service, and for other purposes (Rept. No. 1624).

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

S. Res. 336. Resolution extending greetings to Miss Helen Keller on the occasion of her 80th birthday (Rept. No. 1625).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 9201. An act to validate certain mining claims in California (Rept. No. 1626).

## REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Administrator of General Services that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

## BILLS INTRODUCED

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

By Mr. JAVITS:

S. 3706. A bill to establish a medal to be known as the Presidential Medal for Civilian Achievement to provide recognition for certain persons who have made outstanding contributions in the arts, sciences, and related fields, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. HOLLAND:

S. 3707. A bill for the relief of John E. Beaman and Adelaide K. Beaman; to the Committee on the Judiciary.

S. 3708. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests in the United States in lands located in the State of Florida to the record owners of the surface thereof; to the Committee on Interior and Insular Affairs.

By Mr. THURMOND:

S. 3709. A bill to provide for the conveyance of certain real property to the City of Myrtle Beach, S.C., for National Guard purposes; to the Committee on Armed Services.

By Mr. MURRAY (by request):

S. 3710. A bill to provide for the withdrawal from the public domain of certain lands in the Granite Creek Area, Alaska, for use by the Department of the Army at Fort Greely, Alaska, and for other purposes; and

S. 3711. A bill to provide for the withdrawal from the public domain of certain lands in the Big Delta Area, Alaska, for continued use by the Department of the Army at Fort Greely, and for other purposes; to the Committee on Interior and Insular Affairs.

## PRESIDENTIAL MEDAL FOR CIVILIAN ACHIEVEMENT

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to establish a medal to be known as the Presidential Medal for Civilian Achievement. The bill would authorize the President of the United States to award annually 25 Presidential medals for civilian achievement to individuals whose outstanding contributions in public service, the arts, sciences, and related fields deserve national recognition.

The award would be called the Presidential Medal for Civilian Achievement and carries with it a cash grant of up to $10,000 which would be tax exempt under existing law; no grant would accompany the posthumous award of the medal. Under the terms of the bill, any citizen or national of the United States would be eligible to receive a Presidential medal, as well as any alien legally admitted to this country who is in the process of applying for citizenship and is eligible to become a naturalized citizen.

The awards would be made by the President following his receipt of recommendations from a special Medal for Civilian Achievement Board composed of 15 members, including 9 appointed by the President—3 from the executive branch and 6 from private life—3 selected by the President of the Senate and 3 more appointed by the Speaker of the House of Representatives.

The Presidential Medal for Civilian Achievement would represent the highest honor that any U.S. civilian could receive. It would be the equivalent of the Congressional Medal of Honor awarded for wartime heroism by members of the U.S. armed services.

My reason for introducing the bill is to codify in one place, at one time, the fact that a great free people like ours knows how to recognize outstanding and unusual distinction in the fields of public service in national affairs, social and spiritual betterment, science, health and medicine, education, letters, the arts, law, engineering, agriculture, labor, industry and related fields. The principal means of recognizing such U.S. civilian contributions today comes from private sources such as the Ford, Rockefeller, and Carnegie foundations and through the awarding of the Pulitzer and Bollingen prizes, among others, and through the establishment of special chairs at universities and colleges.

It seems to me that our Nation ought to give such recognition. We do not create knights or baronets or marquis, but it seems to me to be essential that we provide for such award in this tremendous struggle for freedom in which we are engaged, and give this kind of recognition and distinction.

Our Federal Government has an awards program limited to the Fermi and Lawrence awards of the Atomic Energy Commission and the President's Award for Distinguished Federal Civilian Service for presentation to Government employees, created by President Eisenhower 3 years ago. Last year Congress made provision for a National Medal of Science—a program which has not yet gotten under way.

On occasion, Congress has authorized the President to award medals to individual civilians for various services and acts of heroism; as witness, for example, the awarding of a medal the other day to Robert Frost, the poet.

However, none of these programs or individual awards to civilians is equivalent to those in countries like England, Sweden, Netherlands, Denmark, France, Austria, Argentina, and the U.S.S.R. No one U.S. award now carries with it the official recognition and respect of the U.S. Government and 180 million Americans for a job done beyond the line of duty. President Eisenhower has repeatedly asked Congress to establish such a program, and the request was made again in this year's budget for an awards program giving "suitable recognition in the United States for distinguished achievement."

The United States, more than any country on earth, should have such a program. We are the world's mightiest democracy and our free institutions need constant replenishment from the initiative, drive, zeal and accomplishment of the individual who while exercising freedom of choice, voluntarily works for human betterment and the advancement of all mankind. A permanent program of Presidential medals would further strengthen our national morale and in so honoring civilian achievement, it would help spell out our national purpose and our pursuit of peace to our allies and friends abroad.

This kind of recognition is one of the elements of our growing up. I sincerely hope the bill may have the very early attention of Congress. I believe such a proposal can help tremendously in the struggle in which we are engaged, in building up the morale of our country, and in showing that we respect and honor in a very appropriate way our outstanding citizens.

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

The bill (S. 3706) to establish a medal to be known as the Presidential Medal for Civilian Achievement to provide recognition for certain persons who have made outstanding contributions in the arts, sciences and related fields, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

## FEDERAL HIGHWAY ACT OF 1960—AMENDMENT

Mr. WILLIAMS of Delaware (for himself and Mr. FREAR) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 10495) to authorize appropriations for the fiscal years 1962 and 1963 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, which was referred to the Committee on Public Works and ordered to be printed.

## COMMISSION ON NOXIOUS PRINTED AND PICTURED MATERIAL—AMENDMENT

Mr. MUNDT submitted an amendment, in the nature of a substitute, intended to be proposed by him to the bill (S. 3325) creating a Commission to be known as the Commission on Noxious Printed and Pictured Material, which was referred to the Committee on Government Operations and ordered to be printed.

## RETIREMENT BENEFITS PROTECTED AGAINST INCREASES IN COST OF LIVING—ADDITIONAL COSPONSOR OF BILL

Mr. McNAMARA. Mr. President, I ask unanimous consent that the name of the senior Senator from Minnesota [Mr. HUMPHREY] may be added as an additional cosponsor of the bill (S. 3684) to assist individuals to obtain retirement benefits protected against increases in the cost of living by providing for the issuance by the Treasury of a new series of bonds containing adjustments, under certain conditions, in maturity and redemption values to compensate for increases in the cost of living which may be purchased by individuals and eligible institutions, introduced by me on June 16, 1960, on behalf of myself and other Senators.

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

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

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

By Mr. MUNDT:

Address delivered by Senator STYLES BRIDGES, at the FBI commencement exercises in Washington, D.C., June 8, 1960.

## GOVERNOR'S CONFERENCE ON AGING—ADDRESS BY GOVERNOR GAYLORD NELSON, OF WISCONSIN

Mr. PROXMIRE. Mr. President, Governor Gaylord Nelson, of Wisconsin, delivered an extremely fine address on the subject of the elderly. Before I put it in the RECORD, I wish to read the last brief paragraph, in which he said:

Beyond all of this, we must set our goals far above the old standards of mere custodial care. We are dealing with human beings, many of them retaining great talents and abilities, many possessing knowledge and judgment only acquired after many years of experience. Our entire society is the real loser if we fail to use the full potential of every elder citizen, in government, in industry and in civic activities. What I am saying is quite simple. We must stop thinking of our senior citizens solely in terms of their disabilities. We must begin in terms of their abilities, and in terms of how much these abilities can contribute to our communities, our State, and our Nation.

I ask unanimous consent that the address by Governor Nelson be printed in the RECORD, at this point.

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

SPEECH BY GOV. GAYLORD NELSON, GOVERNOR'S CONFERENCE ON AGING, MEMORIAL UNION, MADISON, WIS.

Aging has different meanings for different people.

To the doctor, aging means the changes in the human body that occur with the passage of time. Physicians agree that the onset of what we call old age cannot be measured by the calendar, but varies widely from person to person.

To the psychologist, aging refers to changes in the intellectual and emotional capacities of the individual. Again, the point of entry into old age varies widely. Today, we are discovering that earlier notions on the decline in intelligence and learning ability—assumed to occur rapidly past the age of 50—must be revised. The decline is less than once supposed. Most older persons are still well equipped to learn and function. There are even certain tasks where the older adult appears to exceed the younger in performance.

To the individual, entry into the later years is marked by the loss of the responsibilities of a job, frequently at an arbitrarily determined age. Retirement is generally preceded by the end of child-raising responsibilities, and the individual is thus given a chance to construct an entirely new pattern of life, built around leisure and the freedom to do what he wants. Unfortunately, many find themselves unprepared for this transition. They lack meaningful and challenging activities to replace those of earlier years. And in many cases, this situation further deteriorates as a result of declining income.

To society, the startling increases in our aging population present a major challenge. Modern medicine and ever-higher American standards of living have combined to raise life expectancy in the United States from 49 years in 1900 to almost 70 years in 1960. During the same period, mechanization has provided the means of increasing productivity while requiring less and less time from our work force. Thus, we have achieved two of the ancient dreams of mankind—the ability to live long and the chance to live out a portion of our lives without the iron necessity of work. Yet, paradoxically, the achievement of these dreams is referred to as a problem when it arrives. It is a problem because the wealthiest nation the world has ever known has not made timely provision for this new group of elder citizens. The success we have in meeting this challenge will become a measure of the humanitarian instincts of our society.

Despite a 21-year increase in life expectancy at birth, the person reaching 65 today does not have many more years ahead of him than his grandfather did at the same age. Life expectancy at 65 has only increased from 12 years in 1900 to 14 years in 1960. Most of the medical progress thus far has been in the reduction of mortality in infancy, childhood and early manhood.

Today, medical research is for the first time turning its attention to cancer, heart disease and the other causes of death in the later years. Even though this work has barely begun, however, the fact remains that the person reaching 65 this year still has one-sixth of his total life span ahead of him.

In Wisconsin today, 1 out of every 10 citizens is over 65, compared to 1 out of 20 in 1900. Wisconsin's proportion of people over 65 is about 10 percent above the national average. This is substantially higher than in California or any other State in the Southwest, and only slightly lower than in Florida.

These 395,000 elder citizens of our State have some definite characteristics. They are—and prefer to be—independent members of their communities. Less than 4 percent live in private nursing homes or in State and county institutions. Less than 30 percent live with their children. Two out of every three live in their own households.

The greatest immediate problems facing our elder citizens are money and medical care. People over 65 comprise about one-third of the entire "low income" group in the United States. In 1952, national estimates showed a median income of $2,276 for families headed by persons 65 and over and $803 for persons living alone.

The past 8 years have seen a pronounced improvement in income due to expansion of old-age and survivors insurance and to the introduction of mass industrial pension programs. The share of Wisconsin's elder citizens receiving OASI payments has increased from 14 percent in 1949 to 68 percent in 1958. And in the same period, the average OASI grant has increased from $265 a year to $732. These figures are indeed encouraging. But we should not delude ourselves into thinking that $732 a year provides any degree of economic security.

Personal health poses an even more tragic dilemma for our elder citizens. At the very time when their earning power is declining, their need for medical care greatly increases. The aged require about 2½ times more medical care than persons under 65 and have only one-third of the income.

The problem has also become critical because of soaring medical costs. The increase for all items on the consumer price index between 1948 and 1958 was 20 percent. Medical costs rose 43 percent, and hospital costs increased even more.

In the face of this cost-and-increase squeeze, a 1957 national survey showed that less than 40 percent of those over 65 had any form of health insurance coverage, and another survey the following year showed that only one elder citizen in 200 was covered against catastrophic medical expenses.

Both Wisconsin and the Nation have made important strides toward meeting this twin problem of income and medical care in the past few years. The increase in both payments and coverage under old-age and survivors insurance is part of this pattern, as are the introduction of mass pension systems and the State's old-age assistance program, which is one of the most liberal in the entire Nation.

We in Wisconsin have moved forward in other fields in the past year. We have passed a law prohibiting discrimination in employment because of age. We have authorized State standards of care and treatment in Wisconsin's 38 county mental hospitals, which means better treatment for the 4 out of every 10 people in these institutions who are over 65. We have made major changes in procedures at the University of Wisconsin Hospital, promoting greater use by public patients. We are well along on a study of basic tax revision, and one of the basic goals of this study is relief of the property taxes that are so harsh on those with fixed incomes. We have instituted an examination of retirement policies in State government. Finally, in one of the proudest accomplishments of this State administration, we have changed the statutory definition of "total disability" to conform with the Federal interpretation, thereby permitting almost four times as many Wisconsin residents to qualify for total disability payments. Today, more than 180 people a month are being transferred from local relief rolls to total disability rolls. The average grant to those transferred has jumped from $64 to $107 a month, or 67 percent. By August, more than 2,000 citizens will be transferred to total disability rolls, or almost 1 out of every 10 receiving general relief at the time the new act went into effect. And an additional 1,100 people will be approved for total disability payments who were never on relief.

This means a substantial saving in local property taxes that go to pay for general relief. Far more important, however, it means that more than 3,000 disabled people will get anywhere from $30 to $100 more per month. Everyone here knows how often such increases can spell the difference between poor health and good health, between human misery and human dignity.

More—much more—remains to be done. We should study the possibility of a publicity campaign aimed at the employment of older workers, on the order of the present campaign for employment of the handicapped. We should examine the terms in workmen's compensation and pension programs to see if they inhibit the hiring of older workers. We should investigate broader use of our State vocational rehabilitation program to retrain elder citizens. And we should provide State guidance and planning help for the whole scope of problems facing the aged, ranging from housing to nursing homes to civic programs to recreational needs.

State planning assistance offers many bright hopes. Unknown to most, for example, and unheralded, Wisconsin is developing a new kind of community—the retirement village. In the lake region of southwest Kenosha County, resort communities are developing large clusters of retired Chicagoans who live there year round. This could be duplicated in other resort areas around the State. But the process to date is haphazard, and no community has attempted to offer facilities or make itself attractive for this kind of development. Planning assistance can open the door to this and many other opportunities.

On the Federal level, I think we must give early consideration to raising the $1,200 earning level permitted before reduction in social security benefits. And we must act now to meet the medical care and hospital needs of our senior citizens. This matter has been before the Congress for several years. The problem has been well studied and all of the various viewpoints fully presented to the Congress and the public. The time has come for action and such action to be considered adequate must do the following: (1) Guarantee good, comprehensive health services to senior citizens now and in the future without regard to their income, where they may live, increases in health costs, or the willingness of State legislatures to appropriate funds. (2) Recognize that most States, particularly the low-income States, will be unable to financially assist, in whole or in part, in meeting this problem with any degree of adequacy without impairing other services. (3) Avoid expensive administrative procedure which will limit funds available for needed benefits. (4) Minimize the means test approach to this problem and recognize health care as a basic human right to which all people are entitled.

Thus, I believe that the most direct and simplest way to meet the objective is to provide health and hospital benefits under the provisions of the old-age and disability insurance program. I urge you to do everything in your power to obtain congressional action immediately.

Beyond all of this, we must set our goals far above the old standards of mere custodial care. We are dealing with human beings, many of them retaining great talents and abilities, many possessing knowledge and judgment only acquired after many years of experience. Our entire society is the real loser if we fail to use the full potential of every elder citizen, in government, in industry and in civic activities. What I am saying is quite simple. We must stop thinking of our senior citizens solely in terms of their disabilities. We must begin thinking in terms of their abilities, and in terms of how much these abilities can contribute to our communities, our State, and our Nation.

Thank you.

## MEDICAL NEEDS OFTEN CONSUME ENTIRE INCOME OF SENIOR CITIZENS

Mr. PROXMIRE. Mr. President, letters pouring into my office continue to tell the story of senior citizens of this Nation caught in the trap of sudden staggering debts incurred through illness, and literally eliminating their income.

Our senior citizens actually are forced, in many cases, to sign over to hospitals their entire social security checks each month, sometimes for a period of years. Is this the situation that we want to confront our senior citizens during their retirement years? If we answer in the negative, then we must act, quickly and effectively, before this Congress adjourns.

Mr. President, I have here a letter which tells that very tragic story. I ask unanimous consent that it be printed in the RECORD at this point.

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

I hope the Senate will pass some kind of a health bill for the old people. I am collecting $49 per month social security. The first part of May I was in a hospital for 12 days having undergone a major operation. So now I will pay the bill with my social security check for the next 27 months. I will sign my social security check over to the hospital. I am 67 and I will be almost 70 before I will have another social security check for myself.

Yours truly,

——— ———.

## TAX DEDUCTIONS FOR ENTERTAINMENT

Mr. BENNETT. Mr. President, last Friday I was charged with having sabotaged a conference by opposing in conference things I had opposed on the floor.

Yesterday I opposed the amendment to the rate extension bill which would deny expense deductions for entertainment and for gifts. So, frankly, if what I am saying today should sabotage this particular amendment in conference I am doing it openly because this time I will not be a conferee.

The amendment denies deductions for entertainment without defining them, allowing unlimited expenditures for both food and drink.

Reference was made yesterday to the use of company yachts. The amend-

ment does not deny expenditures for transportation or lodging of customers. Yachts provide transportation and lodging as well as food and drink. So I assume that if the yacht had a specific destination, the amendment would allow deductions for its use. On the other hand, a seller could not take his customer to a ball game or pay his green fee for a round of golf because this is obviously entertainment.

As I said last night, the amendment leaves a wide open question as to whether food and drink can be purchased in a place where entertainment is provided, ranging from a string quartet playing dinner music to a nightclub with a floor show.

Because travel and lodging are not eliminated, it seems to me this amendment permits sales conventions and dealer education programs, so long as they provide no entertaining relaxation.

But what about the company picnic, which is certainly entertainment? Would it be denied by the bill?

When we get into the area of gifts, the problem, in my opinion, becomes impossible.

I should like to raise this question for the information of the conferees. If unlimited expenses for food and drink are permitted, does not that destroy the $10 limit if the gift is of food or drink?

I see the Senator from Pennsylvania present. It was stated last night that if a box of Senator BYRD's apples cost $10, he could not give them. I think if apples are food, he could certainly give any amount of them away, and still claim a deduction. Under the amendment as it was written, it would be possible for the seller to give his customer an unlimited supply of whisky and champagne. It could not be said drinks could be given only when they are served with a meal, because in my State it is against the law to serve a drink with a meal. If one wants to give a customer a drink, he would have to buy him a bottle.

So that leaves the question, What is a gift? Is it anything of value given to a customer without charge? For instance, does it include sales helps? In the paint business, the manufacturer supplies color cards to dealers. Is that a gift? Is the total value of such helps that may be provided without loss of the deduction limited to $10? Does the limit include sample kits, or special display devices, or window displays, if they cost more than $10? Is there going to be a limitation of $10 on these things in combination when so supplied?

Would the bill eliminate prizes for contests, since they are gifts? I suppose a case could be made for eliminating advertising giveaways. What about bonuses paid by manufacturers to wholesalers and their customers, and salesmen, as a part of a sales promotion program? And what about prizes and scholarships for students?

A little while ago Mrs. Bennett and I attended the American table dinner contest, which was a dinner given by General Mills to high school girls who, in each State, had won a contest, which I think included cooking with General Mills products. There were prizes given, including scholarships. They are gifts worth more than $10. Would such prizes be denied under the bill?

In my State there are a number of corporations that give scholarships at local universities to deserving students. Would the bill deny these?

Finally, what about the traditional gold watch to the retiring employee after a lifetime of service?

These are only a few of the problems created by the bill.

On the other hand, the Senator from Utah thinks the bill is incomplete, because it leaves the company free to pay travel and hotel bills, and in the area of entertainment and gifts, it strikes down many things which its authors did not intend to strike down.

I hope the conferees will recognize this weakness in the bill and eliminate the amendment. At the same time I hope the conferees will recognize the abuses that exist and will cooperate with the two committees involved and the Treasury to develop both legislation and regulations by which these abuses can be eliminated.

I think it would be completely appropriate if the conference report recognized this problem and made some statement which could later lead to what I think would be a more effective solution of the problem.

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

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The time of the Senator from Utah has long since expired. Does the Senator wish to ask for additional time?

Mr. CLARK. Mr. President, I ask unanimous consent that the Senator may retain the floor for not more than 1 minute, in order that I may direct a comment to him.

The PRESIDING OFFICER. Will 1 minute be enough?

Mr. CLARK. Yes.

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

Mr. CLARK. Mr. President, I shall reply on my own time to the Senator from Utah. I hope he will be present. I disagree with every single one of the interpretations the Senator has given of the amendment. I can only conclude that my good friend, for whose ability and integrity I have the highest regard, would never have made these suggestions had he been a lawyer.

Mr. BENNETT. The Senator from Utah is a businessman and has had experience with all these problems. I think the meaning of the amendment is so simple and so clear that it would undoubtedly have the effects I have mentioned.

---

## THE LASSIE LEAGUERS

Mr. SALTONSTALL. Mr. President, our country owes much to the many people who have worked hard to build it to its present position as leader of the free world. Our moral code and our spirit of friendly cooperation with other nations have been the keynote of this world leadership.

This spirit was not built by accident. It is one which needed the encouragement of dedicated people.

The education which produced our present leaders began when they were very young. So today, to educate our country's future leaders we must begin in their youth. The President has recognized this need to build in his proclamation of National Youth Fitness Week which began the 1st of May of this year.

To encourage youth fitness we must build both the mind and the body—best of all is the activity which builds them together. For girls between the ages of 10 and 15, one of the most attractive and enjoyable activities with this purpose is the Lassie Leaguers, which has its international headquarters in Worcester, Mass. This organization was founded in Pennsylvania in 1953, and moved its headquarters to Worcester in January 1959. It presently has franchised leagues in 10 States and some 10,000 girls are playing lassieball, over 1,500 of them in Massachusetts, which is a game similar to softball, and especially designed to suit the needs of girls in the 10 to 15 year age group. Its emphasis is on development of mind and body, without the pressure of all-out competition.

Any of my colleagues who have individuals in their States who wish to participate in this activity may write to Mr. Lawrence A. Bacon, the executive director, at the international headquarters of Lassie Leaguers, Inc., 18 Auburn Street, Worcester, Mass. Mr. Bacon will be pleased to provide the particulars of this game which is now achieving national recognition. Mr. Bacon is one of those dedicated individuals to whom the future of our present day youth is very important.

My colleague, the junior Senator from Massachusetts [Mr. KENNEDY] joins with me in paying tribute to this fine organization.

### SALUTE TO THE LASSIE LEAGUERS

Mr. CLARK. Mr. President, today is Lassie League Day in Mahanoy City, Pa., and it is a pleasure to welcome to Washington and to the Senate galleries a group of young ladies who make up the Mahanoy City Lassie League, along with their team managers and officers, and some of their mothers.

Lassieball gives girls of 10 to 15 an opportunity to play a game similar to baseball, organized on the national level.

In a community like Mahanoy City, which is plagued by the economic problems that distress so many Pennsylvania areas, it is particularly important to have organized recreational activities providing constructive outlets for youthful energies. The adults of Mahanoy City who are devoting their effort and time to working with the girls of the Lassie League are to be commended on a worthy job, well done.

As a fan both of baseball and of girls, I look forward to a chance to see a game of lassieball. I am sure that irresistible combination makes it a delightful sport to watch.

I ask unanimous consent to insert in the RECORD the names of the members of this group.

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

MAHANOY CITY LASSIE LEAGUERS

Lassie Leaguers: Gwen Eichman, Cathey Tierney, Monica Gabuzda, Audrey Palulis, Nelda Palulis, Sherry Gavel, Stephanie Perry, Donna Perry, Kathy Petrucka, Grace DiLabio, Ginny Butcavage, Victoria Pleszkoch, Judy Ulshafer, Marie Merinsky, Kitty Minnick, Andrea Geshan, Jean Elchisak, Janet Wirtz, Celeste Whalen, Kitty Green, Helene Starkey, Sonia Syzdek, Lucille Salvadore, Jane Dower, Carol Koval, Mary Jane Picciano, Barbara Nolter.

Managers of the teams: Mrs. Catherine McCann, Mrs. Eunice Palulis, Mrs. Anna Streisel, Miss Kathleen Paris, Miss Elsie Tolan, Miss Judy Boner, Miss Doretta Jones.

Mothers of the Lassie Leaguers: Mrs. Natalia Gabuzda, Mrs. Anna Merinsky, Mrs. Betty Nolter, Mrs. Eleanor Whalen, Mrs. Mary Geshan, Mrs. Helen Syzdek, Mrs. Arthur Picciano.

Officers of the Lassie League: Mr. Peter Mahalage, president; Mr. Edward Nahas, vice president.

## PERU WINNING FIGHT AGAINST INFLATION

Mr. AIKEN. Mr. President, the United States is presently being honored by a visit from one of the most distinguished businessmen and statesmen of the Western Hemisphere. I refer to the Honorable Pedro G. Beltran, the Finance Minister of Peru. The manner in which Mr. Beltran is guiding the economic and political fortunes of his country is set forth in an article published in the New York Times this morning, entitled "Peru Scoring Against Inflation," and I ask unanimous consent that the article may be printed in the RECORD at this point.

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

PERU SCORING AGAINST INFLATION

Although not quite a year old, the Financial Ministry of Pedro G. Beltran in Peru is attracting wide attention in financial circles because of the achievement of Peru's Prime Minister in halting inflation and bringing stability to the cost of living there.

A year ago, Peru's foreign exchange reserves were exhausted, the Government was living off freshly printed money, advances from the central bank, the international value of the Peruvian sol was deteriorating rapidly and the cost of living was soaring.

Senor Beltran took over the top financial job last July 20. There was no money in the till and Government employees were due to be paid in 3 days. He went to the central bank for the money, but it was the last time.

Senor Beltran brought to the Finance Ministry broad experience fed by years as an industrialist and an official figure. He served as Peru's Ambassador to the United States in 1944 and 1945. Among his business interests is the publication of a daily newspaper—La Prensa—in Lima. He resigned from the newspaper upon entering Government service.

The Beltran formula for breaking the inflation fever in which Peru was caught consisted of old-fashioned practices that smacked of austerity. Among them were these:

No more borrowing from the central bank.

Balancing Government spending with tax collections.

Permitting the treasury to have access to certain tax collections pending the time for their specially dedicated use.

Wiping out certain import subsidies—meat, for instance—that was bringing injury to Peru's livestock industry and other enterprises.

Tiding the Government over an initial period of financial stringency by borrowing money, not from the central bank, but from the public. A short-term loan amounting to 250 million soles (about $9 million) was floated successfully. Tax-free and bearing 10 percent interest, the loan was subscribed by more than 63 percent, even though industrial corporations were limited by allotment to the amount of notes they could buy.

OTHER COUNTRIES EYED

With Peru's foreign exchange reserves the highest since the spring of 1957 and with the sol stabilized at 27.40 to the U.S. dollar, against 31.50 to the dollar a year ago. Finance Minister Beltran is now shifting his scrutiny from Lima to major cities of the outside world, especially centers of capital export.

The reason lies in the fact that Peru needs investment capital from abroad—long-term loans as well as equity investment money. Internal loans—probably there will be more following the success of the $9 million short-term credit arranged last year—can promote financial stability, but the long-term capital that Peru needs to reform the nation's agrarian structure is not obtainable at home. Senor Beltran's present problem is to convince those who might supply foreign capital that the money will be safe working at long term in developing the Peruvian economy.

Agrarian reform and urban housing renewal are foremost among the priorities, as they are viewed from the perspective of Senor Beltran and other leading citizens of the South American Republic. Money outlays for such purposes are not self-liquidating and do not qualify for loans of the bankable type granted by the International Bank for Reconstruction and Development (World Bank) and by commercial lending institutions. Neither do such expenditures lend themselves to the loans generally extended by the Export-Import Bank, where money advances usually are related to export sales of U.S. equipment.

The Peruvian Prime Minister was interviewed here while en route to Washington, where he will address the Pan American Union tomorrow. He expressed the hope that Peru would be able to make a start in his administration toward financing agrarian reform and housing renewal. He said that Peru's greatest resource was her people and that the living conditions of Peru's masses must be improved if their productivity were to be enhanced.

The Beltran dream is resettlement of the mountain communities that are now getting a scanty living from shallow soil in altitudes of 10,000 feet or more. Most of these people could be resettled in the broad and fertile river valleys—those of the Apurimac and Urubamba, for instance—if connecting roads giving access to the rich valleys could be built and if the mass migrations could be otherwise financed by long-visioned capital.

## VICE PRESIDENT'S DYNAMIC AND PRAISEWORTHY FOOD SURPLUS PLAN

Mr. KEATING. Mr. President, the proposal of Vice President NIXON to distribute food surpluses to hungry people all over the world is a wise and statesmanlike move. This suggestion represents a carefully planned initiative in the cause of peace. What could reveal more sharply the differences in United States and Soviet aims than this generous offer, made in the spirit of charity and of brotherhood?

While Khrushchev and his colleagues were scheming in the Kremlin to destroy the summit conference and raise cold war temperatures, the President and his advisers were drawing up an unprecedented offer for harmonious joint action to help less fortunate nations. Now the raucous, war-crazy voices from Moscow and Peiping have drowned out any hopes of United States-Russian cooperation in this humane venture. But for the United States and for such other free world nations which do produce surplus crops, the proposal is timely and promising.

A United Nations agency for distributing surplus foods would serve many good purposes. First, and foremost, it would ease the hunger pangs that, more than anything else, have inclined many poorer nations toward the false but alluring promises of Communists.

Second, it would show in a very tangible way the very real concern which citizens of this country feel for the well-being of all free world peoples. Third, it would exemplify the U.S. desire and ability to work through the United Nations harmoniously for the good of all people. Fourth, it would make clear, to put it bluntly, that the only food the Soviets have a surplus of is baloney. All this Communist talk about great strides forward in agriculture is, in fact, pure baloney, because the surpluses will not come from the boastful Communist lands, but from the United States and other countries where free enterprise continues to offer the best incentives for increased productivity. Fifth, although we might not relish the idea that some of our surpluses could go to Communist-subjugated countries, such assistance would, in reality, constitute a moral victory, since a fair, United Nations supervised distribution would make clear both the failure of Communist programs and the success and generosity of free world policies.

While the Communist countries feed the world nothing but propaganda, violence, and war, let us offer grains and foodstuffs to provide real nourishment where it is needed. If the way to a man's heart is through his stomach, let us not neglect this important channel.

The PRESIDING OFFICER (Mr. CLARK in the chair). The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

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

Mr. KEATING. Mr. President, the Vice President's proposal represents the kind of bold, imaginative, positive action which is imperatively called for in the presence of the systematic and hard-hitting worldwide campaign of communism to extend the frontiers of tyranny. We must have such dynamic counteraction as this—we must set forth affirmative programs of this nature—if we are to cope successfully with the massive Red design to win the hearts and loyalties of men as a prelude to their enslavement.

Mr. President, I hope the Vice President's proposal will gain wide support. In a "bread for peace" program, all free world people can be winners.

## TASK FORCE STUDIES OF AMERICAN STRATEGY AND STRENGTH

Mr. KEATING. Mr. President, I was delighted yesterday to learn about the task force studies recently released by a number of distinguished and very able Republican Members of the House. These studies seek to analyze and evaluate America's defense strategy and economic strength in the world in which we live.

Mr. President, I heartily commend the task force members and the many well-qualified academicians and research consultants who worked with them. I have read a summary of their study papers and task force report and am looking forward to the complete documents which, I assume, are now being released for general circulation.

It is, of course, necessary that America's political leaders, of both of our major parties, look to the future in a spirit of imagination and vitality, keyed to the challenges which face America and the free world. The leaders of our two great political parties are fully aware of this need. Perhaps this explains the strength and vigor of American democracy.

The Republican Party is sometimes criticized for a lack of planning—an inability to see and understand the handwriting on the wall, the events of the future. I think we can and have very emphatically repudiated this allegation.

Let me cite a few of the many examples of the ways in which the Republican Party has looked—and continues to look—to the future. President Eisenhower has just appointed a new council on national goals. This is indeed a most dramatic and far-reaching idea. It will certainly make America stronger.

The report by the Republican Council on Program and Progress headed by Charles H. Percy, now platform committee chairman for the forthcoming Republican Convention, recently released a series of forward-looking and dynamic studies and proposals. Gov. Nelson A. Rockefeller of my own State of New York has, through the Rockefeller Brothers Fund and his own research and staff efforts, produced some historical and abundantly sound recommendations for the future of our Nation.

The task force studies of the Republican Members of the House are a new and similarly clear affirmation of the Republican Party's vision and perspective.

Mr. President, I was particularly impressed with the House Republican task force study entitled "An Economy for the Long Pull" by Representative THOMAS B. CURTIS, of Missouri. This report is riddled with realism and is at the same time bereft of overambitions, promises, and generalizations. The author recognizes the hard facts which confront us. He is, in customary fashion, fully aware that these challenges cannot be met simply with glibness and a fine phrase. He points out that we need a very extensive defense force, that this will cost us a great deal of money and that the tax burden upon every American will not as a result be shortly and easily reduced.

Let me quote a number of excerpts from this particular report which illustrates the spirit in which this entire document is written:

> We can afford all the defense that is needed, if we will soundly finance the full cost. But critics who would increase defense spending should discuss the full price tag.
>
> There is no painless way to pay for preparedness. Increased tax revenues mean increased tax rates. Deficit financing means inflationary erosion of our overall economic position in world markets at a time when these markets are, in fact, a battleground, and at a time when our own balance of payments position has shifted downward.
>
> Elimination of waste is a goal toward which to work but not a panacea immediately available.

Mr. President, I hope that Members of this body on both sides of the aisle, and all informed Americans will read and think about all of the several House Republican task force reports. I certainly think that this is a fine and worthwhile endeavor and I wish to join in congratulating all those responsible.

## RESOLUTIONS ADOPTED BY LONG ISLAND FEDERATION OF WOMEN'S CLUBS

Mr. KEATING. Mr. President, on May 20 of this year the Long Island Federation of Women's Clubs, representing some 60,000 women, held a convention in Rockville Centre. They have been kind enough to send me copies of resolutions adopted at that time, and at their request, I ask unanimous consent that they be printed in the RECORD.

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

LONG ISLAND FEDERATION OF WOMEN'S CLUBS CONVENTION RESOLUTION IN SUPPORT OF PRESIDENT EISENHOWER AT THE SUMMIT CONFERENCE

Whereas the Premier of Russia, Nikita Khrushchev, has for the past several years urged meetings of the heads of great states, known as summit conferences, to discuss and settle matters incident to world peace; and

Whereas such a summit conference was scheduled to open in Paris on May 16, with the President of the United States, Mr. Eisenhower; the Prime Minister of Great Britain, Mr. Macmillan; the President of France, Mr. Charles de Gaulle; and Mr. Khrushchev; and

Whereas, at or prior to the opening of such conference Mr. Khrushchev in a most reprehensible, vindictive, and scurrilous manner verbally attacked and derogated Mr. Eisenhower and demanded from him a humiliating and self-disgracing apology for the presence of a spy plane in Russia; and

Whereas it is a well-known fact that spying by whatever means is a universally accepted practice by all nations; and

Whereas the barbaric behavior of Mr. Khrushchev and his dishonorable attack on Mr. Eisenhower were of a nature unparalleled in modern diplomatic history; and

Whereas Mr. Eisenhower, in declining to demean his honor and his country's honor to the whim and anger of an upstart, boorish dictator, and in refusing to lower his dignity and his country's dignity to this humiliating demand, conducted himself in a dignified, honorable, and gentlemanly manner in the fullest and finest traditions of his country and its heroes, past and present: Therefore be it

*Resolved*, That the Long Island Federation of Women's Clubs in convention assembled this 20th day of May 1960 commend and uphold the President of the United States, Dwight D. Eisenhower, for his unremitting efforts in behalf of peace, for his honorable and dignified efforts to achieve peace through negotiation, and for selfless devotion to these continued efforts in the face of discouraging and adverse circumstances and sacrifices; and be it further

*Resolved*, That the Long Island Federation of Women's Clubs unanimously endorse and approve Mr. Eisenhower's refusal to lower his personal honor and his Nation's honor to this irresponsible demand, his honorable conduct in upholding the dignity of his high office, and his heroic refusal to lower the Stars and Stripes to the unreasonable demands of the tyrannical ruler of Red Russia.

PROPOSED RESOLUTION OF THE LONG ISLAND FEDERATION OF WOMEN'S CLUBS, INC.

Whereas in the preparation of income tax returns the head of the household is permitted to deduct a fixed sum for the expenses of a minor child; and

Whereas families of moderate circumstances are discovering that the cost of higher education has risen approximately 50 percent in the last 10 years to an almost prohibitive level; and

Whereas our Federal Government urges college, university, or other specialized training as a benefit to the Nation to the extent of postponing national military service until the successful completion of such education; and

Whereas it is manifestly unjust that deductions for the higher educational expenses of a dependent child are not allowed at a time when these tuitions represent a virtual family deprivation: Now, therefore, be it

*Resolved*, That the Long Island Federation of Women's Clubs, Inc., in convention assembled this 20th day of May, 1960, urge the immediate adoption of a law to exempt all higher education tuitions from all income taxation; and be it further

*Resolved*, That copies of this resolution be sent to the Secretary of Health, Education, and Welfare; superintendent of New York State Department of Education; chairman of the Finance Committee of the Senate and House of Representatives; and Commissioner of Internal Revenue.

PROPOSED RESOLUTION OF THE LONG ISLAND FEDERATION OF WOMEN'S CLUBS, INC.

Whereas widespread propaganda of Communist origin has been, and still is, aimed at the internationalization of the Panama Canal and the wresting of its ownership and control from the United States of America; and

Whereas radical elements in the Republic of Panama are carrying on active and highly provocative propaganda on behalf of fantastic demands for (a) further, and impossible annuity and other benefits, and (b) the impairment and practical destruction of the absolute and exclusive sovereignty, in perpetuity, of the United States of America over constitutionally acquired territory of the Canal Zone, and over the Panama Canal, constructed at the expense of the American taxpayer and maintained and operated by the United States of America on terms of equality for all nations as required by treaty; and

Whereas these agitations have as their purpose the liquidation or fatal weakening of such sovereignty altogether indispensable for the maintenance, operation, and protection of the canal, and this without the slightest suggestion of reimbursement to the United States of America for its vast investment in the canal enterprise: Therefore be it

*Resolved by the Long Island Federation of Women's Clubs, Inc. (in convention assembled this 20th day of May 1960)*, That the recurring crises in relations between our Government and that of the Republic of Panama should receive immediately the most serious attention of our executive as well as our legislative bodies; and be it further

*Resolved*, That we urge both Houses of the Congress of the United States to proclaim by joint resolution the constitutional sovereignty of the United States over the Canal Zone, and to declare that the policy of the United States shall be not to surrender in any way, nor to compromise, U.S. jurisdiction over and control of the Canal Zone and U.S. ownership, control, management, maintenance, operation, and protection of the Panama Canal in accordance with existing treaty provisions; and be it further

*Resolved*, That copies of this resolution be sent to the President of the United States, Vice President of the United States, Secretary of State, and Secretaries of the Senate and House of Representatives.

PROPOSED RESOLUTION OF THE LONG ISLAND FEDERATION OF WOMEN'S CLUBS, INC.

Whereas there is a perilous movement to repeal the Connally reservation which was incorporated by the U.S. Senate in the resolution of submission to the jurisdiction of the United Nations World Court in 1946. The Connally reservation reserves to the United States the right to determine what matters are within our domestic jurisdiction as determined by the United States; and

Whereas the majority of the nations subject to the World Court retain similar safeguards as the Connally reservation for the protection of their domestic affairs; and

Whereas the United States is entitled to have only one member at any time on the 15-member World Court, although there are now two representatives of Communist countries (Russia and Poland) now on the World Court, with no limit to the others which may be added from Iron Curtain countries with dissimilar ideas of justice; and

Whereas no Iron Curtain country will submit to the jurisdiction of the World Court, although they have judges on the Court; and

Whereas the proposed elimination of the Connally reservation, in the opinion of informed patriots, would mean a dangerous surrender of our sovereignty to an alien court with perilous consequences to our Nation and its citizens: Therefore be it

*Resolved by the Long Island Federation of Women's Clubs, Inc. (in convention assembled this 20th day of May, 1960)*, urges the retention of the Connolly reservation as a vital safeguard to our Nation; and be it further

*Resolved*, That copies of this resolution be sent to the President, Vice President, Secretary of State, Attorney General, chairman of the Senate Foreign Relations Committee, and chairman of the House Foreign Relations Committee.

Mr. KEATING. Mr. President, it is not necessary to agree in every respect with the comments which the members of the federation make, but they have certainly performed a very useful service in furnishing to the Congress these well-thought-out resolutions.

## PURCHASE OF FURNITURE FOR U.S. EMBASSY IN VENEZUELA

Mr. DIRKSEN. Mr. President, I should like to insert in the RECORD a letter in connection with the discussion which took place last week by the distinguished Senator from Wisconsin [Mr. PROXMIRE] and myself as to the allegations he made in the Senate with respect to the Mueller Metals Co., the president of which is the son of the Secretary of Commerce. One of the allegations was that the State Department had no authority to contract for the purchase of furniture for the new Embassy at Caracas. I have a letter from the Comptroller General addressed to the Senator from Wisconsin dated June 16, and I ask unanimous consent to have it printed in the RECORD at this point in my remarks. I am sure that the letter will close the whole incident and it will require and receive no further elaboration.

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

COMPTROLLER GENERAL
OF THE UNITED STATES,
*Washington, D.C., June 16, 1960.*

B-142814.

Hon. WILLIAM PROXMIRE,
*U.S. Senate.*

DEAR SENATOR PROXMIRE: Reference is made to our letter to you of May 26, 1960, in reply to your letter of May 16, 1960, concerning the purchase of furniture for the Embassy office building at Caracas, Venezuela, by the Department of State from the Mueller Metals Corp.

In our letter to you of May 26, 1960, we stated in answer to your question No. 5 that we found nothing in Public Law 547, 79th Congress, or in the pertinent appropriation act which would authorize the Department to negotiate contracts for the purchase of furniture without advertising.

In view of the recent statements made on the Senate floor concerning the matter, we have reexamined the authority relied on by the Department of State to negotiate the purchase in question and we find it necessary to correct our answer to your question No. 5.

The authority originally cited by the Department of State for the negotiation of the purchase order involved was section 3 of the Foreign Service Buildings Act of May 7, 1926 (44 Stat. 404), as amended. Section 3 specifically authorizes the negotiation of contracts for "all work of construction, alteration, and repair" provided for in the act. It is our view this authority does not extend to the purchase of furniture.

The Department later cited Public Law 547, approved July 25, 1946 (60 Stat. 663). Public Law 547 authorized an appropriation of $125 million for the purpose of further carrying into effect the provisions of the Foreign Service Buildings Act. It was also provided that expenditures for furnishings from sums appropriated pursuant to the act should not be subject to the provisions of section 3709 of the Revised Statutes.

In authorizing the appropriation of $125 million, the Congress specified that $110 million of the total authorization should be available exclusively for payments representing the value of property or credits acquired through lend-lease settlements, the disposal of property abroad, or otherwise, and held abroad by the Government or owing the Government by any foreign government or by any person or organization residing abroad, which property or credits may be used by the Department of State for sites, buildings, equipment, construction, and leaseholds.

While Public Law 547 is primarily concerned with the payment for and use of foreign credits or property, it also authorizes an appropriation of $15 million for use under the Foreign Service Buildings Act for purposes other than the payment for foreign credits and property. In the absence of any legislative history showing a contrary intent, we must conclude that the exemption for purchases of furnishings from section 3709, Revised Statutes, under the 1946 act is applicable to all appropriations made pursuant to the authorization.

Accordingly, we are of the opinion that the Department of State did have authority under the exemption in the 1946 act to negotiate for the purchase of the furniture in question without advertising.

Copies of this letter are being sent to Senator DIRKSEN, the Secretary of Commerce, and the Director, Office of Foreign Buildings, Department of State.

Sincerely yours,

JOSEPH CAMPBELL,
*Comptroller General.*

## LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, we plan to proceed today to the consideration of the Japanese Security Treaty in an orderly manner.

The distinguished Secretary of State, Mr. Herter, has advised us that the State Department considers ratification to be of extreme importance. The Senate will consider the treaty with great care and thoroughness. It is of importance that the world realize that we are neither going to accelerate nor delay the treaty because of events which have taken place in Japan. The treaty will be considered now as it would have been under any circumstances, upon its merits. I do not anticipate that there will be any serious difficulty, as I think most Members of the Senate feel that the treaty was well drawn in the mutual interest of both nations.

I understand that there are some speeches to be made today on other subjects, although the independent offices bill is the pending business. The minority leader has a policy meeting at lunchtime, but I wish all Senators to be informed. I ask attachés of the Senate to inform all Senators that we plan to proceed to consider the Japanese Security Treaty sometime during the day.

## SPENDERS AND SAVERS

Mr. YOUNG of Ohio. Mr. President, none of us is immune from a certain amount of partisanship in interpreting the actions of the Congress and the Executive. It might be said that this is especially true when any analysis of the Federal budget is being made by spokesmen of one party or the other.

Recently, the Republican leader of the House of Representatives, Mr. HALLECK, in a speech in California accused the Democratic Party of wild spending. His reference was that the Democratic Party is the party of spenders. At just about the same day and hour, across the country, speaking in New Hampshire, the distinguished junior Senator from New York [Mr. KEATING] charged this Democratic controlled Congress with cutting too many billions of dollars from President Eisenhower's budget request for national defense and foreign aid programs.

Perhaps these two outstanding spokesmen for that Grand Old Party of which I am not a member should meet in the geographical center of the United States and agree on a joint statement which might possibly impress those Republicans who are presently confused over these conflicting statements.

However, Mr. President, regardless of partisanship, certain realities do exist. The fact is that during the first session of this 86th Congress, we cut over $1,300 million from the President's appropriation requests; this in addition to eliminating a $500 million appropriation that was requested by President Eisenhower at that time for fiscal year 1961.

Let us refer to facts demonstrated by the record made in this Democratic-controlled Congress. The record demonstrates that this Congress under Democratic leadership saved taxpayers that sum—$1,800 million—by appropriating that amount under President Eisenhower's budget requests.

Mr. President, in addition to the substantial saving of last year, the Congress, controlled by the Democratic Party, has sliced a total of $10,600 million from appropriations requested by President Eisenhower from fiscal 1955 through fiscal 1959.

I am sure that these savings of taxpayers' money were not the result of action by Senators on only one side of the aisle. It was an achievement for which all Senators and Representatives who so voted may take credit. In doing so, however, let us remember that it was the Democratic Party that organized this Congress under the magnificent leadership of Speaker SAM RAYBURN and of our majority leader, Senator LYNDON B. JOHNSON.

Incidentally, Mr. President, when General Eisenhower first became President our national debt was $265 billion. The annual interest charge on this was less than $6 billion. Government bonds were selling at par. This was the fiscal situation when Harry S. Truman retired from the White House.

After 7 years of the present administration, our national debt is $292 billion. Our annual interest charge is $9,500 million. Government bonds have been selling below par.

In connection with these figures it must be remembered that only one of the President's vetoes was overridden by the Congress. The responsibility for these increases cannot, therefore, be laid to the Congress.

Now, I ask, if a label must be assigned, which is the party of savers?

Mr. President, the great issues before us are not those involving "spenders" or "savers." The great and pressing issues are those involving the future safety, well-being, and economic growth of our Nation.

Much, if not all, of the cost of what is necessary to be done can be defrayed out of savings achieved through the elimination of current waste, duplication, and inefficiency in our sprawling Federal bureaucracy. Elimination of waste and duplication in our defense policy alone would result in savings of at least $5 billion annually.

Mr. President, in this election year I realize it would be foolhardy to call for an end to partisan statements. However, if these statements must be made, let them be based on the facts. A look at the record proves that actions of the Democratic Congresses from 1955 to date have saved American taxpayers billions of dollars.



## HOUSTON, TEX.

Mr. JOHNSON of Texas. Mr. President, it is with a deep feeling of pride that I am privileged to call the attention of my distinguished colleagues to a notable achievement by one of the great cities of our Nation and one of the great cities of Texas—Houston.

This booming gulf coast port, industrial and agricultural center, has demonstrated a record of growth and of civic vitality that places Houston virtually in a class by itself.

Census Bureau figures show that since the last population count in 1950, Houston has leapfrogged eight other great metropolitan centers of the United States.

Fourteenth in size a decade ago, Houston now ranks No. 6 in the Nation.

The latest count shows that Houston has a population of 929,991, an increase of 56 percent over the tally of 1950.

In 10 years—in moving from 14th to 6th place—Houston has advanced in population ahead of Milwaukee, Pittsburgh, San Francisco, Boston, Washington, D.C., St. Louis, Cleveland, and Baltimore.

This great city is now riding hard on the heels of Detroit, Philadelphia, Los Angeles, Chicago, and New York.

The record of Houston in the last 10 years offers a factual answer to the cynics who say that America is old, that America is tired, that the age of our growth has ended.

Demonstrated in the growth of Houston are the qualities that have made—and will keep—America great. It is with confidence that I predict that in the 10 years ahead—by 1970—Houston will have demonstrated equal or even greater growth than it has in the decade just ended.

---

## AMERICAN STRATEGY AND STRENGTH AND THE NATIONAL PURPOSE

Mr. SALTONSTALL. Mr. President, yesterday's CONGRESSIONAL RECORD includes a series of insertions relating to America's strategy and strength. This group of excellent statements is the work of a task force appointed by the chairman of the Republican policy committee of the House of Representatives, Representative JOHN BYRNES, of Wisconsin.

The study group itself was headed by Representative GERALD R. FORD, JR., of Michigan. The so-called Task Force Report is a commentary on the challenges we face and our preparedness—present and future—to meet them—U.S. public strategy in the latter 20th century. It is based on 21 background papers contributed by Congressmen, academic authorities, and Government leaders.

The whole project represents a positive effort to depict the great issues of our times in a thoughtful, objective, constructive manner; and to consider carefully the resources and the mechanics through which they can be utilized. Particular emphasis is placed on the relativity of our capabilities to those of the Soviet Union. But the Ford report also is a valuable guide to the absolute strengths of our system, and how they can best be sustained for the future.

It is a forward-looking report, measured and thoughtful; not shallow, negative, or hysterical. It is not bipartisan, since the project was conceived and executed by the House G.O.P. policy committee, but it is nonpartisan in that its motivation and tone are essentially not political. I believe that this is the kind of study which honestly and profoundly serves the national interest. It is a standard for depth analysis and positive conclusions which can be used by all American citizens interested in either studying or solving the public problems of our times.

I have read certain newspaper accounts describing the Ford report both as an answer to Governor Rockefeller's recent public statements and as a prelude to the 1960 Republican Convention platform. This dual characterization seems to be based on the fact that Vice President NIXON has given his support to the overall purposes of the project and that G.O.P. Platform Chairman Charles W. Percy is impressed by its findings. I feel that such a description of the Task Force Report misses the basic point; that this is an effort devoted to the larger purpose of understanding the core of our survival. Of course it is helpful if this can be directed to more limited and specific objectives also.

The various segments of the continuing nationwide debate on our national purpose has focused on many aspects. I feel that this spontaneous, informal, varied self-appraisal is a very helpful institution—the hallmark of a free society—and I believe that the Ford report comprises a valuable contribution to this debate.

Obviously there are many dimensions to our national destiny. We have heard about leadership, religious strength, public awareness of traditional ideals, and so forth. I believe that the national purpose is intimately related to the national vitality. Our health, our future, our survival depends on a vigorously inquiring populace, a populace concerned about the great challenges of the age and dedicated to contributing to their solution, each according to his own individual abilities. Our electorate must be critical without being destructive, aware without being desperate, self-confident without being complacent. We must resist the shallow temptation to oversimplify and distort for the purposes of vested interest, whether it be political, economic or social.

The principal issue before America in the 1960's is whether a society which is dominated by a large and powerful Central Government and by a huge and unprecedented wealth can sustain the strength and stamina of her great ideals—intellectually, spiritually, and physically.

In my opinion, the House Task Force Report contributes substantially to the objective of national vitality and alertness.

At the present moment in the struggles of the cold war, we are perhaps discouraged at the collapse of the summit conference and the recent events in

Japan which prevented the visit of President Eisenhower during his otherwise triumphal tour in the Far East. I believe that these developments underscore two points which particularly attracted my own attention in the House study of American strategy and strength. These are, first, that we must emphasize the long-term realities rather than short-sightedness; and, second, that "survival only" as a national policy is a dangerous and introverted strategy largely unaware of the basic problems of the world today.

Here I would like to mention two critical aspects of public policy with which Congress is dealing at this very moment. Recently the Senate passed a $40-billion plus defense appropriations bill, which has now gone to conference. The Senate added more than $1 billion in excess of the President's request, believing that a new aircraft carrier was needed, that the B-70 supersonic bomber's development should be funded, that more money should be allowed for the Bomarc antiaircraft missile program, that modernization of our land Army's weapons should be speeded up, and so forth. These objectives are very worthy and as we heard on the Senate floor during the debate of this measure, "there can be no price tag on freedom." But there is more to the picture than this—there is more to the business of preserving freedom and guaranteeing security, and we must be aware of the long view and the broad view as we approach this greatest question of public policy.

For instance, the House study points out that military power in the final analysis must be based on economic power—on sound monetary and overall economic policies. The full view demands practical understanding of this. So as we consider the uses of money in any given direction, we must consider also the stamina of that money's value—our overall economic soundness for the long haul.

Second, I would like briefly to call attention to the mutual security appropriations bill recently sent over to the Senate of $3,584,500,000—$590,500,000 below the President's request, but well below threatened cuts of up to $1½ billion. I hope that in its final consideration of this measure, Congress will demonstrate its awareness of the full challenge before us and further reduce the cuts which have taken place. Our security is imperatively involved with the plight of the rest of the world. First, we cannot stand alone against the threat of a united Communist bloc. Second, we must act to reduce the huge causes of international strife, discontent, and threatened nuclear annihilation. This can be done by helping to reduce poverty, disease, and human frustration in the less-developed areas of the world and by assisting their peoples in gaining dignity, self-respect, and international recognition. The strong and free nations must help to bridge the world's social and economic gaps. Mutual security is a major means of public policy to accomplish this. Here again is the broad view.

I am grateful to those who prepared background papers for the study of America's strategy and strength, and I compliment those House Members who have worked 4 months toward its successful completion.

## TRADE WITH FINLAND

Mr. JAVITS. Mr. President, as one who has long been an advocate of expanded world trade, I call attention to the noteworthy strides that have been taken by Finland in setting the stage for increased mutually beneficial trade with the West and the United States. This small nation of 4½ million people is well known to all of us for at least two important reasons: for paying its debts and for fighting valiantly for its independence. It is not so well known that Finland is a constitutional democracy, in which the traditions of freedom and individual liberty, as they are in the United States, serve as cornerstones of a private enterprise system.

Early this year the Finnish Government modified trade restrictions so that the United States can now sell more goods to Finland. Other significant steps, such as liberalization of currency restrictions, have strengthened consumer buying power and have provided the opportunity for increased trade between our two democratic countries.

It is worth pointing out that the Government of Finland has never solicited aid, grants, or gifts from any country—nor has it received any. Only on a strictly business basis has Finland entered into loans which she has received from this country or from international banking institutions; and, as has been her custom, Finland is repaying such obligations.

The vitality of Finland's way of life was dramatically exemplified when this small country harnessed its resources to pay in a relatively short period about $650 million in reparations to Russia after World War II. This tremendous burden was met and overcome by the determination and perseverance of the Finnish people.

Though located on the very border of Communist Russia, Finland's private economic system serves as a meaningful symbol to all mankind. Clearly, this is a country which deserves our esteem and our cooperation. Its economic life is no longer one sided. The leadership of the forestry and paper industries is being followed vigorously by Finland's metal and manufacturing industries in establishing themselves on a world market level.

In this connection, a report has been published expressing concern that American businessmen today are not sufficiently aware of the opportunities for profitable trade between Finland and the United States. I ask unanimous consent to have printed in the RECORD pertinent excerpts from an article entitled "Finnish Trade Turns to West," written by Frank C. Porter, and published in the Washington Post and Times Herald, June 8, 1960.

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

FINNISH TRADE TURNS TO WEST—BUT U.S. MISCONCEPTIONS HURT

(By Frank C. Porter)

A Finnish trade representative approached a large American women's magazine. Could arrangements be made, he asked, for qualified Finnish products to display the magazine's consumer research seal of quality?

No sir, the magazine replied. After all, was not Finland a Soviet satellite?

Another Finn visited a leading U.S. textile firm, proposing that some of its products be manufactured under license in his country. He was turned down flatly on grounds that Finland is a member of the Russian trade bloc.

These and countless similar rebuffs have deepened the quandary of the brave little country that won U.S. hearts by holding Russia's military might at bay for months in 1939.

Despite her traditional resistance to encroachments by her huge neighbor, Finland finds herself sometimes labeled a Soviet bedfellow. And nowhere is the misconception more widespread than among American businessmen, with whom the Finns would like to trade.

The misunderstanding stems from the post-World War II peace treaty which forced a Soviet trade partnership on the Finnish people. Finland was required to pay the equivalent of about $650 million in reparations—roughly one-fifth of its annual gross national product—and virtually all of this was in the form of exports to Russia.

The Finns also recognized that they could not afford to join any alliance which might be hostile to Russia, and thus passed up membership in NATO and similar groups. At the same time, if Finland appeared to step out of line, Russia could put the squeeze on her by worsening the terms of their trading relationship.

A decade ago, there were dire predictions that Finland could never stand up under such pressure, that it would slip to the slave status of a Hungary or a Czechoslovakia.

But the reverse has been true. Although some 50 of the 200 members of the Finnish Diet are Communists, the rival Agrarian Socialist and Conservative Parties have worked effectively to keep the cabinet free of Reds.

Equally important has been Finland's growing independence in the economic sphere. She paid off all Soviet reparations within 4 or 5 years and since then has been steadily strengthening her trade ties with the free world, particularly with the other Scandinavian countries and Western Europe.

Part of Finland's increased trade appeal in non-Communist markets is due to its rapid diversification. Until recently the country was limited by largely a forest economy—timber, pulp, paper, and other wood products. In later years, there has been a great increase in metalworking, heavy machinery, textiles, agriculture, and crafts. Forest products made up 91 percent of exports in 1952; since then they have declined to 73 percent while metal and engineering exports have quadrupled, agricultural exports nearly tripled.

Finland is particularly noted for its artistic work in furniture, glass, and architecture.

American friends of Finland insist U.S. businessmen are passing up not only a growing source of imports but a promising market for American goods as Finland continues to improve its reserves of free world currencies.

## KHRUSHCHEV'S BLUEPRINT FOR CONQUEST

Mr. MARTIN. Mr. President, I have come across a very interesting and informative discussion that I know will be of great interest to all Members of Congress at this time. It is contained in the June 1960 issue of Air Force in the form of a special report, and I ask unanimous consent to have it printed at this point in the body of the RECORD.

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

The Communist propaganda apparatus made it appear that Soviet Premier Khrushchev delivered a disarmament address to the Supreme Soviet early this year. In fact, what Russia's top government body heard was—

### KHRUSHCHEV'S BLUEPRINT FOR CONQUEST

As 1960 dawned, some Western analysts still were describing Soviet military developments in terms of factors the Communists long ago relegated to Orwell's "memory hole of history." They maintained that Soviet reliance on mobile infantry—the predominating practice before the advent of nuclear weapons—was likely to continue to prevail in the missile-space age. They argued that the Soviets still adhere to the strategy of the counteroffensive embraced by Czar Peter, Kutuzov, and Stalin. According to them, Asia and Africa, conquerable through infantry invasions, would remain the principal targets for Soviet conquest—even in the 1970's. Soviet missiles would serve to deter U.S. interference should Communist troops attempt to conquer Burma or invade Ghana.

Although these analysts admitted the possibility of a war "of desperation" against the United States and her NATO allies, they ruled out deliberate Soviet resort to total war to plant the red flag of communism over all world capitals. If, somehow, the Soviets should be forced into all-out war, doctrinal commitment to the importance of occupation still would govern Communist military strategy. One has gone so far as to argue that the U.S.S.R.'s massive numbers of ground troops would then be transported by rockets to carry out transoceanic invasions and occupy the United States.

Against this farrago of western sovietology, Nikita S. Khrushchev, on January 14, 1960, personally disclosed 13 new concepts in Soviet military doctrine. The nature and role of the Soviet military establishment, as Khrushchev described it, bears little resemblance to the wish-dreams indulged in by experts unskilled in looking forward. Khrushchev, of course, envisages a "strike-the-United States-and-NATO-first" strategy. And he does not intend to march troops across the Bering Straits and down the Mississippi Valley, let alone drop them from rockets like manna from heaven.

Khrushchev made his disclosures in a speech to the U.S.S.R. Supreme Soviet—a high-level body to which, theoretically, he must account. In the same speech, he said that the U.S.S.R. possessed the capability in being to implement the concepts he had enunciated. Some Western observers have, quite rightly, accused him of exaggeration on this point. But the best evidence indicates that the Soviets are converting their force structure as rapidly as possible to one which meets the requirements of the nuclear age and of continuing advances in technology. Present Soviet capabilities have been dismissed too lightly and too often.

There have been earlier indications that Soviet military doctrine was undergoing drastic revisions. Yet future historians are likely to describe Khrushchev's innovations as a turning point in Soviet military history. For the first time since securing his position as absolute dictator, he revealed that, like Stalin, he had assumed the role of the final authority on military doctrine.

Undoubtedly, Khrushchev, in formulating his doctrinal concepts, sought the advice of his military high command. However, in public at least, all of them—including Minister of Defense Rodon Y. Malinovsky—have been reduced to a position of endorsement and implementation. And there are indications that, like Stalin, Khrushchev has forced his military commanders to carry out his orders, turning a deaf ear to protests and objections from some of them. He is demonstrating the total Bolshevik ruthlessness characteristic of his predecessors and is directing all efforts toward the urgent business of communizing the world.

The 13 Soviet strategic concepts Khrushchev disclosed are:

1. Weapon systems capable of defeating the United States and completing the world revolution exist for the first time—nuclear/thermonuclear firepower plus superior delivery vehicles.

2. The rest of the world will surrender automatically if the United States has been conquered. Steps are being taken to translate into reality Marx' dream of a rapid revolution resulting in Communist domination of the world.

3. All types of surprise and all their components have assumed new and perhaps decisive significance—in the initial phase of the war and in all subsequent phases.

4. Timing surprise is a factor governing all phases of strategy, tactics, training, and organization.

5. Initial surprise blows will take the form of rapidly executed missile salvos; the prime objective will be to destroy the bases of the enemy's retaliatory forces first.

"Our armed forces * * * have been transferred over to missile-nuclear arms. These arms have been perfected and will continue to be perfected. * * * Potential depends on total firepower and means of delivery. * * * The Soviet military establishment now has delivery systems and firepower never before possessed." (Khrushchev, Jan. 14, 1960.)

6. Targeting of the initial ICBM strike and threats of follow-on strikes by delivery systems with a recall capability are expected to deter enemy retaliation. Despite these measures, retaliatory strikes still could occur during the first hours of the war. Therefore, should they eventuate, steps are being taken to minimize their effectiveness and to absorb inevitable resultant damage.

7. To absorb enemy retaliation, trained reserves prepared for instant mobilization will fight at home, performing missions of population defense and control.

8. Advantages gained in the initial strike must be exploited by follow-on strikes on key industrial targets and other strategic centers. A mixed-force structure of missiles, aircraft, and, ultimately, space-weapon systems, will be used to maximize surprise in the second strike and in subsequent strikes.

9. ICBM's and IRBM's must be based to ensure 360 degrees coverage of the earth's surface. Proper basing arrangements permit such coverage from sites on Soviet-controlled territory.

10. Concepts of ground operations have been adapted to missile/nuclear warfare—firepower conquers and ground forces occupy, to accept surrender and supervise installation of Communist regimes.

11. Constant and intensive research and development is required to maintain a winning force structure in the face of rapid technological advances.

12. Leadtimes must be pared to the minimum to insure technological surprise and to meet continuing requirements for combining all modern arms.

13. No obsolescent weapon systems will be tolerated, now or in the future.

"Modern missiles can destroy the selected target with the first salvo. * * * A missile salvo has enormous power, exceeding the total power of all explosions which have occurred on earth during all the wars in the history of mankind." (Maj. Gen. G. I. Pokrovsky, Mar. 9, 1960.)

In enunciating these 13 strategic concepts, Khrushchev and high-level Soviet military leaders have left no doubt that they envisage a decisive war ending in global communization. They are inspired by this vision of future war:

Mass use of nuclear weapons of all yields and types and employment of delivery systems with global range and a capability to be switched rapidly from one theater to another will characterize the entire war.

Surprise of many types will govern both strategy and tactics throughout the conflict.

War will start with massed attacks by missiles with nuclear warheads to knock out the U.S. strategic striking forces.

Threat of a second strike can deter us from retaliation, or a second strike can be launched from hidden bases to take out remaining military capabilities with spillover to population and industrial targets.

A third strike could be used to increase destruction to the level of genocide or, in the form of threat, could serve to include surrender followed by the installation of a Communist regime.

Firepower will be redirected quickly, by threat or employment, to induce the capitulation of nations allied to the United States as well as the surrender of underdeveloped and neutral nations. In all cases, conquest will serve as the prelude to communization.

"The Soviet Union is militarily the most powerful state in the world." (Khrushchev, Mar. 1, 1960.)

After nuclear strikes, regular ground forces will occupy areas easily accessible to them. Areas less accessible to ground forces will be occupied by irregulars—guerrillas and local revolutionaries—assisted where practicable by airlifted Soviet cadres.

In the Soviet homeland, reserves will perform cleanup and disciplinary missions.

The Communist propaganda apparatus has applied characteristic and skillfully worked-out methods to conceal Khrushchev's doctrinal innovations and to convince the world that his speech to the U.S.S.R. Supreme Soviet—where he initially disclosed his strategic plan—was a "disarmament" speech and another Soviet move in the interests of peace.

Despite Communist concealment efforts, even superficial examination of Khrushchev's remarks and subsequent statements by Minister of Defense Malinovsky, Air Force Commander in Chief Vershinin, Marshal A. A. Grechko, and other high-level Soviet military leaders reveals the true nature of the Soviet military "new look."

Thirteen implications affecting free-world security may be derived from the 13 newly disclosed Soviet strategic concepts. What are these implications?

1. The Soviets have added a new dimension to their spectrum of conflict weapons. Possession of nuclear firepower means that Soviet capabilities to mount a surprise attack on the United States, and thereby to conquer the world, have been increased by a quantum jump. The U.S.S.R. is acquiring a set of weapon systems based on nuclear firepower and characterized by the following advantages:

Global coverage.

Ability to shift rapidly from one target to another.

Flexibility of levels of destruction, which now can be tailored to suit the target.

Surprise potentials.

"In the * * * competition with capitalism * * * the question of the time factor, of gaining time * * * is the main question." (Khrushchev, Nov. 28, 1959.)

Material and psychological impact in combination.

Effectiveness for cheap world conquest, particularly if utilized in the absence of a free-world capability to survive the first strike with adequate retaliatory forces.

In brief, the Soviets estimate that proper utilization of nuclear weapon systems will furnish the means required to carry out their fundamental ideological commitment: bringing the entire world under Communist domination.

2. Khrushchev never tires of assuring us that this doctrinal commitment remains unchanged. He says that the Soviets have stood and will continue to stand like a rock on the principles of Marxism-Leninism, that there can be no coexistence on questions of ideology; that capitalism is historically doomed; that he will bury us. Furthermore, since his return from the United States, he has iterated the orthodox doctrine that war is required for Communist conquest of the most powerful non-Communist states.

Khrushchev also frequently reminds us that a third world war would result in the destruction of capitalism, but that, meanwhile, communism and its home base—the U.S.S.R.—would survive. He adds that the U.S.S.R. is capable of absorbing the losses caused by U.S. nuclear retaliation.

3. The Communists consider the United States, the chief capitalist power, to be the principal enemy. They believe that if North America goes, the rest of the world will capitulate. Initial massed missile salvos would hit both the U.S. zone of interior and our oversea bases, and affect non-American populations.

Conquest of NATO, SEATO, and CENTO nations would be simplified in the wake of the disruption of communications, command, and control which would result. Domination of South America, Asia, and Africa would be accelerated by utilizing a combination of indigenous revolutionary forces and guerrilla units, both striking under the shield of Soviet missile threats.

4. The key to successful nuclear war is to avoid harm to oneself. Minimizing expected retaliation has created a Soviet doctrinal requirement for maximizing all types of surprise. Since the weapon systems involved in the first exchange are ICBM's, the initial blow assumes new importance. Moreover, deterrence of a retaliatory strike may be achieved by launching or threatening to launch follow-up strikes. Absorption of retaliation also is possible; effective military and civil defense and population control will reduce considerably the impact of expected retaliatory blows. Radiological prophylaxis will be accomplished by preplanning and executing well timed decontamination and evacuation measures. Population control and panic prevention measures will include dispersing or sheltering essential cadres, furnishing medical care, prepositioning food and water, and exploiting previously carried out conditioning designed to reduce fears of fallout.

"The central task and the supreme form of revolution is the seizure of political power by force of arms and the solution of problems by war." (Mao Tse-Tung.)

5. Despite the new importance attached to the initial surprise blow, the Soviets remain committed to the idea of the necessity to combine all arms, nuclear and nonnuclear, military and psychopolitical. A winning strategy depends upon follow-on strikes to exploit opportunities resulting from the initial success. Such blows are designed both to complete conquest of the United States and to expand the war in other theaters. To be effective, such blows depend on preservation of a second-strike missile capability through the phase of U.S. retaliation. Furthermore, other strategic systems must be utilized in combination with missiles, and military success must be exploited through occupation.

6. To meet these requirements, the Soviets, in true dialectic fashion, have synthesized all other weapons in the spectrum of conflict with nuclear/missile systems which form the core of their military and psychopolitical power.

7. Consolidation of the gains from the war will pose stringent postwar demands on the Soviet leadership. The concept of a citizen's army of trained reserves is based, in part, on the necessity to preserve the means to carry out postwar demands on the capital of world communism.

8. The Soviets already have made the decision to prepare themselves to retain, at all times, the option to attack. Orthodox doctrine requires the exercise of extreme caution on the eve of the final showdown with capitalism, and the enemy must be softened up before the attack. The softening-up process has taken the form of the current intensive Communist effort to convince the West of the necessity for disarmament, a nuclear test ban, peaceful coexistence, and interminable negotiations on other outstanding issues such as Berlin.

The purposes of these moves are: deception concerning actual intentions, paralyzation of Western leadership and initiative, isolation of the United States from its allies, and a gain in time to increase Soviet force superiority.

The Soviets believe that the greater the success of these degradation tactics, the less the risk involved in launching an attack.

"Missile forces are undoubtedly the main type of our armed forces. However; it is not possible to solve all the tasks of war with one type of troops. * * * In a modern war, to carry out military actions successfully requires unified use of all means of armed combat, combining the efforts of all types of armed forces. * * * In organization and means of action * * * military operations will little resemble those of the last war." (Malinovsky, Jan. 14, 1960.)

9. A decision concerning timing of the initial surprise strike could be made any time that requisite strength has been achieved. Precisely when the strike will be launched will depend on Soviet assessment of the success of degradation moves, the balance of forces, and the status of training, as well as on evaluation of the effectiveness of preattack preparations, including Soviet salvo capabilities. United States alertness, if extant, could cancel out a Communist decision to exploit a superior strength ratio which was purely statistical.

"If anyone in the West imagines that the status of the Soviet economy does not permit the maintenance of the military establishment required * * * then so much the worse for those who think so. * * * It should be clear * * * that if an increase in expenditure for the maintenance of the armed forces [is required], our budget and our economy would make it possible to allocate extra tens of billions of rubles." (Khrushchev, Jan. 14, 1960.)

10. Possibilities of further new advances in technology introduce further uncertainties which the Soviet planners must take into account. In order to eliminate the possibility that the United States might achieve technological surprise, the Soviets are applying their degradation tactics in an effort designed to commit us to a completely predictable program of technological progress.

11. The Soviets have taken further steps to nullify all uncertainties by commitments to a broad and intensive spectrum of R. & D. efforts, by announced intent to win the leadtime race, and by planning operations around a program of continuous phaseout of all obsolescent weapons combined with phasein of new ones. They have the necessary technological know-how, raw materials, funds, and motivation to come up with imaginative new weapon systems, and Khrushchev has announced their R. & D. intentions. He told the Supreme Soviet:

"The armament which we now have is formidable armament. The armament under development is even more perfect and more formidable. The armament which is being created and which is to be found in the folders of the scientists and designers is truly unbelievable armament.

"We deploy our missile complexes in such a way that duplication and triplication is guaranteed. The territory of our country is huge; we are able to disperse our missile complexes, to camouflage them well. * * * If some weapons * * * were put out of commission one could always send into action weapons duplicating them and hit targets from reserve positions." (Khrushchev, Jan. 14, 1960.)

The Soviets have become technocrats and are intensely preoccupied with firepower. It would be a mistake to interpret Khrushchev's warning exclusively in terms of new delivery systems. For a nation committed to global conquest, a nation which has already impacted the moon, delivery systems cease to be "unbelievable." Khrushchev may very well be referring to a new type of firepower.

12. If the Soviets find they cannot insure victory by military means, they will continue to employ psychopolitical measures to lull the West to sleep, to induce us to abandon our missiles and nuclear weapons, and to slow down our R. & D. effort even more. Meanwhile, they will be preparing to strike a few years later with new weapons furnishing a capability for even more effective technological surprise.

13. If current degradation tactics succeed, the Soviets could complete the world revolution at minimal cost resulting from retaliation. U.S. alertness, as well as our deterrent and retaliatory capability, would virtually disappear if the Soviets were able to cheat on nuclear disarmament and test-ban agreements, if any are made. Communist doctrine teaches that agreements of all types must be signed "whenever life and the interests of the cause demand it" but should be broken without notice whenever they cease to serve the interests of the global revolution.

Missile delivery systems coupled with nuclear firepower have confronted the leaders of the world Communist movement with the most difficult military problem they—or others—have ever faced. On the one hand, weapons in being promise an initial opportunity for completing the world revolution once and for all. But on the other hand, global conquest is impossible unless Western alertness to the true intentions of the Communists is minimized and U.S. strengths degraded to a point where the risks of retaliation become negligible.

"Present-day ballistic missiles guarantee a high probability of inflicting powerful strikes simultaneously on a great variety of targets * * * to redirect firepower quickly, shifting the decisive thrust from one target or one theater of operations to the other, and by means of massed nuclear strikes to * * * change the situation to one's own advantage." (Malinovsky, Jan. 14, 1960.)

If they wish, citizens of the United States—and of the entire free world—can assist the Communists to gain global domination. The requirements are simple and easy to execute. They can continue to be apathetic toward civil defense and disinterested in effective utilization of our own potential and actual strengths. They can be reluctant to pay for effective missile hardening, and for airborne alert. They can attack proposals to accelerate the phase-

in of second-generation ICBM's and to surge forward with the nuclear aircraft program. They can join groups supporting a nuclear test ban à tout prix.

In the process, they will give the Soviets new basis for their contemptuous assessment that the balance of power is shifting to favor the Communist camp. They will reinforce the Soviet belief that the free world can be deceived about true Communist objectives and has been deterred from taking effective steps to prevent global takeover.

We are confronted with an enemy born and bred on violence. Khrushchev and his henchmen have been utterly explicit about their intentions. Eventually, we will have to face the final showdown.

We have danced too long and too ceremoniously in the heiau of "horrors of nuclear holocaust," proffering our military superiority and moral strength on the altars of "negotiation," "disarmament," and "coexistence." The god we are worshiping is one the Communists neither recognize nor fear—the false god of international "togetherness" who, by accepting our sacrificial offertories, assists the Communists without realizing it.

"Flying machines piloted by man have been mechanized, semiautomated, and, finally, fully automated and integrated with missiles. Air Force personnel * * * will be required to learn to use the new, more perfect, and hence more complicated airplanes." (Vershinin, Jan. 19, 1960.)

## URGENT NECESSITY FOR INEXPENSIVE METHOD OF CONVERTING SALINE AND BRACKISH WATER INTO FRESH WATER

Mr. WILEY. Mr. President, we are approaching a strange, new day in our land when we must create a planned sufficiency of water, rather than passively enjoy a natural abundance of this precious resource. This is the carefully substantiated prediction made in a recent staff study conducted by the Select Committee on National Water Resources of the Senate. This study further indicates that the national water requirements by 1980 will closely approximate the supply of 600 billion gallons per day, which is our estimated present limitation. This amount, incidentally, represents about half the total outflow of all the rivers in our country.

Secretary of the Interior Fred Seaton, as well as other qualified sources, have recently emphasized that the United States will have to turn to the ocean for our water supply by the year 1980—if consumption of this precious resource continues at the present rate.

Mr. President, we know that a vast amount of research is currently being done and that a number of water resource agencies and research centers are putting to work more scientists and engineers who can provide the type of research information that is needed. The vital question facing our country is: Can they come up with the necessary answers in time? The Nation is rapidly approaching a period when we will need and use all the water we can possibly get from every conceivable source.

Recognizing this important fact, I recently joined in sponsoring proposed legislation to carry forward the program to find more inexpensive ways of transferring saline, or brackish, water into water suitable for industrial and other consumptive purposes. The bill S. 3446 would authorize the Secretary of the Interior to negotiate contracts with public-owned organizations for the use of saline water conversion plant facilities in order to further the research and demonstration programs now authorized. Preliminary hearings on this legislation have already been held by the Senate Committee on Interior and Insular Affairs and it is my understanding that it is scheduled to be considered in executive session by that committee today.

Experts generally agree that low-cost conversion of saline and brackish water is a goal that can be achieved. Future conversion processes—which would be aided in development by the proposed legislation—hold promise of the attainment of a major breakthrough in turning sea water into fresh water so that the cost will eventually be lowered to less than 50 cents per 1,000 gallons. This figure favorably compares with the present average cost of water in the United States of 30 cents per 1,000 gallons.

Believing it to be essential that the Senate Committee on Interior and Insular Affairs take early action to report out the bill S. 3446, so that this important program can be effectively continued, I recently contacted its distinguished chairman, the senior Senator from Montana [Mr. MURRAY], in this regard. I ask unanimous consent that the text of my letter to the committee be printed at this point in the RECORD.

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

Hon. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: I am writing to respectfully urge early and favorable approval by your committee of S. 3446.

As you know, this legislation—if enacted—would authorize the Secretary of the Interior to negotiate contracts with public owned organizations for the use of saline water conversion plant facilities to further the research and demonstration programs now authorized.

As you recall, the Secretary of the Interior has stated that the United States will have to turn to the ocean for water by 1980; but has added that future conversion processes hold promise of developing entirely new methods which may permit the attainment of a major breakthrough in turning sea water into fresh water so that the cost will eventually be lowered to less than 50 cents per 1,000 gallons. Although a vast amount of research toward this objective is currently being done, the vital question is whether or not such research information can be supplied by the time that it will be urgently required.

It is my understanding that hearings have recently been completed by the Subcommittee on Irrigation and Reclamation, of the Committee on Interior and Insular Affairs, on this measure which I have been happy to cosponsor. It is hoped that your committee will take action to issue a favorable report on the bill as soon as possible.

With best wishes, I am
Sincerely yours,
ALEXANDER WILEY.

## THE MEANING OF MATERIALISM

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the RECORD a lecture on the meaning of materialism delivered by the Reverend Francis J. Conklin, S.J.

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

In the preceding lectures we examined the meaning of Hegel's philosophy and came to an understanding of the word "dialectic." The philosophy of communism is classified as dialectical materialism. We must now explore the meaning of the word "materialism."

Karl Marx began with the fundamental premise that matter alone exists. To understand why this seemed so self-evident to him one must understand a bit of Marx's background.

Marx began with a false philosophical dichotomy. He believed that philosophers were easily categorized into idealists and materialists, and that one must choose either horn of this dilemma. Idealism for Marx represented the unreal so he chose materialism.

While writing his doctorate dissertation at Jena, Marx brought forward two ideas that were to permeate all of his philosophy. The dissertation compared the materialism of two Greek philosophers: Democritus and Epicurus. For Democritus, everything was fixed and unvarying. The world was composed of nothing but atoms and a void. These atoms fell in straight lines and predetermined all else. For Epicurus, only atoms and the void existed, but the atoms were endowed with an active principle. They were free to go where they wanted. Marx favored this more active type of materialism because it allowed room for free will and for hope in the fight against entrenched religion and authority.

Marx attended the University of Berlin shortly after the golden age of idealism closed with the death of Hegel in 1831. For those attending the university no middle course lay open between idealism and materialism, and in that context materialism was the inevitable choice for progressives. This intellectual situation had political and religious implications for the leftwing Hegelians as we mentioned previously. Consequently, it should come as no shock to find that Marx terminates his doctorate dissertation with the words of Prometheus: "I hate all the gods."

Marx interpreted the history of philosophy in the light most favorable to materialism. In "The Holy Family" Marx states that materialism is a natural-born son of Great Britain. "Duns Scotus had asked whether it was possible for matter to think. In order to effect a miracle, Duns Scotus took refuge in God's omnipotence, i.e., he made theology preach materialism. Moreover, Scotus was a nominalist and nominalism, the main form of materialism, is chiefly found among the English schoolmen."

After Dun Scotus in the history of British materialism, comes Francis Bacon. Bacon attacked the Aristotelians and in a way, was very much in the right. The Aristotelians (and the woods were full of them) had created a world in which everything conformed with Aristotle's astronomy of metaphysics. (Apart from the geocentric nonsense of the spheres, Aristotle's "Prime Mover," races after the unattainable "Uncaused Cause" like a squirrel on a treadmill.)

Bacon reacted by stressing the need for empirical proof of all metaphysical and physical assertions. Accentuating the particular and sense experience came to be misinterpreted so that only sense knowledge was respected as valid knowledge. Bacon asserted, but made no serious attempt to prove, that our knowledge is confined to what may be formally known in the senses.

Materialism took a giant step forward in the person of Hobbes. For Hobbes, philosophy concerns itself only with things of

bodily nature, which are generated through motion. Hobbes, a nominalist, opened the passage for materialism into mathematics. Thought no longer remains separate from thinking matter. In the practical sphere might makes right.

From Hobbes the torch was passed on to Locke because Locke advanced theoretical proofs that Bacon and Hobbes were correct. You will recall that Rene Descartes had separated mind and matter into two watertight compartments. For those who choose to emphasize matter a mechanical explanation of the material world sufficed. Everything ran like a machine; sensation itself was nothing more complex than a mechanical reflex. Descartes had isolated the human mind by his absolute separation of mind and matter. Consequently, Descartes had to demand and insist upon infused ideas because access to the intellect through the senses had been stopped.

Locke attacked infused ideas, insisting that all knowledge comes through the senses. This insistence was accepted as theoretical validation of Bacon and Hobbes.

At this time materialism splits into two groups. One group is very myopic; mechanical, and one might say, artificial in its expression. The other seeks solace in social humanitarianism.

Lamettrie published a famous book in which he called man a machine. This represents the extreme of the mechanical materialism arising out of Descartes. In the same tradition Diderot preached complete determinism as the only solution to the human equation. Man, the machine, lacks free will or freedom of any type.

Helvetius and Condillac represent the social outlook. These men look for progress in reason to match progress in industry and they regard education as all powerful. Only sense knowledge, of course, has validity. But to change man's knowledge they would change what he senses. In a word, all depends upon education and environment. They place the materialist accent upon the social life of man so that man may be changed by changing his environment. Holbach, the next materialist, insists that all men are created equal; that education is the all powerful solution to man's problems because every man is naturally good.

Marx will side with the latter group of materialists. Marx will nowhere acknowledge his debt to them but will adopt them by qualifying their position and integrating it into his world view.

By contrasting two materialisms—scientific determinism versus liberal, social progressivism we arrive at some interesting points of departure. Engels favored scientific determinism, and, as we shall see in subsequent lectures, had to be rescued by Lenin because he relied too heavily upon the narrow limits of the materialistic interpretation of science. Marx, a more profound thinker than Engels, embraced the social doctrine of the materialists and the great vision that the material world must be organized in a more human way.

When we study progressive materialism's emphasis on the natural goodness of man; the equal intelligence of all men; the all importance of experience in habits and education; the influence of external forces such as work; etc. the connection between progressive materialism and socialism or communism becomes rather apparent—and so does the insoluble dilemma of legislative thought investigation and/or control. Man draws his knowledge from the material world and acts on that world as a result of this experience. This world of experience must be organized in such a fashion that man here encounters and fulfills all truly human aspirations. Man must come to realize his human potentialities.

The materialism of Karl Marx may be logically integrated with the philosophical materialism of his predecessors, but logical analysis may abstract the man from the social context of his times. Marx embraced materialism in a logical—but more profoundly—in a social and humanitarian quest for truth. To appreciate this quest we turn to the "Thesis on Feuerbach":

"The chief defect of all hitherto existing materialism, that of Feuerbach included is that the object, reality, sensuousness, is conceived only in the form of the object of contemplation, but most as human sensuous activity; practice; not subjectively. Thus it happens that the active side in opposition to materialism was developed by idealism, but only abstractly, since idealism does not know real sensuous activity as such.

"Feuerbach wants sensuous objects really differentiated from thought objects, but he does not conceive human activity itself as activity through objects."

Fundamentally, Marx is saying that philosophy must cease to be pure contemplation.

Up until Marx's time, materialism has stressed the concrete; the real; the object which is known. In this analysis of knowing the object, the thing known, remains passive. This is especially true in the mechanical theory of sensation, where all emphasis is placed upon the object as something apart. An active, knowing subject counterbalances an inactive object.

On the other hand, the idealists have placed emphasis upon the creativity of the subject. They have monopolized the dynamic view. Idealists stress the subject to such an extent that they delineate the object—the subject comes to create its own object. Marx wants to take the dynamic or active insights of the idealist and transfuse them into the anemic staticism of the materialist camp. Marx wants to make the real active; to unify thought and action. Human activity is the real action of real men who change the world while being changed themselves.

Marx comes to grips immediately with an epistomological problem: "The question whether objective truth can be attributed to human thinking, is not a question of theory but a practical question. In practice, man must prove the truth—i.e., the reality and power, the this-sidedness of his thinking. The dispute over the reality or nonreality of thinking which is isolated from practice is a purely scholastic question."

Practice for Marx is the dynamic activity of the real. Activity permeates the real world, the object of human thought. The Hegelian dynamic spirit now inhabits matter. The test of truth; the test of union of mind and matter, of thought and objects, becomes the simple question: Does the thought work in its conformity with the real?

Just as Hegel rejected Kant and Fichte because they were based upon a false theory of opposition between subject and object, Marx has rejected Hegel by denying the validity of all knowledge which exists only for itself. Marx has repudiated all contemplative knowledge. What counts for Marx is the this-sidedness of thinking. This-sided thinking has reality and power.

Expressed in other terms: intrinsic contradiction has always been a test of truth in the speculative order. The real criterion of truth is whether the thought proves itself in the real world. If it does, intrinsic contradiction is quite academic. Real truth can be grasped only in real action.

From this premise Marx alludes to the social progressive trend in the history of materialism: "The materialistic doctrine that men are products of circumstances and up-bringing, and therefore changed men are products of other circumstances and changed up-bringing, forgets that circumstances are changed precisely by men and that the educator must himself be educated. Hence, this doctrine necessarily arrives at dividing society into two parts of which one towers above the other."

Society divides into the institutions and traditions which condition the thinking of people and the people conditioned or molded by these same institutions and traditions. For Marx, human progress cannot be incarnated in political and social institutions and traditions. Circumstances make men. External forces and forms at work in a society condition the thinking of any historical era. But existing conditions are not self-explanatory. In a word, Marx wants to know what makes external forces or external circumstances what they are. Marx's solution to this problem, we will have occasion to describe later on as historical materialism or economic determinism.

"Feuerbach starts from the fact of a religious self-alienation—the duplication of the world into a religion, imaginary world and a real one. His work consists in the dissolution of the religious world into its secular basis. He overlooks the fact that after completing this work, the chief thing still remains to be done. For the fact that the secular foundation can lift itself above itself and establish itself in the clouds as an independent realm, is only to be explained by the self-cleavage and self-contradictions in the secular basis. The latter must itself be understood in the contradiction and then, by removal of that contradiction, revolutionized in practice."

Marx simply states that the materialism, the atheism, if you prefer, of Feuerbach, did not go far enough. Feuerbach has correctly explained the origin of religion and of religious ideals. Feuerbach has answered the question "how"; he has not answered the question "why."

Marx will devote the rest of his life to seeking an answer to that second question: "Why does man create his own gods?" Feuerbach does not understand that religion is a product of society; nor that the individual he analyzes pertains to a definite form of society. For Marx, there must be a return to the real, a return to the individual—or, in epistomological terms, a return to the given. There must be an analysis of society and a solution offered to societies' evils.

"The supreme result so far obtained by perceptive materialism, that is, materialism which does not conceive the sensible world as practical activity, is the perception of isolated individuals in bourgeois society. The point of view of the old materialism is bourgeois society; the point of view of the new materialism is human society or socialized humanity."

The trouble with older materialists has been passivity; content to sit back and point out the evils of society then let things go as they are. Marx will not stop at such an elementary position as this: "The philosophers have hitherto only interpreted the world in different ways; the point is to change it."

Let us begin to integrate. The metaphysics of communism is called dialectical materialism. In Hegel we have seen the dialectic; in the last lecture we considered the materialist origin of Marx's thought. The fusion of these elements produced the alloy of dialectical materialism.

Matter alone exists. This is Marx's fundamental and most self-evident intuition. Why did Marx say that matter alone exists? For many reasons. First of all, he is concerned with the problem: which is more important, spirit or nature. In his view, those who have emphasized spirit, have fallen into the trap of idealism. Those who have emphasized nature, have fallen into the trap of static materialism.

Marx insists that nature is primary, that our concepts, our ideas (or whatever you want to call them) are nothing more than images of nature and are themselves products of organized matter. We do know the world as it is. Things can be known and things are known by the human mind. With one quick stroke, Marx brushes through a whole epistomological problem. Nature is active and the human mind is active. Nature copies or photographs things and the human mind expresses the photographs in terms of concepts or images. This is to say, that the thing in itself is the thing for us. All of the object's relations must be known and are known by the active human mind.

From what has already been said we may be led to oversimplify Marx and equate Marxism with pragmatism. This facile classification must be resisted. Marxists criticize the shallow, superficial approach of the true pragmatist and there is a good deal of truth in what the Marxists say. Although the Marxist test of truth is successful action upon matter, this test of practice if emphasized in isolation, becomes a very selfish and individualistic thing. To state that Marxism is merely another form of pragmatism, fails to properly evaluate the social content in the teaching of Marx.

The second fundamental metaphysical principle propounded by Marx is that this existing material world constantly changes. Eternal matter moves unceasingly. In this regard, Marx agrees with Heraclitus: "Change is the essence of things." (Recall, once again, that Marx is thinking in the atmosphere of evolution and progress which permeated the 19th century.)

Marx sees many dialectic or contradictory oppositions in the real world. First of all, a dialectical action permeates men's thoughts. Secondly, man and nature interact dialectically. Finally, a dialectical action lies in the heart of nature itself.

The dialectical interaction in human thought needs no comment. Anyone who momentarily considers the problem realizes that our concepts are clarified and purified by a constant opposition and interplay between contradictory, or opposed ideas. For example: One doctor says cancer is caused by a virus; another says it is not. The truth probably lies somewhere in between: a virus unlike any that have hitherto been discovered, etc.

The dialectical intersection between man and nature are explicable thus: Nature—i.e., the material world—has produced man. Man is the highest product of organized matter. Yet, man, the product of nature, wants to change nature—in other words, to humanize it. The contradictory pulls are man with his material needs opposed to nature which is supposed to provide satisfaction for these fundamental needs. Material satisfaction results from work. Work is the action which mediates between man's material needs and the material world which will provide satisfaction. Thus, the true equation is: man plus need, plus work, plus nature give satisfaction.

However, in the 19th century Marx looked around him and saw man plus need, plus nature, plus work all adding up to frustration. This is a simple way of saying that work is estranged; it is alienated; that work does not satisfy elementary human needs; that man in his most profound relationship to the world is alienated or estranged.

Finally, and without doubt, on a somewhat more superficial basis, Marx propounded a dialectical interaction in nature expressed in three laws. Actually, we are indebted to Engels for most of this material. A good part of it is contained in Engels refutation of the German philosopher Dühring.

Let's insert a parenthesis: Engels makes vociferous and emphatic claims that dialectical materialism is the only true materialistic philosophy of becoming. He proves this by certain terminological laws which we shall discuss in a moment. Actually, these laws are carried over from the Hegelian dialetical system. Eugen Dühring correctly understood Hegel's analysis of the dialectical nature of human thought and Hegel's attempt to explain the real world in terms of this natural dialectical process. Dühring questioned the legitimacy of transferring this idealistic concept to matter and using it to explain the motion of material beings in a philosophical system that rejects all the spiritual characteristics which render the dialectical thought process possible for humans. A careful examination of Engel's only major philosophical work: "Herr Eugen Dühring's Revolution in Science (Anti-Dühring)," will reveal that Engels did not give a satisfactory solution to the problem—despite the thunder and lightning.

Returning to the dialectical interaction in nature and the famous three laws of the dialectic: In theory these three laws are supposed to explain why there is motion in the material world. Engels popularized them in the "Anti-Dühring" and in the manuscript: "The Dialectics of Nature." Marx's adherence to these laws—especially in later life—may be seriously questioned. But whether true or false these laws provide the system with a marvelously logical coherence.

First of all, there is the law of opposites; reality is a unity of opposites. In other words, motion is a contradiction. A thing which is moving, both is and is not at the same time. Life itself is a contradiction; life is a process; life is the interaction of anabolism and katabolism. From time to time either anabolism or katabolism predominates, but life itself lives by simultaneous construction and destruction. Life is a contradiction in terms. In mathematics we have positive and negative. In calculus, we have differential and integral. These are contradictory operations. In electricity we have positive and negative. In magnetism we have north and south. In atomic physics we have proton and electron, or matter and antimatter. Thus the world as we discover it, is truly a unity of opposites. Whatever is, if you think about it enough, is really a contradiction.

Motion proceeds according to the second principle which is the negation of the negation. To paraphrase a passage from the Bible: if a grain of seed falls into the ground and dies, it brings forth many grains. In other words, one grain drops into the ground, dies; that is, ceases to exist, and there comes into life the negation of that one grain—the plant with its abundant grains. The new plant in its turn must die. And it bequeaths the world many grains. Thus, the many grains are negations of plant, or negations of a negation.

Reality makes progress by this process of negation of negation. This is illustrated in mathematics by the old dictum that minus times minus is plus. Two negatives make a positive. Perhaps the clearest example may be brought from geology. If you study the crust of the earth as you find it today and consider the effect of rainfall, you will note that the crust of the earth is gradually being worn away, washed down in rivers and deposited as fine sand or mud on the bottom of the ocean. The fine sand and mud is a negation of the dolomites, red and green argillites, or white quartzites that once constituted impassible mountain barriers on the surface of the earth. However, this accumulated fine sand and mud creates pressure of its own, and this downward thrust at sea level forces up new mountains, so that we find algae colonies and other evidences of ocean life in the Sizeh limestone high in the Rockies. The new crust is not really a negation of the old—but a negation of the negation—a negation of the fine sand which was a negation of the original crust. Thus minus times minus gives plus.

Applied to history: at the beginning of time common ownership of land prevailed but yielded to the march of private ownership. Private ownership was the negation of common ownership. The new order will demand a common ownership of land in a classless society. Thus will be accomplished the negation, the extinction, of the first negation.

Marx (really, Engels) is saying that the old is constantly dying and being replaced by the new. In the world of philosophy the old materialism ran up against its negation in the form of idealism. The old materialism could not cope with idealist philosophy because it could not incorporate the dynamism found in idealist philosophy. The new materialism negates idealism. It incorporates the best to be found in idealism because the new materialism is the negation of a negation.

The final metaphysical law is the law of transformation of quantity into quality. This explains why the new is better. The problem confronting Engels is that in nature there seems to be a leak: there seems to be a jump from simple negation to something new, which is a negation of that negation. Engels believes that this results from a simple process whereby continuous quantitative change produces a new quality.

Engels proves his contention by example: if you take water and heat it, the change is quantitative—that is to say, the increase in temperature is measurable in degrees. You are adding new measurable quantities of heat to the water. However, prolonging this process for a sufficient period of time develops a new quality in the water: steam. Conversely, if water is cooled the gradual quantitative diminution results in a quantitative change, and terminates in the production of a qualitatively different substance: ice.

The same may be illustrated from the field of organic chemistry. If you commence with an elementary hydrocarbon: Methane ($CH_4$) and make quantitative additions such as $CH_2$ you have Ethane, Propane, Butane, Peutane, Octane, etc. Each of these new products is entirely new—something never seen before—something never ascertainable from the nature of the original $CH_4$. Thus continuous quantitative change produces new qualities.

In summary: matter alone exists; matter is constantly in motion; matter's motion is dialectical in pattern. The dialection motion develops from the nature of the dialectical interaction in men s thoughts; in the dialectical manner of operation between man and nature; finally, from the dialectical interaction within nature itself. This latter interaction in nature is explicable through the three laws of the dialectic: Reality is a unity of opposites; progress is explicable by a process of the negation of the negation; continuous quantitative transformation results in the production of new qualities. This constitutes the metaphysical foundation of dialectical materialism.

---

## ORDER OF BUSINESS

The PRESIDING OFFICER. Is there any further business in the morning hour?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. Is there further business in the morning hour?

Mr. RUSSELL. Mr. President, I desire to ascertain whether there is further business in the morning hour, because before the Senate proceeds to consider the unfinished business, I desire to have a live quorum.

Mr. CLARK. Mr. President, will the Chair indulge me for a moment while I confer with the Senator from Georgia?

Mr. President, I renew my request that the order for the quorum call be rescinded.

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

Mr. CLARK. Mr. President, I ask unanimous consent that I may proceed for not in excess of 10 minutes.

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

## PUBLIC DEBT AND TAX RATE EXTENSION ACT OF 1960

Mr. CLARK. Mr. President, earlier during the morning hour the distinguished senior Senator from Utah [Mr. BENNETT] undertook to criticize at some length the amendment sponsored by me, and which, in my judgment at least, if not in the judgment of the Senator from Utah, the Senate wisely adopted yesterday afternoon in connection with the excise tax bill.

My amendment dealt with the problem of business expense deductions for entertainment, gifts, and dues to social and athletic clubs. It would, I believe, conservatively yield an additional $250 million of badly needed revenue.

The Senator from Utah made a series of quite extraordinary statements. I should like to repeat them and then rebut them. He said, first, that my amendment permitted unlimited expenditures for liquor and food. This, of course, is not true.

The amendment retains the present requirement that any entertainment expenditure, to be deductible as a business expense, must be a necessary and ordinary expenditure in furtherance of the business. The amendment does not change that requirement at all. The amendment simply prohibits deductions for entertainment expenses except for food and beverages. The reason for the exception is that as a matter of both draftsmanship and administration, it was found impossible to draw an amendment which would be fair and just, and yet prohibit deductions for necessary and ordinary business expense in connection with trying to put across a business deal by the purchase of food and beverages. However, there is a clear limitation in present law on the amount which can be deducted for such expenses, and that limitation will continue.

My friend said that although I talked a great deal about yachts, in support of the amendment, that, as he read the amendment, one could yacht to his heart's content and could charge off the expenses to Uncle Sam, because we had not forbidden travel. Of course that comment is equally unsound; the bill did not prohibit deducting travel expense if it is a necessary and proper business expense, because we found that the administrative difficulties in writing such a provision into the amendment were quite substantial.

Mr. President, the distinguished Senator from Utah suggested that despite my amendment, an individual or a business could maintain and operate a yacht for entertainment purposes and could charge off the expense for it as business expense, to the heart's content of the owner of the yacht. Of course, the Senator from Utah stated that his belief is based on the fact that in the amendment there is no prohibition against travel.

But I can assure the Senator from Utah that I am quite certain that any competent lawyer would advise him that my amendment does prohibit business-expense deductions based on the use of yachts for the pleasure or entertainment of business customers, not for travel. Of course, if a yacht were chartered to take a group to some sort of business convention in another part of the world, that travel expense would be a legitimate business expense. But the ordinary entertainment for which a yacht is utilized would not be a deductible business expense under the provisions of my amendment.

Then my friend wished to know whether my amendment would exclude deduction of expenses of the well-known company picnic. Of course, it would not, because food and beverages would be deductible on the same basis as they were before. If a company picnic is found by the revenue agents to involve an ordinary and necessary business expense—within the meaning of section 162 of the code—the company could continue to deduct the cost of such picnics. Under the amendment the company could not deduct the expenses of hiring entertainers to perform at the company picnic. But if the company wished to hold a picnic in a park, I assure my friend that nothing in the amendment would prevent deduction for the food and drink expenses of that picnic.

Then my friend said he thought deduction of the costs of sample kits and window displays would be forbidden under my amendment, if they cost more than $10. But, of course, they would not, because those are not gifts. They are advertising expenses; and my amendment does not prohibit in any way legitimate advertising.

Then the Senator asked what would happen if at the end of the year one gave a salesman a bonus for having sold an extraordinarily large number of automobiles or dishwashers or whatever might be the article he was selling; and the Senator said that bonus would be a gift. But, of course, it would not be a gift, because a payment of this sort is treated as compensation for services performed, deductible by the employer and taxable as ordinary income for the employee.

Then the Senator said—and he almost wept as he said it—that the result of the amendment would be that corporations with a heart or with a soul would be denied the privilege of giving a scholarship to some worthy cake baker who used General Mills products, as he said, or to some worthy youth who, by means of a contest, won a scholarship. But, of course, my amendment would not prohibit that. A scholarship is a charitable or educational contribution and if it is deductible under section 170 of the code which covers the tax treatment of such contributions, it would continue to be deductible if and when my amendment becomes law, since my amendment does not change section 170.

Then my friend, with emotion in his words, inquired whether a faithful employee who had served a company for 50 years, would be prohibited, by my amendment, from receiving a gold watch when he retired from the company. The Senator suggested that in that respect there was a sad contest between permitting someone to wine and dine a customer, but forbidding a gray-haired, 50-year employee from being rewarded by being given a gold watch.

Mr. President, this does not bother me very much. Either the gold watch would be treated as extra compensation for services rendered which would be fully deductible under existing law, or if it would be considered to be a genuine "gift," and the company would claim a $10 deduction, after 50 years of service it would not seem too harsh to make the company carry the balance of the cost of the watch without help from Uncle Sam. At any rate there is no doubt that the practice of rewarding old employees will continue.

So, Mr. President, I hope very much that the Senate conferees will stand firm behind this wise amendment, which will make a beginning on cutting in on one of the most disgraceful aspects of our free enterprise system—namely, the swindle sheet racket—and, in addition, I am confident that the amendment will raise an additional $250 million of revenue for the Treasury.

Mr. President, I turn to another allied matter, and I ask unanimous consent that I may proceed on this matter for not in excess of 7 minutes.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Is there objection? The Chair hears none, and the Senator may proceed.

Mr. CLARK. Mr. President, the action taken by the Senate yesterday in defeating the committee amendments to the tax extension bill, H.R. 12381, and in passing three loophole closing amendments, if approved, will increase revenues in the coming fiscal year by $1.165 billion dollars. This could well spell the difference between a $200 million deficit and a $1 billion surplus in fiscal 1961. I ask unanimous consent that a table which I have had prepared to demonstrate these facts be inserted in the RECORD at this place in my remarks.

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

| | |
|---|---|
| Estimated surplus for fiscal year 1961 (spending $79.8 billion; revenue $84 billion) | $4,200,000,000 |

| | |
|---|---|
| Less net increases over budget estimates in appropriation bills passed to date: | |
| Increases: | |
| Defense, June 16 | $1,179,997,000 |
| HEW, June 17 | 465,566,950 |
| Interior, May 13 | 7,337,300 |
| Subtotal | 1,652,901,250 |
| Decreases: | |
| Commerce, May 13 | 69,990,625 |
| Treasury-Post Office | 55,939,000 |
| Agriculture | 141,165,590 |
| District of Columbia | 2,932,567 |
| Subtotal | 270,027,782 |
| Net increase | 1,382,873,468 |
| Surplus balance | 2,817,126,532 |
| Less cost of Federal employee pay bill | 746,000,000 |
| Surplus balance | 2,071,126,532 |
| Less postal rate increase (budgeted but not agreed to) | 554,000,000 |
| Aviation fuel tax and miscellaneous taxes (budgeted but not agreed to) | 146,000,000 |
| Subtotal | 700,000,00 |
| Surplus balance | 1,371,126,532 |
| Less cost of certain bills which may be passed before adjournment: | |
| Education (S. $900 million; H.R. $325 million) average | 612,500,000 |
| Housing | 100,800,000 |
| Medical care for aged (McNamara) | 132,000,000 |
| Foreign tax credit (S. $20 million, H.R. $45 million) (average) | 32,500,000 |
| H.R. 10 (estimate $150–$250 million) (average) | 200,000,000 |
| Subtotal | 1,000,000,000 |
| Surplus balance | 371,126,532 |
| Less cost of H.R. 12381, as reported by Finance Committee | 565,000,000 |
| Deficit | −193,873,468 |
| Plus restoration of communications and passenger excise taxes | 565,000,000 |
| Plus new revenue raised by loophole closing amendments to H.R. 12381, as passed by Senate: | |
| McCarthy amendment repealing 4 percent dividend credit | 175,000,000 |
| Gore amendment preventing depletion allowance on finishing processes | 300,000,000 |
| Clark amendment narrowing expense account deductions | 125,000,000 |
| Subtotal | +600,000,000 |
| Total revenue added by H.R. 12381 as passed by Senate | 1,165,000,000 |
| Surplus balance | +971,126,532 |

Mr. CLARK. Since there are no differences in H.R. 12381, as passed by the Senate and the House, in regard to the extension of all existing taxes, this matter will not be at issue in the conference committee. The three loophole closing amendments adopted by the Senate, however, do represent points of disagreement which will have to be ironed out by the conferees.

Before the Senate conferees were appointed last night, I reminded the Senate of the principle stated in Cleaves' manual that "the majority party and the prevailing opinion shall have the majority of the managers" in the conference committee. That principle was not followed in the appointments made last, because a majority of the Senate conferees voted against the McCarthy amendment to repeal the dividend credit provision of the code, and against my amendment to tighten the rules regarding the deduction of business expenses. As I indicated last night, however, I did not object to the appointment of conferees in violation of the precedent I have just cited, because I have confidence that they will truly and ably represent the views of the Senate majority in conference, regardless of their own individual opinions of the actions taken yesterday.

The importance of retaining the loophole-closing amendments in the bill on the revenue position of the Treasury cannot be overemphasized. The best estimates we have show that the three amendments adopted by the Senate will add $1.2 billion to Government receipts in the first full year of their operation, or $600 million in fiscal 1961—since they all become operable under their terms on December 31, 1960.

The Washington Post, in an editorial in this morning's edition, complimented the Senate on the soundness of its actions on the tax bill yesterday, and I ask that the editorial be inserted in the RECORD at this place in my remarks. Even the Wall Street Journal gave grudging acknowledgment that the Senate had acted in the interests of fiscal responsibility on the tax extension bill, although, of course, it added the usual pleas to stop all further spending. I ask unanimous consent that the editorial also be included in my remarks at this place in the RECORD.

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

[From the Washington Post June 21, 1960]

TAXES IN THE SENATE

The Senate has acted responsibly in overriding its Finance Committee to continue, for another year, the communications and transportation taxes. While it is quite true that the original purpose of the transportation levy—to discourage travel in wartime—is no longer relevant, the need for Federal revenues is pressing. And while it is true that many States need an expanded tax base and would have welcomed the opportunity to take over the excise on telephone and telegraph bills, the Federal Treasury is this year in no position to be generous. For Congress to have voted several necessary increases in the budget and, at the same time, to have allowed these taxes to lapse would have made a poor record for any Democratic candidate to run on.

The budget surplus foreseen for fiscal 1961 now seems bound to be much smaller than had been hoped for 6 months ago. Congress' refusal to raise postal rates and its insistence upon pay increases at a time of relative price stability threaten, along with justified increases for defense and other items, to eliminate much chance of debt retirement or advantageous refinancing. Against this backdrop, tax cuts of any kind would look—and would be—quite irresponsible.

Several of the moves in the Senate to close certain tax loopholes have much merit, but without early and concerted action in the House, where revenue measures must originate, it is nearly impossible to accomplish such reforms. We hope the extended study of the tax structure which the House Ways and Means Committee has been conducting will lead to enactment of some of these and other corrective amendments to the internal revenue laws in the next Congress, if, as seems likely, complete action is impossible now. The Senate action and debate have at least pointed to some of the more obvious flaws, such as the unduly broad minerals depletion allowances (which it voted unanimously to curtail), the abuse of entertainment expense accounts, the poorly justified tax credit on dividend income and the seemingly widespread evasion of dividend and interest taxes altogether, to say nothing of the excessive oil and gas depletion allowance rates.

These are but a few of the many opportunities that exist to broaden the income tax base, which must be done before nuisance taxes like the transportation levy and other similar inequities can be eliminated. It is a pity that this Congress could not have addressed itself broadly and early to revenue problems, but the Senate, at least, has done about the best that it could under the gun of a July 3 adjournment.

[From the Wall Street Journal, June 21, 1960]

PINNING THE LABEL

The Senate, this newspaper reports, will face a lot of opposition to the Senate Finance Committee's approval of a bill to repeal the 10 percent Federal levy on local telephone calls, telegrams, and passenger travel.

The taxes are unduly burdensome, but some of the Democrats fear somebody might pin a label of "fiscal irresponsibility" on the Congress they control if those taxes—laughingly labeled "temporary" when enacted—are killed. The reason for the fear is that repeal would cost the Government around $752 million annually, and some Democrats want to spend much more money than even the administration thinks proper on a great many things such as Federal school construction aid, Federal medical aid to the aged and Federal housing aid, to cite a few.

Well, in an election year it's probably a futile exercise to suggest that Congress ought to do the sensible thing and not increase spending just to lure unwary voters. And in any other year, either, it's probably equally futile to hope that Congress will cut special taxes that provide money to spend. Once a tax is on and the initial taxpayer grumbling has ceased, it's about as hard to get elected officials to reduce taxes as it would be to get them to cut their own pay.

Still, there's a gleam of hope in all this. For here is a clear case of letting the public know outright that anything it gets from Washington the public itself must pay for. We don't know how many people use telegrams or travel around, but there are a mighty lot of them who have telephones and if the Senate does refuse a tax reduction they'll know their bills are 10 percent higher than they might be because of greater spending by Congress.

In a way, we suppose the taxpayer ought to be grateful to the Senators who say they want to keep the taxes so as not to endanger the balanced budget the administration is hoping for. That's a lot better than going deeper into debt, which truly would be fiscal irresponsibility of the worst sort, considering that some of the programs Congress seeks aren't necessary.

But since the Democratic majority seems worried about labels, we'd like to remind them that there are degrees of fiscal irresponsibility. And spending just about every cent they can get their hands on—with the country deep in debt and the public deep in taxes—can hardly be called fiscal responsibility.

Mr. CLARK. Mr. President, I should like to express my strong hope that the Senate conferees will stand firm behind the amendments passed by the Senate yesterday. I point out again to my colleagues in this body who may perhaps read the RECORD tomorrow that we are about to go into a political campaign in which our party is going to be accused of thriftless spending and of lack of fiscal responsibility. This charge may be made to stick, Mr. President, if it can be shown that this Congress, controlled by the Democrats, has taken the $4.2 billion surplus set forth in the President's budget and has substituted therefor a deficit of $200 million.

I hope this will not come to pass. The best way to handle the situation, both from the point of view of party policy and the national interest, is to see to it that we provide enough additional revenues before we adjourn this year to assure a balanced budget in fiscal 1961.

That, in my judgment, can be done only if the loophole-closing amendments are retained in the bill we passed yesterday.

Mr. President, I shudder to think of both the political implications and the effect on our national economy if we leave Washington having been only too willing to appropriate for the public interest, but entirely unwilling to provide the revenues to give us a balanced budget and an opportunity to make a payment on the national debt.

I hope very much the Senate conferees will stand firm. I would hesitate a long time before approving a conference agreement which left my party again subject to the charge of fiscal irresponsibility.

Mr. President, I yield the floor.

## TRIBUTE TO SENATOR BYRD OF WEST VIRGINIA

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. The Chair will state to the Senator from Ohio that there is no limitation on time.

Mr. YOUNG of Ohio. Mr. President, may I express my high admiration for the distinguished and very able junior Senator from West Virginia [Mr. BYRD], who is presently presiding over the Senate, and my pleasure over the fact that the junior Senator from West Virginia is in the Presiding Officer's chair this afternoon.

Mr. President, from the knowledge I have acquired since I first became a Senator in January 1959, I have learned to regard the present Presiding Officer, the junior Senator from West Virginia, Mr. ROBERT BYRD, as one of the most devoted, dedicated, and industrious Members of the Senate.

During his 2 years in the Senate—it will be 2 years at the end of the present year—and his three terms in the other body, I know that the junior Senator from West Virginia has made a remarkable record of achievement. He has served his State and the Nation with fidelity and zeal, and great brilliance.

The people of West Virginia may well be proud of his contributions to our Nation's welfare. Those of us who know Senator BOB BYRD well have learned that he is one of the hardest working and most selfless Members of the Senate.

It has come to my attention that, as of last Saturday, our distinguished colleague who is presently presiding over the Senate, has spent 104 hours presiding over the U.S. Senate during this second session of the 86th Congress.

It is interesting to note, Mr. President, that the Vice President of the United States, who is, officially, the Presiding Officer of the Senate, has served a little more than one-fifth as much time in presiding over this body during the present session as has the distinguished junior Senator from West Virginia.

As of last Saturday, Mr. President, the record shows that Vice President RICHARD NIXON had presided over the Senate for a total of 24 hours during this session, while, as I have said the distinguished present occupant of the Chair had presided for a total of 104 hours.

On the other side of the aisle I observe the distinguished junior Senator from Pennsylvania [Mr. SCOTT], who is a most interesting letter writer.

I read recently in a newspaper a most informative letter which the distinguished junior Senator from Pennsylvania had written. In addition to his long record of notable service in the House of Representatives, the Senator has been the chairman of the Republican National Committee. He has a distinguished place in his party.

It may be that in addition to the informative letter which the distinguished Senator from Pennsylvania recently wrote, he might choose to write an informative letter to Vice President RICHARD NIXON, advising him of what we are accomplishing during these night sessions under the leadership of the majority leader, the senior Senator from Texas [Mr. JOHNSON]. He may choose to report that. I would not choose to do so, Mr. President, because I realize the Vice President has important work he is seeking to accomplish throughout the Nation. I only make the suggestion.

Mr. SCOTT. Mr. President, will my friend from Ohio yield?

Mr. YOUNG of Ohio. I shall yield in a moment. I promised I would yield to the distinguished junior Senator from Wisconsin [Mr. PROXMIRE], and of course I shall also yield to the Senator from Pennsylvania.

The distinguished Senator from Pennsylvania, to whom I shall yield shortly, became a Member of the Senate at the same time I became a Member. It has been the high honor of some of us freshman Senators, so-called, to be asked to preside over the Senate of the United States. I am not boasting about the time I have spent presiding, because it is insignificant contrasted with the service of the distinguished Senator from West Virginia, the present Presiding Officer of the Senate. However, it is a fact, and the RECORD shows, that the junior Senator from Ohio has presided a total of approximately 44 hours in the Senate of the United States. If the Senator from Pennsylvania chooses to write another of those informative letters, he might advise the Vice President of the United States that he himself has presided over this body for a total of 2 hours during the same period the present Presiding Officer has presided a total of 104 hours.

Mr. President, I did not mean to refer to political matters. I meant only to advert to the service of the distinguished junior Senator from West Virginia. I wished to express my high admiration to the Senator, to attest my deference and devotion to the great work he is doing as a Senator of the United States. The great amount of time which our colleague from West Virginia has spent presiding over the Senate has made it necessary, I know, for him to burn the midnight oil in order to keep pace with the staggering workload of a Senator's office.

In my opinion, Mr. President, the distinguished junior Senator from West Virginia has earned the admiration of all of us for his notable efforts in presiding over the Senate for a total of 104 hours during the present session of the Congress.

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

Mr. YOUNG of Ohio. I yield to the Senator from Wisconsin, and then I shall yield to the Senator from Pennsylvania.

Mr. PROXMIRE. Mr. President, I am very happy to join the distinguished Senator from Ohio is commending the present occupant of the Chair, the junior Senator from West Virginia [Mr. BYRD]. I was impressed, when I was presiding over the Senate a week or two ago, by the figures as to the Senators who had presided, and for how long. I was particularly amazed by the fact that the distinguished present Presiding Officer has actually presided over the Senate for more time than all of the Republicans combined, including the Vice President of the United States, whose constitutional duty it is to preside over the Senate. It has been a neck-and-neck race between our present Presiding Officer and the entire Republican Party, but the Senator from West Virginia has been doing a magnificent job.

I have presided for some time myself, particularly last year and the year before, and I know it is a chore. It is a tedious chore. There are few things which are more tedious than having to sit in the Presiding Officer's chair and listen to speech after speech after speech. It is necessary that some Senator do it. It is necessary that the Presiding Officer conduct himself with dignity and propriety. It is necessary that the Presiding Officer have control over the parliamentary situation.

I point out that the present Presiding Officer is not a Senator who does nothing.

He is a very busy Senator. I know few Senators who are as busy. It is well known that the Senator does graduate work. He is a very hard-working committee member. I have the honor to serve on a committee with the Senator from West Virginia. He is very concerned about proposed legislation, and particularly concerned about legislation affecting his State. He has some very deep, profound, and well-articulated convictions about international affairs. He has given some of the finest speeches given by any Senator on the floor of the Senate. I think the Senator from West Virginia deserves great approval for the fine record he has compiled.

I am delighted to join the distinguished Senator from Ohio in commending the Senator from West Virginia for his service. The fact that he, all by himself, has served in this difficult but important, tedious but important, job more time than all the Republican Senators combined, including the man who has the constitutional responsibility for doing it, is a particularly impressive feat.

Mr. SCOTT. Mr. President——

Mr. YOUNG of Ohio. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I am very much gratified that the distinguished junior Senator from Ohio has paid this tribute to the present occupant of the chair, the Senator from West Virginia [Mr. BYRD], whom we all admire and whose willingness through long and tedious hours to occupy the chair of the presidency of the Senate is appreciated by all of us, many of whom regard it as a chore to be avoided. Many of us often, I fear, escape from the Chamber at times when we feel we are about to be asked to preside. Many of us would prefer not to make this particular sacrifice, but the generous and kindly character of the Senator from West Virginia is such he does relieve all of us many times from this obligation. Therefore, I wish to join in paying tribute to the Senator not only in this capacity but also because he does work hard and because he is a man whom we like and whom we admire.

Since I seem to have been caught in a slight downdraft by virtue of some of the remarks of my friend from Ohio, which refer to the fact that occasionally I write a letter, I will say to the Senator from Ohio that such a letter, of course, would not be addressed to him, because he has been present much more than 22 percent of the time. He is a very faithful Senator. He responds to his duty as a representative of his State in this body. He has voted on most of the bills. He is well known in his reaction to the press and to various groups of people as "Mr. Blunt" himself. He speaks his mind, and we respect him for it.

Mr. YOUNG of Ohio. I thank the Senator very much for that kind remark.

Mr. SCOTT. It should be noted first of all that there are some Senators on the other side of the aisle who still believe in the ancient concept of the Vice Presidency as an office somewhat sedentary in nature, with the Vice President thought to be no more than a figurehead, to be no more than a man who presides over all manner of subjects, no matter what the state of the world or the state of the Union may be.

So this was the old concept of the Vice Presidency, and under the Vice Presidency of members of the party of the Senator from Ohio, the rather gruesome privilege of innocuous desuetude was enjoyed by numerous occupants of the Vice Presidential chair. Most regarded the office as one which one of our Founding Fathers described as the most useless office ever invented by the mind of man for the discomfort of a human being.

However, I am glad to say that the concept of the Vice Presidency has changed during the occupancy of that chair by Vice President NIXON. He has not regarded it as a sedentary post for the purpose of presiding and avoiding other responsibilities.

First, it ought to be called to the attention of the Senate that the Vice President has seldom failed to be present every time there has been a tie vote to be broken and that the Vice President has courageously cast his votes. He was present even during the long hours of the civil rights filibuster, when there were certain Senators on the Democratic side of the aisle, as we all know, who showed a marked disinclination to occupy the chair in the event of a close vote involving the touchy issue of civil rights.

It ought also to be noted that the Vice President has been present by far the greater part of the time when other candidates for the Presidential office have distinguished this Chamber by their absence.

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

Mr. PROXMIRE. The Senator from Ohio has the floor.

Mr. SCOTT. I should like to conclude this part of what I have to say. One is not, of course, too critical of those who campaign for the Presidency, because it is a post which requires a frequent return to the people. But the Vice President, generally speaking, has observed the necessity to be present, even though his duties here are occasional at best, and his principal duty is to break a tie in the event of such a vote in the Senate. He has observed the duties and responsibilities of his office to a far better degree than have others who are competing for the Presidency. By that I certainly do not mean to include the majority leader (Mr. JOHNSON of Texas), who has been faithful in the Senate day and night, and whose leadership is of the sort which has commanded the respect of Senators on both sides of the aisle.

The Senator from Ohio has mentioned the fact that I myself have presided only 2 hours during my year and a half in the Senate. I shall be glad to advise the Senator from Ohio——

Mr. YOUNG of Ohio. The Senator is mistaken. The junior Senator from Ohio stated that the Senator from Pennsylvania presided approximately 2 hours during the present session.

Mr. SCOTT. During the present session.

Mr. YOUNG of Ohio. I have been referring only to Vice President NIXON, who presided only 24 hours during the present session.

Mr. SCOTT. I take no offense. I should be glad to continue and supplement my statement by advising the Senator from Ohio that during my 16 years in the House I doubt very much if I presided any more than 2 hours during the entire 16 years, because I come from a State neighboring to his, with 11 million people. Those 11 million people make many demands upon my time. I am a member of four committees and several subcommittees.

Mr. YOUNG of Ohio. The junior Senator from Ohio appreciates the truth of that statement, because he comes from a State that has a population of 9 million. The junior Senator from Ohio during the present session of the Senate has presided only 44 hours.

Mr. SCOTT. I am all the more grateful to Senators who are willing to permit the use of their sitting endurance for the benefit of the rest of us. I say only that it is not my particular forte.

Il n'est pas mon metier, as the Senator will understand—it is not my hobby—to spend time in presiding. I am glad that other Senators do so.

Mr. YOUNG of Ohio. I merely commented on that. I intended to compliment the junior Senator from Pennsylvania upon his forte as a very informative letter writer, who receives widespread publicity.

Mr. SCOTT. I am glad the Senator from Ohio appreciates that.

I wish to make some reference to what the distinguished Senator from Wisconsin has said. I am aware that there has been a certain amount of interest in a recent letter of mine. I have found more interest on the other side of the aisle than I have on this side and, I may add, with fully as much approval. I shall be very glad to make further comment on the letter. I am very glad to have the additional notice brought to it.

But at this point I wish to make a comment on what my friend the Senator from Wisconsin [Mr. PROXMIRE] has said, because I am afraid that his statement as it now appears in the RECORD may mislead the general public. He remarked that the present occupant of the chair had spent more time in the chair than all the Republican Senators combined.

During the 20 years since I first came to Washington, throughout my study of political science and in all the period preceding that time, under the two-party system, a certain custom has existed and been observed. The custom is that the Vice President—constitutionally the President of the Senate—presides frequently at the opening of the Senate and for the occasion of breaking a tie vote. But when the Vice President gives up the chair to attend to other duties, the right to fill the chair is assumed by the majority party. Under the direction of the distinguished President pro tempore of this body, who is the Senator from Arizona [Mr. HAYDEN], a Democrat, various officials of the Senate select members of the Democratic Party to

preside over the Senate. Therefore, because this custom is and almost always has been followed, the Senator from Wisconsin would have people believe that the reason why one or more Democrats have occupied the chair more often that Republicans is due to the fact that the President pro tempore of the Senate is an office pertaining to the majority party.

There are twice as many members of the majority party in the Senate, and therefore it is not unusual that there should be more Democrats sitting in the Presiding Officer's chair than Republicans. Visitors to the galleries, I am sure, if they arrive early, will ordinarily see the Vice President in the chair. They may see one or two Senators of the party of the Vice President presiding briefly. Then when the Senate reaches legislative issues, the President pro tempore, through agents of the Senate, designates a Democrat, who is normally succeeded by Democrats throughout the rest of the session.

Finally, I think it should be pointed out, as I have said, that the present Vice President has given a new concept to the office. Rather than do nothing save preside nominally in the Senate, this Vice President has presided over a very considerable percentage of the meetings of the President's Cabinet. He has presided many times over the very important meetings of the National Security Council. He has, moreover, been Chairman of the President's Committee on Government Contracts. He has served ex officio, by designation, on many other agencies or missions. He has been the busiest Vice President in the history of the United States. He has been the best trained Vice President in the history of the United States, and the most experienced. I am sure neither he nor his party would trade that record for the privilege of presiding endlessly over a distinguished body where, as one visitor has observed, the procedure goes something like this: One Member gets up and says nothing. Nobody pays any attention. Then everybody gets up and disagrees.

I hope that is not a fair judgment of our body. However, certainly in this distinguished body, which has been facetiously referred to as a cave of the winds, there are other duties than merely presiding all day and all night and listening to other distinguished Senators express their views on everything from men to manhole covers. I thank the Senator from Ohio for yielding.

Mr. YOUNG of Ohio. Mr. President, I yield to the junior Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, to reply explicitly to the Senator from Pennsylvania in his disagreement with me, I should like to say that I have served in the Senate from the end of 1957 until now, and in that time I have observed that, because of generosity and consideration and a recognition of the tedium of presiding over the Senate, the Republicans, at least in 1958, were very generous in sharing the burden of presiding over the Senate.

I think it is striking and impressive that the Senator from West Virginia [Mr. BYRD] has such a deep conception of his duty that he has actually served more time in the chair, as I have said, than the Vice President and all the Republican Senators combined.

What the junior Senator from Pennsylvania says is correct; it is the duty of the majority party to preside. But there is a matter of consideration and exchange of burdens in the Senate, which is one of its finest characteristics. The fact that some Senators in both parties are willing to take this burden over is to their great credit. The fact that the Senator from West Virginia has been willing to assume this burden more than all the Republicans combined is to his great credit.

Mr. SCOTT. I agree that we are all indebted to the Senator from West Virginia for his thoughtfulness in relieving the rest of us of that burden for a considerable period of time.

Mr. YOUNG of Ohio. Mr. President, may I interrupt briefly?

Mr. PROXMIRE. The Senator from Ohio has the floor.

Mr. YOUNG of Ohio. I intend to yield further to the Senator from Wisconsin for any further remarks he wishes to make. As a student of history, I know something about the history of this country and the Constitution of the United States. The Constitution, as the Senator from Wisconsin will agree, specifically imposes two duties upon the Vice President. One is to serve as Presiding Officer over the sessions of the Senate. The second is to cast his vote to break tie votes in the Senate. It is not the duty of members of the majority party to preside. The Constitution specifically makes it the duty of the Vice President of the United States.

When the junior Senator from Pennsylvania speaks about the ancient concept of the Vice Presidency and the new concept of the Vice Presidency, there is no basis for such assertion. The precise duties of the Vice Presidency are set forth in the Constitution of our country.

I should like to answer the statement of the junior Senator from Pennsylvania, and I am certain that the junior Senator from Wisconsin will agree with me. According to the Congressional Quarterly of February 8 of this year, at page 4660, to be exact—if the junior Senator from Pennsylvania cares to look it up—Vice President NIXON has not voted following nine tie votes, as of February 3. It may be that he intended to vote in the negative on all of these occasions. However, that is difficult for me to believe. He did not break even one of these nine tie votes.

I do recall distinctly that not many weeks ago the Vice President, when one of his duties to which the junior Senator from Pennsylvania [Mr. SCOTT] has adverted took him elsewhere, spoke in Chicago. At that time, according to newspaper reports, he stated publicly that he favored Federal aid to education. However, when the chips were down, and when the amendment of the senior Senator from Pennsylvania [Mr. CLARK], providing for that very thing, came up for vote, a tie vote resulted, as I recall, of 42 to 42. On that day the Vice President was here and he cast a negative vote, contrary to his stated beliefs.

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

Mr. YOUNG of Ohio. The Senator from Wisconsin has the floor.

Mr. PROXMIRE. I should like to complete my remarks. I hope to make them very brief. I do not wish to detain the Senate. I realize that we have a great deal of business to transact, and perhaps we should not spend too much time on this subject. I did wish to answer the issues the junior Senator from Pennsylvania has developed.

He said that Vice President NIXON has developed a new concept of the Vice Presidency, not the sedentary occupation of merely sitting endlessly in the chair in presiding over the Senate.

I should like to call to the attention of the junior Senator from Pennsylvania the fact that the immediately preceding Vice President was Alben Barkley. I believe that all Americans in both parties recognize the fact that Alben Barkley was an exceedingly active and responsible and effective Vice President. He was not content simply to sit still and let time go by. He was a man who contributed greatly to the Nation, not only as a Senator, but also as Vice President. He was extremely active.

I wish also to say to the junior Senator from Pennsylvania that the burden of his remarks and the burden of the letter which the Senator from Ohio has discussed, was a discussion of the junior Senator from Massachusetts [Mr. KENNEDY]. I think the junior Senator from Massachusetts has had a superb record in the Congress, both in the House and in the Senate. I believe that most objective persons who evaluate his record will agree.

Of course, he has not been present a great deal this year. The fact is that it is necessary for him to be an active candidate for the Presidency. He knows that his only chance is to go out and win in the primaries.

I recall that back in 1952 Senator Robert Taft, who had a much heavier obligation considering his position at that time for being on the floor of the Senate, was out in Wisconsin campaigning in our primary, day after day, every day for weeks during the 1952 presidential primary in Wisconsin. No one criticized Senator Taft for that, and nobody should have done so. The fact is that there are few greater responsibilities than serving in the Senate of the United States, but I think one of them is running for the Presidency as a major candidate of one of our two great political parties.

When JACK KENNEDY goes around the country and makes his important speeches, and when he appeals to the Nation, as he has done repeatedly throughout the country, in State after State, he is performing a great service to the country. Both Winston Churchill and Woodrow Wilson have said that the most important function of public service in a democracy is in the campaign, because that is where the democratic—and I spell that with a small "d"—consensus is arrived at. Here is where

the vital discussion, deliberation, and decision of democracy takes place. JACK KENNEDY deserves credit for the wonderful campaign he has conducted. It is impossible for him to sit in the Senate day after day and vote on the measures the Senate is considering. The fact is, however, that, except for this campaign year, Senator KENNEDY has had an excellent record of attendance, as well as a brilliant record of performance. However, in every year the Vice President has spent very little time presiding over the Senate, performing the duty which he is required to perform under the Constitution. And frankly under all the circumstances I cannot blame him much for it.

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

Mr. PROXMIRE. I yield.

Mr. CLARK. Which Senator had charge of marshaling through the committee and handling on the floor the repeal of the disclaimer affidavit?

Mr. PROXMIRE. The junior Senator from Massachusetts [Mr. KENNEDY] did, and he did his usual very high quality job, and he did it only a few days ago.

Mr. CLARK. Which Senator is in charge of marshaling in the committee and bringing to the floor the infinitely complicated minimum wage bill?

Mr. PROXMIRE. The junior Senator from Massachusetts. Not only is that bill infinitely complicated; it is a controversial bill mined with boobytraps. It is dynamite and has to be handled with maturity and skill. The Senator from Massachusetts has done a masterful job with this measure, in spite of his other responsibilities as a candidate.

Mr. CLARK. Does the Senator from Wisconsin realize that on practically every yea-and-nay vote the Senate has taken this session, the position of the junior Senator from Massachusetts has been announced?

Mr. PROXMIRE. I am aware of that; and also, as far as possible, he has been paired. But in all cases, as the Senator from Pennsylvania has said, the position of the junior Senator from Massachusetts has been made crystal clear.

Mr. CLARK. Does the Senator from Wisconsin appreciate the fact that the Senator from Massachusetts has been here and has voted substantially more frequently than a good many of his colleagues, even in this session?

Mr. PROXMIRE. The Senator from Pennsylvania is correct. I have examined the record of the Senator from Massachusetts over the years. He has compiled a fine conscientious attendance record.

Mr. SCOTT. Mr. President, will the Senator from Ohio yield?

Mr. YOUNG of Ohio. I yield.

Mr. SCOTT. First, with respect to the duties of the Vice President, I call the attention of the Senator from Wisconsin to the fact that about all that appears on that point is to be found in this paragraph:

> The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

As the junior Senator from Ohio has pointed out——

Mr. YOUNG of Ohio. I may say that I promised the junior Senator from Louisiana [Mr. LONG] that I would yield to him. He must leave the floor shortly.

Mr. SCOTT. I shall try to be brief. What I shall say is in line with the discussion.

The junior Senator from Pennsylvania made the statement that the Vice President has been here every time there has been a tie vote. The Senator from Ohio said the Vice President did not vote on certain tie votes. That is because, as the Senator from Ohio has said, if the Vice President is not in favor of a measure, and his vote would be negative, there is no need to cast it. Therefore, the Vice President abstains from voting.

The Vice President breaks a tie, but only by voting in the affirmative. If the vote is a tie, the particular measure fails to carry. The Senator from Ohio mentioned that fact on various occasions.

I do not wish to go into the matter of the junior Senator from Massachusetts. His views are of record. His votes are of record.

I did not rise for that purpose. I rose because some sort of effort, apparently, is underway to make it appear that when the Vice President is not presiding over the Senate, he is not working as Vice President. I say to Senators who evidently have that thought in mind that they are not going to get away with it. The general public knows that the Vice President is working. They know that he was in Russia and stood up to Khrushchev. They know that the Vice President has made other visits to chiefs of state and to peoples. They know that he presides over the National Security Council. They know that he presides over the Cabinet on many occasions.

Therefore, the attempt to make it appear that the most important job in the world for Vice President NIXON to perform is to sit here and preside over this body, even when no great issues are involved, is an effort which, I am certain, will come to nothing.

Mr. PROXMIRE. The junior Senator from Pennsylvania wants to have it both ways. When Vice President NIXON goes around the country giving his speeches, that is statesmanship; it is an example of the Vice President going to the people.

When the junior Senator from Massachusetts [Mr. KENNEDY] does it—and everyone recognizes that he is the leading Democratic candidate for President of the United States—that is absenteeism; apparently it is felt that he should not be conducting this great crucial presidential campaign of 1960. He should be in the Senate, performing his routine duties.

I think it is obvious to any fairminded American that both these men have a perfect right to go out and campaign. The junior Senator from Massachusetts has been performing a great service to all Americans by talking hard, tough sense to them on the great issues of 1960 as the leading Democratic candidate, bringing his position to them at first hand. The Vice President has been the leading Republican candidate. He too has been performing a service to his country by campaigning.

Mr. YOUNG of Ohio. I thank the distinguished junior Senator from Wisconsin. I now yield to the distinguished senior Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I have been listening to the discussion. I could not help thinking of the past and what has taken place in history.

So far as the Vice President is concerned, he has been going out over the country, and when something was popular in a certain territory, he spoke in behalf of it. He would not mention anything which was not popular, and when his party had taken a position to the contrary.

To illustrate the point, we might consider the subject of agriculture for a minute. Where does the Vice President stand on that subject? Is he for Benson or against Benson at the present time? The people of the Nation realize that the farmers have been thrown into bankruptcy, so to speak. About three-quarters of a million people leave the farms every year because they cannot make a living on them. Also, the income of farm families has been dropping at the rate of about $500 million a year. The Vice President does not talk much about that subject, so it is not possible to tell where he stands on the subject. One does not know whether he is for Benson's policies, or whether he stands with the administration or against it on agricultural policy at the present time. No; he will not take any part in that matter.

On other matters, he comes around only when there is a tie vote. Of course, he votes at that particular time.

I am reminded of what is said about a chandelier in the Vice President's office. A Vice President who became President of the United States—and one of the best Republican Presidents the country ever had, in my opinion—was Theodore Roosevelt. He was a great outdoor man. When he went to the White House, he raised all the windows to let the air come in and blow around.

It is said that the tinkle tinkle of the chandeliers kept him awake at night, and that he said they should be moved. He was asked, "Where shall we put them, if you will not have them at the White House?"

It is said that Theodore Roosevelt replied, "Put them in the Capitol. It does not make any difference where they go. But be sure to put one in the office of the Vice President. He does not have anything to do; maybe it will keep him awake in the future."

The Vice President does not have much to do; and he has not presided often over the Senate, whether it has been in a time of campaign or not. He has not waited until campaign time to get away from here. He has been away from here, speaking on popular issues in every area of the United States.

He could say, "No, I did not have anything to do with this matter," if it is something unpopular which Congress passed. "I did not have anything to do with that. I am the Vice President. I do not have any authority at all."

But he has authority in connection with some of the other matters, and he claims authority when he speaks of something which is popular.

That is politics. It goes on and on.

Mr. SCOTT. Mr. President, will the Senator from Ohio yield for a correction?

Mr. YOUNG of Ohio. I yield to the distinguished junior Senator from Louisiana. I thank the Senator from South Carolina for his contribution.

Mr. LONG of Louisiana. Mr. President, I assumed the Senator from Pennsylvania [Mr. SCOTT] had researched the statement he made when he said the Vice President had always been here in the event of a tie vote, so as to take a position on it.

Mr. SCOTT. If the Senator from Louisiana will yield, I said the Vice President had been here every time there had been a tie vote. While the Senator from Louisiana was out of the Chamber, I indicated that there are certain tie votes as to which the Vice President by abstaining from voting will create the same effect as if he had voted negatively, and the motion will lose. There were nine such occasions.

Mr. LONG of Louisiana. I assume that would have been the result in the case of a vote on an amendment of the junior Senator from Louisiana 3 years ago, in which I sought to provide additional funds for needy persons.

So far as the good State of California is concerned, the State which the Vice President had earlier represented both in the House and the Senate, he voted against an amendment which would have been of benefit to the health of aged persons. The amendment lost on a tie vote. I regret that we did not get the vote of a single Senator from California. I suppose the amendment would have been lost even if the Vice President had been present. The amendment was lost by a vote of 40 to 40.

I notice the statement that the question was put to a vote by the Presiding Officer. I assume that means that the Vice President, if he had been present, would have voted against 3½ million aged persons, needy old folks, because there is no indication that he would not have done so. I should say that that perhaps would stand as an exception to the statement that the Vice President had always been here in case of tie votes.

I think it would be well if the Vice President would make it clear that on an amendment which would have benefited 3,500,000 aged and needy persons, he would have cast his vote in the negative had he been present.

I am pleased to say that every time the junior Senator from Louisiana has offered an amendment to help the aged and needy, the junior Senator from Massachusetts [Mr. KENNEDY], in all fairness to him, has been here and has voted for my amendment.

Mr. YOUNG of Ohio. What date was the vote on additional unemployment compensation?

Mr. LONG of Louisiana. There was a yea-and-nay vote on May 28, 1958.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the proceedings in connection with the vote on my amendment to H.R. 12065, to provide for temporary additional unemployment compensation, and for other purposes, which was offered on May 28, 1958, in the 2d session of the 85th Congress.

There being no objection, the proceedings in connection with the vote were ordered to be printed in the RECORD, as follows:

SUBJECT AND RESULT OF VOTE, 85TH CONGRESS, 2D SESSION

ADDITIONAL UNEMPLOYMENT COMPENSATION (H.R. 12065)

(A bill to provide for temporary additional unemployment compensation, and for other purposes.) Vote on LONG, of Louisiana (and 32 others) amendment providing for additional average payment of $5 per month for needy aged and needy blind. This would increase the maximum monthly payment to $70 per person.

Rejected: Yeas 40, nays 40.

ADDITIONAL UNEMPLOYMENT COMPENSATION

The Senate resumed the consideration of the bill (H.R. 12065) to provide for temporary additional unemployment compensation, and for other purposes.

Mr. LONG. Mr. President, I call up my amendment which is at the desk, and which is identified as "5-26-58—C."

Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. Without objection, the text of the amendment will be printed in the RECORD.

The amendment offered by Mr. LONG is as follows: At the end of the bill insert a new title III, as follows:

"TITLE III

"SEC. 301. Section 3(a) of the Social Security Act is amended to read as follows:

"'SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing July 1, 1958, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance in the form of money payments under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $70—

"'(A) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received old-age assistance in the form of money payments for such month; plus

"'(B) two-thirds of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $45 multiplied by the total number of such individuals who received old-age assistance in the form of money payments for such month; plus

"'(C) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (B); and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance in the form of money payments under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of old-age assistance to help them attain self-care, and (4) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care (including expenditures for insurance premiums for such care or the cost thereof), not counting so much of such expenditure for any month as exceeds the product of $6 multiplied by the total number of individuals who received old-age assistance under the State plan for such month.'

"SEC. 302. Section 1003 (a) of the Social Security Act is amended to read as follows:

"'SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind for each quarter, beginning with the quarter commencing July 1, 1958, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind in the form of money payments under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $70—

"'(A) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the blind in the form of money payments for such month; plus

"'(B) two-thirds of the amount by which such expnditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $45 multiplied by the total number of such individuals who received aid to the blind in the form of money payments for such month; plus

"'(C) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (B); and (2) in the case of Puerto Rico and the Virgin Islands, an amount equal to one-half of the total of the sums expended during such quarter as aid to the blind in the form of money payments under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of aid to the blind to help them attain self-support or self-care; and (4) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan in the form of medical or any other type of remedial care (including expenditures for insurance premiums for such care or the cost thereof), not counting so much of such expenditure for any month as exceeds the product of $6 multiplied by the total number of individuals who received aid to the blind under the State plan for such month.'

"SEC. 303. Section 1403(a) of the Social Security Act is amended to read as follows:

"'SEC. 1403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, beginning

with the quarter commencing July 1, 1958, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as aid to the permanently and totally disabled in the form of money payments under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $70—

"'(A) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the permanently and totally disabled in the form of money payments for such months; plus

"'(B) two-thirds of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $45 multiplied by the total number of such individuals who received aid to the permanently and totally disabled in the form of money payments for such month; plus

"'(C) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (B); and (2) in the case of Puerto Rico and the Virgin Islands, an amount equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled in the form of money payments under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of such aid to help them attain self-support or self-care; and (4) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled under the State plan in the form of medical or any other type of remedial care (including expenditures for insurance premiums for such care or the cost thereof), not counting so much of such expenditure for any month as exceeds the product of $6 multiplied by the total number of individuals who received aid to the permanently and totally disabled under the State plan for such month.'

"SEC. 304. The amendments made by this title shall become effective July 1, 1958."

Amend the title so as to read: "An act to provide for temporary additional unemployment compensation, to provide for increased Federal financial participation in the State programs of public assistance established pursuant to titles I, X, and XIV of the Social Security Act, and for other purposes."

The question is on agreeing to the amendment of the Senator from Louisiana, Mr. LONG. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRETT (when his name was called). On this vote I have a pair with the Senator from Nebraska, Mr. HRUSKA. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. ERVIN (when his name was called). On this vote I have a pair with the junior Senator from Texas, Mr. YARBOROUGH. If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." I, therefore, withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico, Mr. ANDERSON, the Senator from Idaho, Mr. CHURCH; the Senator from Arkansas, Mr. FULBRIGHT; the Senator from Tennessee, Mr. GORE; the Senator from Minnesota, Mr. HUMPHREY; the Senator from Arkansas, Mr. MCCLELLAN; the Senator from Oklahoma, Mr. MONRONEY; the Senator from Wyoming, Mr. O'MAHONEY; and the Senator from Texas, Mr. YARBOROUGH, are absent on official business.

I further announce that if present and voting, the Senator from Idaho, Mr. CHURCH; the Senator from Minnesota, Mr. HUMPHREY; the Senator from Oklahoma, Mr. MONRONEY; and the Senator from Wyoming, Mr. O'MAHONEY; would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. JENNER] is necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business, and his pair with the Senator from Wyoming [Mr. BARRETT] has been previously announced.

The Senator from Minnesota [Mr. THYE] is absent on official business.

The Senator from Nevada [Mr. MALONE] is absent because of illness, and, if present and voting, would vote "yea."

The result was announced—yeas 40, nays 40, as follows:

Yeas, 40: Bible,[1] Carroll,[1] Chavez,[1] Clark,[1] Cotton, Douglas,[1] Eastland,[1] Ellender,[1] Frear,[1] Green,[1] Hayden,[1] Hennings,[1] Hill,[1] Holland,[1] Jackson,[1] Johnson of Texas,[1] Johnston of South Carolina,[1] Jordan,[1] Kefauver,[1] Kennedy,[1] Kerr,[1] Langer, Long,[1] Magnuson,[1] Mansfield,[1] McNamara,[1] Morse,[1] Murray,[1] Neuberger,[1] Pastore,[1] Payne, Potter, Proxmire,[1] Revercomb, Russell,[1] Smathers,[1] Smith of Maine, Sparkman,[1] Symington,[1] Talmadge.[1]

Nays, 40: Aiken, Allott, Beall, Bennett, Bricker, Bridges, Bush, Butler, Byrd,[1] Capehart, Carlson, Case of New Jersey, Case of South Dakota, Cooper, Curtis, Dirksen, Dworshak, Flanders, Goldwater, Hickenlooper, Hoblitzell, Ives, Javits, Knowland, Kuchel, Lausche,[1] Martin of Iowa, Martin of Pennsylvania, Morton, Mundt, Purtell, Robertson,[1] Saltonstall, Schoeppel, Smith of New Jersey, Stennis,[1] Thurmond,[1] Watkins, Williams, Young.

Not voting, 16: Anderson,[1] Barrett, Church,[1] Ervin,[1] Fulbright,[1] Gore,[1] Hruska, Humphrey,[1] Jenner, Malone, McClellan,[1] Monroney,[1] O'Mahoney,[1] Thye, Wiley, Yarborough.[1]

So Mr. LONG's amendment was rejected.

Mr. SCOTT. Mr. President, will the Senator from Ohio yield, to permit me to offer a correction to a statement which was made by the Senator from South Carolina?

Mr. YOUNG of Ohio. Yes.

Mr. SCOTT. I understood the Senator from South Carolina to say the Vice President has been away most of the time.

As one who has been present for, I think, all but eight of the some 240 quorum calls and yea-and-nay votes this year, and for approximately 96 or 97 percent of them last session, I, personally, am aware of the fact that the Vice President has been here most of the time during the weekdays. When he has had to go away, he has done so largely on weekends. Certainly he has responded to his duty.

The Senator from Massachusetts [Mr. KENNEDY] has been here, I think, only 22 percent of the time on yea-and-nay votes on the various issues, and has been absent 78 percent of the time

I have not wished to say that, and would not have done so, except for the fact that the Senator from South Carolina stated that the Vice President has been away most of the time.

As the press knows from its own contacts with the Vice President, he has been here most of the time.

Mr. JOHNSTON of South Carolina. Mr. President, all I can say in passing is that I have not seen the Vice President here in the Chamber or presiding over the Senate more than 5 percent of the time when the Senate was in session. I defy anyone to say to the contrary, based on the facts.

Mr. YOUNG of Ohio. Mr. President, in concluding my remarks, let me reiterate that the yea-and-nay vote adverted to by the junior Senator from Louisiana took place on May 28, 1958. That vote was on a measure to increase the aid for the aged by $5 a month, in some States, and by as much as $7.50 a month in other States. At that time there was a tie vote by the Senate. The vote was 40 to 40. The proposal failed because, according to the RECORD, the tie was not broken.

Presumably, the Senate was then presided over by some Member of the Senate, who cast his vote either for or against the proposal, because the RECORD shows that the Vice President was not present at the time. That was in 1958. At that time, there was no campaign for the Presidency of the United States; and yet some Senator, not the Vice President, was then presiding over the Senate.

Finally, Mr. President, let me say that I commenced my remarks for the purpose of paying tribute to the distinguished junior Senator from West Virginia [Mr. BYRD], for his diligence and his outstanding service in presiding over the Senate. I wish to conclude my remarks by once more paying tribute to him.

I yield the floor.

Mr. PROXMIRE. Mr. President, I should like to conclude on the same note.

However, I wish to point out, in all fairness, that there is a great difference between the problems faced by the Senator from Massachusetts [Mr. KENNEDY] and those faced by the Vice President. All of us know that the Vice President has not had any very serious election competition.

The Vice President was in Wisconsin for only part of one day in this campaign year. He was automatically winner of the Wisconsin primary as elsewhere without competition. On the other hand, the Senator from Massachusetts [Mr. KENNEDY] has had to fight every inch of the way. He has had to earn his right to represent his party in hard-fought primary elections, sometimes against heavy odds.

I believe that in all fairness we should consider these facts when we consider the activities of the two candidates.

One who has to campaign and campaign hard, 16 to 18 hours a day, 7 days a week, all over the country, obviously cannot be in two places at the same time. It is physically impossible for him to be constantly in the Senate.

On the other hand, I know of no reason why the Vice President cannot

[1] Democrats. Republicans unmarked.

discharge his duties as the Presiding Officer of the Senate—although I wish to make it clear that I do not criticize him, for he has his other duties, too.

I should like to conclude this colloquy by pointing out, once again, that at this session the distinguished Presiding Officer [Mr. BYRD of West Virginia] had, when I recently checked the RECORD—presided over the Senate more times and more hours than all 35 Republican Members of the Senate and the Vice President combined.

## MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION 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 following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H.R. 6149. An act for the relief of Wesley C. Newcomb;

H.R. 6456. An act concerning payment of debts out of compensation for trust land on the Lower Brule Sioux Reservation taken by the United States;

H.R. 6498. An act concerning payment of debts out of compensation for trust land in the Standing Rock Sioux Reservation taken by the United States;

H.R. 6529. An act concerning payment of debts out of compensation for trust land on the Crow Creek Sioux Reservation taken by the United States;

H.R. 7480. An act to amend the Federal Food, Drug, and Cosmetic Act, with respect to label declaration of the use of pesticide chemicals on raw agricultural commodities which are the produce of the soil;

H.R. 7847. An act to make the uniform law relating to the record on review of agency orders (Public Law 85-701) applicable to the judicial review of orders issued under the Federal Aviation Act of 1958 and the Food Additives Amendment of 1958;

H.R. 8457. An act for the relief of Richard Schoenfelder and Lidwina S. Wagner;

H.R. 9028. An act to provide that certain funds shall be paid to the Kickapoo Tribal Council of Oklahoma;

H.R. 9226. An act for the relief of Pietro Mela;

H.R. 9652. An act for the relief of Lt. Col. Alonzo C. Tenney;

H.R. 10631. An act for the relief of George T. Moore, Carl D. Berry, and Dr. Harold J. Heck;

H.R. 10639. An act to amend section 3(b) of the act of May 9, 1958 (72 Stat. 105) relating to the preparation of a roll of the members of the Otoe and Missouria Tribe and to per capita distribution of judgment funds;

H.R. 10840. An act to amend Public Law 85-626 relating to dual rate contract agreement;

H.R. 11161. An act to donate to the pueblos of Zia and Jemez a tract of land on the Ojo del Esperitu Santo grant, New Mexico;

H.R. 11615. An act to amend section 4 of the Watershed Protection and Flood Prevention Act;

H.R. 11706. An act to authorize an extension of time for final proof under the desert land laws under certain conditions;

H.R. 11952. An act to repeal the act of May 29, 1958, which authorized and directed the Administrator of General Services to provide for the release of restrictions and reservations contained in an instrument conveying certain land by the United States to the State of Wisconsin;

H.R. 11985. An act to make American nationals eligible for scholarships and fellowships authorized by the National Science Foundation Act of 1950;

H.R. 12115. An act to extend the minimum national marketing quota for extra-long staple cotton to the 1961 crop; and

H.J. Res. 696. Joint resolution to provide for the designation of the month of September 1960, as "National Wool Month."

## EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I should like to have the Senate proceed to consider executive business, to pass on certain of the nominations on the Executive Calendar, and the Japanese Security Treaty, and, after acting on some of the nominations, to make the treaty the pending business. I wish to have that done, because in a few moments I must leave the floor.

Will the course I propose be acceptable to the Senator from Pennsylvania?

Mr. CLARK. Certainly.

Mr. JOHNSON of Texas. Then, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, to consider certain of the nominations on the Executive Calendar, beginning with the postmaster nominations.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

## EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Henry Cabot Lodge, of Massachusetts, to be a representative of the United States of America to the 15th session of the General Assembly of the United Nations;

WAYNE MORSE, U.S. Senator from the State of Oregon, to be a representative of the United States of America to the 15th session of the General Assembly of the United Nations;

GEORGE D. AIKEN, U.S. Senator from the State of Vermont, to be a representative of the United States of America to the 15th session of the General Assembly of the United Nations;

Francis O. Wilcox, Assistant Secretary, International Organization Affairs, Department of State, to be a representative of the United States of America to the 15th session of the General Assembly of the United Nations;

Mrs. Oswald B. Lord, of New York, to be a representative of the United States of America to the 15th session of the General Assembly of the United Nations;

Miss Frances E. Willis, Ambassador Extraordinary and Plenipotentiary of the United States of America to Norway, to be an alternate representative of the United States of America to the 15th session of the General Assembly of the United Nations;

Mrs. Zelma Watson George, of Ohio, to be an alternate representative of the United States of America to the 15th session of the General Assembly of the United Nations;

Arthur F. Lamey, of Montana, to be an alternate representative of the United States of America to the 15th session of the General Assembly of the United Nations;

Frederick Blake Payne, of New York, to be an alternate representative of the United States of America to the 15th session of the General Assembly of the United Nations;

Charles Rosenbaum, of Colorado, to be an alternate representative of the United States of America to the 15th session of the General Assembly of the United Nations;

Vinton Chapin, of New Hampshire, a Foreign Service officer of the class of career minister to be Ambassador Extraordinary and Plenipotentiary to the Dominican Republic;

Leland Barrows, of Kansas, a Foreign Service officer of class 1, now Ambassador Extraordinary and Plenipotentiary to the Republic of Cameroun, to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary to the Republic of Togo; and

Herbert P. Fales, of California, and sundry other persons, for appointment and promotion in the foreign and diplomatic service.

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the Executive Calendar, beginning with the postmaster nominations, will be stated.

## POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the postmaster nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations will be considered en bloc; and, without objection, they are confirmed.

## U.S. ARMY

The legislative clerk read the nomination of Maj. Gen. Lionel Charles McGarr, O17225, U.S. Army, to be lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

## U.S. NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the Navy nominations will be considered en bloc; and, without objection, they are confirmed.

## APPOINTMENTS IN THE REGULAR ARMY

The legislative clerk proceeded to read sundry nominations for appointment in the Regular Army.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered en bloc; and, without objection, they are confirmed.

## NOMINATIONS IN THE REGULAR ARMY AND THE REGULAR AIR FORCE, FAVORABLY REPORTED AND PLACED ON THE VICE PRESIDENT'S DESK

The legislative clerk proceeded to read sundry nominations in the Regular Army and the Regular Air Force, favorably reported, and placed on the Vice President's desk, without printing.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

---

## SCHEDULE FOR CONSIDERATION OF NOMINATIONS TO CIVIL AERONAUTICS BOARD, FEDERAL MARITIME BOARD, AND FEDERAL COMMUNICATIONS COMMISSION

Mr. JOHNSON of Texas. Mr. President, I should like to ask Senators to observe that we would like to give consideration on tomorrow—assuming that all Senators have notice, and that it is agreeable—to the nominations to the Civil Aeronautics Board, the Federal Maritime Board, and the Federal Communications Commission.

---

## TREATY OF MUTUAL COOPERATION AND SECURITY WITH JAPAN

Mr. JOHNSON of Texas. Mr. President, while we are in executive session, I should like to have the Japanese security treaty reported and made the pending business.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive E (86th Cong., 2d sess.), a Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington on January 19, 1960, which was read the second time, as follows:

TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN THE UNITED STATES OF AMERICA AND JAPAN

The United States of America and Japan,

Desiring to strengthen the bonds of peace and friendship traditionally existing between them, and to uphold the principles of democracy, individual liberty, and the rule of law,

Desiring further to encourage closer economic cooperation between them and to promote conditions of economic stability and well-being in their countries,

Reaffirming their faith in the purposes and principles of the Charter of the United Nations, and their desire to live in peace with all peoples and all governments,

Recognizing that they have the inherent right of individual or collective self-defense as affirmed in the Charter of the United Nations,

Considering that they have a common concern in the maintenance of international peace and security in the Far East,

Having resolved to conclude a treaty of mutual cooperation and security,

Therefore agree as follows:

ARTICLE I

The parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered and to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purpose of the United Nations.

The parties will endeavor in concert with other peace-loving countries to strengthen the United Nations so that its mission of maintaining international peace and security may be discharged more effectively.

ARTICLE II

The parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between them.

ARTICLE III

The parties, individually and in cooperation with each other, by means of continuous and effective self-help and mutual aid, will maintain and develop, subject to their constitutional provisions, their capacities to resist armed attack.

ARTICLE IV

The parties will consult together from time to time regarding the implementation of this treaty, and, at the request of either party, whenever the security of Japan or international peace and security in the Far East is threatened.

ARTICLE V

Each party recognizes that an armed attack against either party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations in accordance with the provisions of article 51 of the charter. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

ARTICLE VI

For the purpose of contributing to the security of Japan and the maintenance of international peace and security in the Far East, the United States of America is granted the use by its land, air, and naval forces of facilities and areas in Japan.

The use of these facilities and areas as well as the status of U.S. Armed Forces in Japan shall be governed by a separate agreement, replacing the administrative agreement under article III of the Security Treaty Between the United States of America and Japan, signed at Tokyo on February 28, 1952, as amended, and by such other arrangements as may be agreed upon.

ARTICLE VII

This treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security.

ARTICLE VIII

This treaty shall be ratified by the United States of America and Japan in accordance with their respective constitutional processes and will enter into force on the date on which the instruments of ratification thereof have been exchanged by them in Tokyo.

ARTICLE IX

The Security Treaty Between the United States of America and Japan signed at the city of San Francisco on September 8, 1951 shall expire upon the entering into force of this treaty.

ARTICLE X

This treaty shall remain in force until in the opinion of the Governments of the United States of America and Japan there shall have come into force such United Nations arrangements as will satisfactorily provide for the maintenance of international peace and security in the Japan area.

However, after the treaty has been in force for 10 years, either party may give notice to the other party of its intention to terminate the treaty, in which case the treaty shall terminate 1 year after such notice has been given.

In witness whereof the undersigned plenipotentiaries have signed this treaty.

Done in duplicate at Washington in the English and Japanese languages, both equally authentic, this 19th day of January, 1960.

For the United States of America:

CHRISTIAN A. HERTER.
DOUGLAS MACARTHUR 2D.
J GRAHAM PARSONS.

For Japan:

NOBUSUKE KISHI.
AIICHIRO FUJIYAMA.
MITSUJIRO ISHII.
TADASHI ADACHI.
KOICHIRO ASAKAI.

---

AGREED MINUTE TO THE TREATY OF MUTUAL COOPERATION AND SECURITY

Japanese Plenipotentiary:

While the question of the status of the islands administered by the United States under article 3 of the treaty of peace with Japan has not been made a subject of discussion in the course of treaty negotiations, I would like to emphasize the strong concern of the Government and people of Japan for the safety of the people of these islands since Japan possesses residual sovereignty over these islands. If an armed attack occurs or is threatened against these islands, the two countries will of course consult together closely under article IV of the Treaty of Mutual Cooperation and Security. In the event of an armed attack, it is the intention of the Government of Japan to explore with the U.S. measures which it might be able to take for the welfare of the islanders.

U.S. Plenipotentiary:

In the event of an armed attack against these islands, the U.S. Government will consult at once with the Government of Japan and intends to take the necessary measures for the defense of these islands, and to do its utmost to secure the welfare of the islanders.

WASHINGTON, *January 19, 1960.*

C.A.H.
N.K.

WASHINGTON, *January 19, 1960.*

His Excellency CHRISTIAN A. HERTER,
*Secretary of State of the United States of America.*

EXCELLENCY: I have the honor to refer to the Treaty of Mutual Cooperation and Security between Japan and the United States of America signed today, and to inform Your Excellency that the following is the understanding of the Government of Japan concerning the implementation of article VI thereof.

"Major changes in the deployment into Japan of U.S. Armed Forces, major changes in their equipment, and the use of facilities and areas in Japan as bases for military combat operations to be undertaken from Japan other than those conducted under article V of the said treaty, shall be the subjects of prior consultation with the Government of Japan."

I should be appreciative if Your Excellency would confirm on behalf of your Government that this is also the understanding of the Government of the United States of America.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

NOBUSUKE KISHI.

---

DEPARTMENT OF STATE,
*Washington, January 19, 1960.*

His Excellency NOBUSUKE KISHI,
*Prime Minister of Japan.*

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's note of today's date, which reads as follows:

"I have the honor to refer to the Treaty of Mutual Cooperation and Security Between Japan and the United States of America signed today, and to inform Your Excellency that the following is the understanding of the Government of Japan concerning the implementation of article VI thereof:

" 'Major changes in the deployment into Japan of U.S. Armed Forces, major changes in their equipment, and the use of facilities and areas in Japan as bases for military combat operations to be undertaken from Japan other than those conducted under article V of the said treaty, shall be the subjects of prior consultation with the Government of Japan."

"I should be appreciative if Your Excellency would confirm on behalf of your Government that this is also the understanding of the Government of the United States of America.

"I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration."

I have the honor to confirm on behalf of my Government that the foregoing is also the understanding of the Government of the United States of America.

Accept, Excellency, the renewed assurances of my highest consideration.

CHRISTIAN A. HERTER,
*Secretary of State of the United States of America.*

---

DEPARTMENT OF STATE,
*Washington, January 19, 1960.*

His Excellency NOBUSUKE KISHI,
*Prime Minister of Japan.*

EXCELLENCY: I have the honor to refer to the Security Treaty Between the United States of America and Japan signed at the city of San Francisco on September 8, 1951, the exchange of notes effected on the same date between Mr. Shigeru Yoshida, Prime Minister of Japan, and Mr. Dean Acheson, Secretary of State of the United States of America, and the Agreement Regarding the Status of the United Nations Forces in Japan signed at Tokyo on February 19, 1954, as well as the Treaty of Mutual Cooperation and Security Between the United States of America and Japan signed today. It is the understanding of my Government that:

1. The above-mentioned exchange of notes will continue to be in force so long as the Agreement Regarding the Status of the United Nations Forces in Japan remains in force.

2. The expression "those facilities and areas the use of which is provided to the United States of America under the Security Treaty Between Japan and the United States of America" in Article V, paragraph 2 of the above-mentioned Agreement is understood to mean the facilities and areas the use of which is granted to the United States of America under the Treaty of Mutual Cooperation and Security.

3. The use of the facilities and areas by the U.S. Armed Forces under the unified command of the United Nations established pursuant to the Security Council resolution of July 7, 1950, and their status in Japan are governed by arrangements made pursuant to the Treaty of Mutual Cooperation and Security.

I should be grateful if Your Excellency could confirm on behalf of your Government that the understanding of my Government stated in the foregoing numbered paragraphs is also the understanding of your Government and that this understanding shall enter into operation on the date of the entry into force of the Treaty of Mutual Cooperation and Security signed at Washington on January 19, 1960.

Accept, Excellency, the renewed assurances of my highest consideration.

CHRISTIAN A. HERTER,
*Secretary of State of the United States of America.*

---

WASHINGTON, *January 19, 1960.*

His Excellency CHRISTIAN A. HERTER,
*Secretary of State of the United States of America.*

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's note of today's date, which reads as follows:

"I have the honor to refer to the Security Treaty Between the United States of America and Japan signed at the city of San Francisco on September 8, 1951, the exchange of notes effected on the same date between Mr. Shigeru Yoshida, Prime Minister of Japan, and Mr. Dean Acheson, Secretary of State of the United States of America and the Agreement Regarding the Status of the United Nations Forces in Japan signed at Tokyo on February 19, 1954, as well as the Treaty of Mutual Cooperation and Security between the United States of America and Japan signed today. It is the understanding of my Government that:

"1. The above-mentioned exchange of notes will continue to be in force so long as the Agreement Regarding the Status of the United Nations Forces in Japan remains in force.

"2. The expression 'those facilities and areas the use of which is provided to the United States of America under the Security Treaty Between Japan and the United States of America in article V, paragraph 2 of the above-mentioned agreement is understood to mean the facilities and the areas the use of which is granted to the United States of America under the Treaty of Mutual Cooperation and Security.

"3. The use of the facilities and areas by the United States Armed Forces under the Unified Command of the United Nations established pursuant to the Security Council Resolution of July 7, 1950, and their status in Japan are governed by arrangements made pursuant to the Treaty of Mutual Cooperation and Security.

"I should be grateful if Your Excellency could confirm on behalf of your Government that the understanding of my Government stated in the foregoing numbered paragraphs is also the understanding of your Government and that this understanding shall enter into operation on the date of the entry into force of the Treaty of Mutual Cooperation and Security signed at Washington on January 19, 1960."

I have the honor to confirm on behalf of my Government that the foregoing is also the understanding of the Government of Japan.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

NOBUSUKE KISHI.

---

WASHINGTON, *January 19, 1960.*

His Excellency CHRISTIAN A. HERTER,
*Secretary of State of the United States of America.*

DEAR SECRETARY HERTER: I wish to refer to the Treaty of Mutual Cooperation and Security between Japan and the United States of America signed today. Under article IV of the treaty, the two Governments will consult together from time to time regarding the implementation of the treaty, and, at the request of either Government, whenever the security of Japan or international peace and security in the Far East is threatened. The exchange of notes under article VI of the treaty specifies certain matters as the subjects of prior consultation with the Government of Japan.

Such consultations will be carried on between the two Governments through appropriate channels. At the same time, however, I feel that the establishment of a special committee which could as appropriate be used for these consultations between the Governments would prove very useful. This committee, which would meet whenever requested by either side, could also consider any matters underlying and related to security affairs which would serve to promote understanding between the two Governments and contribute to the strengthening of cooperative relations between the two countries in the field of security.

Under this proposal the present "Japanese-American Committee on Security" established by the Governments of the United States and Japan on August 6, 1957, would be replaced by this new committee which might be called the Security Consultative Committee. I would also recommend that the membership of this new committee be the same as the membership of the "Japanese-American Committee on Security," namely, on the Japanese side, the Minister for Foreign Affairs, who will preside on the Japanese side, and the Director General of the Defense Agency, and on the U.S. side, the U.S. Ambassador to Japan, who will serve as Chairman on the U.S. side, and the Commander in Chief, Pacific, who will be the Ambassador's principal adviser on military and defense matters. The Commander, U.S. forces, Japan, will serve as alternate for the Commander in Chief, Pacific.

I would appreciate very much your views on this matter.

Most sincerely,

NOBUSUKE KISHI.

---

DEPARTMENT OF STATE,
*Washington, January 19, 1960.*

His Excellency NOBUSUKE KISHI,
*Prime Minister of Japan.*

DEAR MR. PRIME MINISTER: The receipt is acknowledged of your note of today's date suggesting the establishment of "the Security Consultative Committee." I fully agree to your proposal and share your view that such a committee can contribute to strengthening the cooperative relations between the two countries in the field of security. I also agree to your proposal regarding the membership of this committee.

Most sincerely,

CHRISTIAN A. HERTER.

AGREEMENT UNDER ARTICLE VI OF THE TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN THE UNITED STATES OF AMERICA AND JAPAN, REGARDING FACILITIES AND AREAS AND THE STATUS OF UNITED STATES ARMED FORCES IN JAPAN

The United States of America and Japan, pursuant to article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan signed at Washington on January 19, 1960, have entered into this Agreement in terms as set forth below:

ARTICLE I

In this Agreement the expression—

(a) "members of the United States armed forces" means the personnel on active duty belonging to the land, sea or air armed services of the United States of America when in the territory of Japan.

(b) "civilian component" means the civilian persons of United States nationality who are in the employ of, serving with, or accompanying the United States armed forces in Japan, but excludes persons who are ordinarily resident in Japan or who are mentioned in paragraph 1 of Article XIV. For the purposes of this Agreement only, dual nationals, United States and Japanese, who are brought to Japan by the United States shall be considered as United States nationals.

(c) "dependents" means

(1) Spouse, and children under 21;

(2) Parents, and children over 21, if dependent for over half their support upon a member of the U.S. Army Forces or civilian component.

ARTICLE II

1. (a) The United States is granted, under article VI of the Treaty of Mutual Cooperation and Security, the use of facilities and areas in Japan. Agreements as to specific facilities and areas shall be concluded by the two Governments through the Joint Committee provided for in article XXV of this agreement. "Facilities and areas" include existing furnishings, equipment and fixtures necessary to the operation of such facilities and areas.

(b) The facilities and areas of which the United States has the use at the time of expiration of the Administrative Agreement under article III of the Security Treaty Between the United States of America and Japan, shall be considered as facilities and areas agreed upon between the two Governments in accordance with subparagraph (a) above.

2. At the request of either Government, the Governments of the United States and Japan shall review such arrangements and may agree that such facilities and areas shall be returned to Japan or that additional facilities and areas may be provided.

3. The facilities and areas used by the United States armed forces shall be returned to Japan whenever they are no longer needed for purposes of this agreement, and the United States agrees to keep the needs for facilities and areas under continual observation with a view toward such return.

4. (a) When facilities and areas are temporarily not being used by the United States armed forces, the Government of Japan may make, or permit Japanese nationals to make, interim use of such facilities and areas provided that it is agreed between the two Governments through the Joint Committee that such use would not be harmful to the purposes for which the facilities and areas are normally used by the U.S. Armed Forces.

(b) With respect to facilities and areas which are to be used by United States armed forces for limited periods of time, the Joint Committee shall specify in the agreements covering such facilities and areas the extent to which the provisions of this agreement shall apply.

ARTICLE III

1. Within the facilities and areas, the United States may take all the measures necessary for their establishment, operation, safeguarding and control. In order to provide access for the U.S. Armed Forces to the facilities and areas for their support, safeguarding and control, the Government of Japan shall, at the request of the U.S. Armed Forces and upon consultation between the two Governments through the Joint Committee, take necessary measures within the scope of applicable laws and regulations over land, territorial waters and airspace adjacent to, or in the vicinities of the facilities and areas. The United States may also take necessary measures for such purposes upon consultation between the two Governments through the Joint Committee.

2. The United States agrees not to take the measures referred to in paragraph 1 in such a manner as to interfere unnecessarily with navigation, aviation, communication, or land travel to or from or within the territories of Japan. All questions relating to frequencies, power and like matters used by apparatus employed by the United States designed to emit electric radiation shall be settled by arrangement between the appropriate authorities of the two Governments. The Government of Japan shall, within the scope of applicable laws and regulations, take all reasonable measures to avoid or eliminate interference with telecommunications electronics required by the United States armed forces.

3. Operations in the facilities and areas in use by the U.S. Armed Forces shall be carried on with due regard for the public safety.

ARTICLE IV

1. The United States is not obliged, when it returns facilities and areas to Japan on the expiration of this Agreement or at an earlier date, to restore the facilities and areas to the condition in which they were at the time they became available to the United States armed forces, or to compensate Japan in lieu of such restoration.

2. Japan is not obliged to make any compensation to the United States for any improvements made in the facilities and areas or for the buildings or structures left thereon on the expiration of this Agreement or the earlier return of the facilities and areas.

3. The foregoing provisions shall not apply to any construction which the Government of the United States may undertake under special arrangements with the Government of Japan.

ARTICLE V

1. United States and foreign vessels and aircraft operated by, for, or under the control of the United States for official purposes shall be accorded access to any port or airport of Japan free from toll or landing charges. When cargo or passengers not accorded the exemptions of this agreement are carried on such vessels and aircraft, notification shall be given to the appropriate Japanese authorities, and their entry into and departure from Japan shall be according to the laws and regulations of Japan.

2. The vessels and aircraft mentioned in paragraph 1, U.S. Government-owned vehicles including armor, and members of the U.S. Armed Forces, the civilian component, and their dependents shall be accorded access to and movement between facilities and areas in use by the U.S. Armed Forces and between such facilities and areas and the ports or airports of Japan. Such access to and movement between facilities and areas by U.S. military vehicles shall be free from toll and other charges.

3. When the vessels mentioned in paragraph 1 enter Japanese ports, appropriate notification shall, under normal conditions, be made to the proper Japanese authorities. Such vessels shall have freedom from compulsory pilotage, but if a pilot is taken pilotage shall be paid for at appropriate rates.

ARTICLE VI

1. All civil and military air traffic control and communications systems shall be developed in close coordination and shall be integrated to the extent necessary for fulfillment of collective security interests. Procedures, and any subsequent changes thereto, necessary to effect this coordination and integration will be established by arrangement between the appropriate authorities of the two Governments.

2. Lights and other aids to navigation of vessels and aircraft placed or established in the facilities and areas in use by U.S. Armed Forces and in territorial waters adjacent thereto or in the vicinity thereof shall conform to the system in use in Japan. The United States and Japanese authorities which have established such navigation aids shall notify each other of their positions and characteristics and shall give advance notification before making any changes in them or establishing additional navigation aids.

ARTICLE VII

The U.S. Armed Forces shall have the use of all public utilities and services belonging to, or controlled or regulated by the Government of Japan, and shall enjoy priorities in such use, under conditions no less favorable than those that may be applicable from time to time to the ministries and agenices of the Government of Japan.

ARTICLE VIII

The Government of Japan undertakes to furnish the U.S. Armed Forces with the following meteorological services in accordance with arrangements between the appropriate authorities of the two Governments:

(a) Meteorological observations from land and ocean areas including observations from weather ships.

(b) Climatological information including periodic summaries and the historical data of the Meteorological Agency.

(c) Telecommunications service to disseminate meteorological information required for the safe and regular operation of aircraft.

(d) Seismographic data including forecasts of the estimated size of tidal waves resulting from earthquakes and areas that might be affected thereby.

ARTICLE IX

1. The United States may bring into Japan persons who are members of the U.S. Armed Forces, the civilian component, and their dependents, subject to the provisions of this article.

2. Members of the U.S. Armed Forces shall be exempt from Japanese passport and visa laws and regulations. Members of the U.S. Armed Forces, the civilian component, and their dependents shall be exempt from Japanese laws and regulations on the registration and control of aliens, but shall not be considered as acquiring any right to permanent residence or domicile in the territories of Japan.

3. Upon entry into or departure from Japan members of the U.S. Armed Forces shall be in possession of the following documents:

(a) personal identity card showing name, date of birth, rank and number, service, and photograph; and

(b) individual or collective travel order certifying to the status of the individual or group as a member or members of the U.S. Armed Forces and to the travel ordered.

For purposes of their identification while in Japan, members of the U.S. Armed Forces shall be in possession of the foregoing personal identity card which must be presented

on request to the appropriate Japanese authorities.

4. Members of the civilian component, their dependents, and the dependents of members of the U.S. Armed Forces shall be in possession of appropriate documentation issued by the U.S. authorities so that their status may be verified by Japanese authorities upon their entry into or departure from Japan, or while in Japan.

5. If the status of any person brought into Japan under paragraph 1 of this article is altered so that he would no longer be entitled to such admission, the U.S. authorities shall notify the Japanese authorities and shall, if such person be required by the Japanese authorities to leave Japan, assure that transportation from Japan will be provided within a reasonable time at no cost to the Government of Japan.

6. If the Government of Japan has requested the removal from its territory of a member of the U.S. Armed Forces or civilian component or has made an expulsion order against an ex-member of the U.S. Armed Forces or the civilian component or against a dependent of a member or ex-member, the authorities of the United States shall be responsible for receiving the person concerned within its own territory or otherwise disposing of him outside Japan. This paragraph shall apply only to persons who are not nationals of Japan and have entered Japan as members of the U.S. Armed Forces or civilian component or for the purpose of becoming such members, and to the dependents of such persons.

ARTICLE X

1. Japan shall accept as valid, without a driving test or fee, the driving permit or license or military driving permit issued by the United States to a member of the U.S. Armed Forces, the civilian component, and their dependents.

2. Official vehicles of the U.S. Armed Forces and the civilian component shall carry distinctive numbered plates or individual markings which will readily identify them.

3. Privately owned vehicles of members of the U.S. Armed Forces, the civilian component, and their dependents shall carry Japanese number plates to be acquired under the same conditions as those applicable to Japanese nationals.

ARTICLE XI

1. Save as provided in this agreement, members of the U.S. Armed Forces, the civilian component, and their dependents shall be subject to the laws and regulations administered by the customs authorities of Japan.

2. All materials, supplies and equipment imported by the U.S. Armed Forces, the authorized procurement agencies of the U.S. Armed Forces, or by the organizations provided for in article XV, for the official use of the U.S. Armed Forces or for the use of the members of the U.S. Armed Forces, the civilian components, and their dependents, and materials, supplies and equipment which are to be used exclusively by the U.S. Armed Forces or are ultimately to be incorporated into articles or facilities used by such forces, shall be permitted entry into Japan; such entry shall be free from customs duties and other such charges. Appropriate certification shall be made that such materials, supplies and equipment are being imported by the U.S. Armed Forces, the authorized procurement agencies of the U.S. Armed Forces, or by the organizations provided for in article XV, or, in the case of materials, supplies and equipment to be used exclusively by the U.S. Armed Forces or ultimately to be incorporated into articles or facilities used by such forces, that delivery thereof is to be taken by the U.S. Armed Forces for the purposes specified above.

3. Property consigned to and for the personal use of members of the U.S. Armed Forces, the civilian component, and their dependents, shall be subject to customs duties and other such charges, except that no duties or charges shall be paid with respect to:

(a) Furniture and household goods for their private use imported by the members of the U.S. Armed Forces or civilian component when they first arrive to serve in Japan or by their dependents when they first arrive for reunion with members of such forces or civilian component, and personal effects for private use brought by the said persons upon entrance.

(b) Vehicles and parts imported by members of the U.S. Armed Forces or civilian component for the private use of themselves or their dependents.

(c) Reasonable quantities of clothing and household goods of a type which would ordinarily be purchased in the United States for everyday use for the private use of members of the U.S. Armed Forces, civilian component, and their dependents, which are mailed into Japan through U.S. military post offices.

4. The exemptions granted in paragraphs 2 and 3 shall apply only to cases of importation of goods and shall not be interpreted as refunding customs duties and domestic excises collected by the customs authorities at the time of entry in cases of purchases of goods on which such duties and excises have already been collected.

5. Customs examination shall not be made in the following cases:

(a) Units of the U.S. Armed Forces under orders entering or leaving Japan;

(b) Official documents under official seal and official mail in U.S. military postal channels;

(c) Military cargo shipped on a U.S. Government bill of lading.

6. Except as such disposal may be authorized by the United States and Japanese authorities in accordance with mutually agreed conditions, goods imported into Japan free of duty shall not be disposed of in Japan to persons not entitled to import such goods free of duty.

7. Goods imported into Japan free from customs duties and other such charges pursuant to paragraphs 2 and 3, may be reexported free from customs duties and other such charges.

8. The U.S. Armed Forces, in cooperation with Japanese authorities, shall take such steps as are necessary to prevent abuse of privileges granted to the U.S. Armed Forces, members of such forces, the civilian component, and their dependents in accordance with this article.

9. (a) In order to prevent offenses against laws and regulations administered by the customs authorities of the Government of Japan, the Japanese authorities and the U.S. Armed Forces shall assist each other in the conduct of inquiries and the collection of evidence.

(b) The U.S. Armed Forces shall render all assistance within their power to ensure that articles liable to seizure by, or on behalf of, the customs authorities of the Government of Japan are handed to those authorities.

(c) The U.S. Armed Forces shall render all assistance within their power to ensure the payment of duties, taxes, and penalties payable by members of such forces or of the civilian component, or their dependents.

(d) Vehicles and articles belonging to the U.S. Armed Forces seized by the customs authorities of the Government of Japan in connection with an offense against its customs or fiscal laws or regulations shall be handed over to the appropriate authorities of the force concerned.

ARTICLE XII

1. The United States may contract for any supplies or construction work to be furnished or undertaken in Japan for purposes of, or authorized by, this agreement, without restriction as to choice of supplier or person who does the construction work. Such supplies or construction work may, upon agreement between the appropriate authorities of the two Governments, also be procured through the Government of Japan.

2. Materials, supplies, equipment, and services which are required from local sources for the maintenance of the U.S. Armed Forces and the procurement of which may have an adverse effect on the economy of Japan shall be procured in coordination with, and, when desirable, through or with the assistance of, the competent authorities of Japan.

3. Materials, supplies, equipment, and services procured for official purposes in Japan by the U.S. Armed Forces, or by authorized procurement agencies of the U.S. Armed Forces upon appropriate certification shall be exempt from the following Japanese taxes:

(a) Commodity tax.

(b) Traveling tax.

(c) Gasoline tax.

(d) Electricity and gas tax.

Materials, supplies, equipment, and services procured for ultimate use by the U.S. Armed Forces shall be exempt from commodity and gasoline taxes upon appropriate certification by the U.S. Armed Forces. With respect to any present or future Japanese taxes not specifically referred to in this article which might be found to constitute a significant and readily identifiable part of the gross purchase price of materials, supplies, equipment, and services procured by the U.S. Armed Forces, or for ultimate use by such forces, the two Governments will agree upon a procedure for granting such exemption or relief therefrom as is consistent with the purposes of this article.

4. Local labor requirements of U.S. Armed Forces and of the organizations provided for in article XV shall be satisfied with the assistance of the Japanese authorities.

5. The obligations for the withholding and payment of income tax, local inhabitant tax and social security contributions, and, except as may otherwise be mutually agreed, the conditions of employment and work, such as those relating to wages and supplementary payments, the conditions for the protection of workers, and the rights of workers concerning labor relations shall be those laid down by the legislation of Japan.

6. Should the U.S. Armed Forces or as appropriate an organization provided for in article XV dismiss a worker and a decision of a court or a labor relations commission of Japan to the effect that the contract of employment has not terminated become final, the following procedures shall apply:

(a) The U.S. Armed Forces or the said organization shall be informed by the Government of Japan of the decision of the court or commission;

(b) Should the U.S. Armed Forces or the said organization not desire to return the worker to duty, they shall so notify the Government of Japan within 7 days after being informed by the latter of the decision of the court or commission, and may temporarily withhold the worker from duty;

(c) Upon such notification, the Government of Japan and the U.S. Armed Forces or the said organization shall consult together without delay with a view to finding a practical solution of the case;

(d) Should such a solution not be reached within a period of 30 days from the date of commencement of the consultations under (c) above, the worker will not be entitled to return to duty. In such case, the Government of the United States shall pay to the Government of Japan an amount equal to

the cost of employment of the worker for a period of time to be agreed between the two governments.

7. Members of the civilian component shall not be subject to Japanese laws or regulations with respect to terms and conditions of employment.

8. Neither members of the U.S. Armed Forces, civilian component, nor their dependents, shall by reason of this article enjoy any exemption from taxes or similar charges relating to personal purchases of goods and services in Japan chargeable under Japanese legislation.

9. Except as such disposal may be authorized by the United States and Japanese authorities in accordance with mutually agreed conditions, goods purchased in Japan exempt from the taxes referred to in paragraph 3, shall not be disposed of in Japan to persons not entitled to purchase such goods exempt from such tax.

ARTICLE XIII

1. The U.S. Armed Forces shall not be subject to taxes or similar charges on property held, used or transferred by such forces in Japan.

2. Members of the U.S. Armed Forces, the civilian component, and their dependents shall not be liable to pay any Japanese taxes to the Government of Japan or to any other taxing agency in Japan on income received as a result of their service with or employment by the U.S. Armed Forces, or by the organizations provided for in article XV. The provisions of this article do not exempt such persons from payment of Japanese taxes on income derived from Japanese sources, nor do they exempt U.S. citizens who for U.S. income tax purposes claim Japanese residence from payment of Japanese taxes on income. Periods during which such persons are in Japan solely by reason of being members of the U.S. Armed Forces, the civilian component, or their dependents shall not be considered as periods of residence or domicile in Japan for the purpose of Japanese taxation.

3. Members of the U.S. Armed Forces, the civilian component, and their dependents shall be exempt from taxation in Japan on the holding, use, transfer inter se, or transfer by death of movable property, tangible or intangible, the presence of which in Japan is due solely to the temporary presence of these persons in Japan, provided that such exemption shall not apply to property held for the purpose of investment or the conduct of business in Japan or to any intangible property registered in Japan. There is no obligation under this article to grant exemption from taxes payable in respect of the use of roads by private vehicles.

ARTICLE XIV

1. Persons, including corporations organized under the laws of the United States, and their employees who are ordinarily resident in the United States and whose presence in Japan is solely for the purpose of executing contracts with the United States for the benefit of the U.S. Armed Forces, and who are designated by the Government of the United States in accordance with the provisions of paragraph 2 below, shall, except as provided in this article, be subject to the laws and regulations of Japan.

2. The designation referred to in paragraph 1 above shall be made upon consultation with the Government of Japan and shall be restricted to cases where open competitive bidding is not practicable due to security considerations, to the technical qualifications of the contractors involved, or to the unavailability of materials or services required by U.S. standards, or to limitations of U.S. law. The designation shall be withdrawn by the Government of the United States:

(a) Upon completion of contracts with the United States for the U.S. Armed Forces;

(b) Upon proof that such persons are engaged in business activities in Japan other than those pertaining to the U.S. Armed Forces; or

(c) When such persons are engaged in practices illegal in Japan.

3. Upon certification by appropriate U.S. authorities as to their identity, such persons and their employees shall be accorded the following benefits of this agreement:

(a) Rights of accession and movement, as provided for in article V, paragraph 2;

(b) Entry into Japan in accordance with the provisions of article IX;

(c) The exemption from customs duties, and other such charges provided for in article XI, paragraph 3, for members of the U.S. Armed Forces, the civilian component, and their dependents;

(d) If authorized by the Government of the United States, the right to use the services of the organizations provided for in article XV;

(e) Those provided for in article XIX, paragraph 2, for members of the Armed Forces of the United States, the civilian component. and their dependents;

(f) If authorized by the Government of the United States, the right to use military payment certificates, as provided for in article XX;

(g) The use of postal facilities provided for in article XXI;

(h) Exemption from the laws and regulations of Japan with respect to terms and conditions of employment.

4. Such persons and their employees shall be so described in their passports and their arrival, departure and their residence while in Japan shall from time to time be notified by the U.S. Armed Forces to the Japanese authorities.

5. Upon certification by an authorized officer of the U.S. Armed Forces, depreciable assets except houses, held, used, or transferred, by such persons and their employees exclusively for the execution of contracts referred to in paragraph 1 shall not be subject to taxes or similar charges of Japan.

6. Upon certification by an authorized officer of the U.S. Armed Forces, such persons and their employees shall be exempt from taxation in Japan on the holding, use, transfer by death, or transfer to persons or agencies entitled to tax exemption under this agreement, of movable property, tangible or intangible, the presence of which in Japan is due solely to the temporary presence of these persons in Japan, provided that such exemptions shall not apply to property held for the purpose of investment or the conduct of other business in Japan or to any intangible property registered in Japan. There is no obligation under this article to grant exemption from taxes payable in respect of the use of roads by private vehicles.

7. The persons and their employees referred to in paragraph 1 shall not be liable to pay income or corporation taxes to the Government of Japan or to any other taxing agency in Japan on any income derived under a contract made in the United States with the Government of the United States in connection with the construction, maintenance or operation of any of the facilities or areas covered by this agreement. The provisions of this paragraph do not exempt such persons from payment of income or corporation taxes on income derived from Japanese sources, nor do they exempt such persons and their employees who, for U.S. income tax purposes, claim Japanese residence, from payment of Japanese taxes on income. Periods during which such persons are in Japan solely in connection with the execution of a contract with the Government of the United States shall not be considered periods of residence or domicile in Japan for the purposes of such taxation.

8. Japanese authorities shall have the primary right to exercise jurisdiction over the persons and their employees referred to in paragraph 1 of this article in relation to offenses committed in Japan and punishable by the law of Japan. In those cases in which the Japanese authorities decide not to exercise such jurisdiction they shall notify the military authorities of the United States as soon as possible. Upon such notification the military authorities of the United States shall have the right to exercise such jurisdiction over the persons referred to as is conferred on them by the law of the United States.

ARTICLE XV

1. (a) Navy exchanges, post exchanges, messes, social clubs, theaters, newspapers, and other nonappropriated fund organizations authorized and regulated by the U.S. military authorities may be established in the facilities and areas in use by the U.S. Armed Forces for the use of members of such forces, the civilian component, and their dependents. Except as otherwise provided in this Agreement, such organizations shall not be subject to Japanese regulations, license, fees, taxes or similar controls.

(b) When a newspaper authorized and regulated by the U.S. military authorities is sold to the general public, it shall be subject to Japanese regulations, license, fees, taxes, or similar controls so far as such circulation is concerned.

2. No Japanese tax shall be imposed on sales of merchandise and services by such organizations, except as provided in paragraph 1(b), but purchases within Japan of merchandise and supplies by such organizations shall be subject to Japanese taxes.

3. Except as such disposal may be authorized by the United States and Japanese authorities in accordance with mutually agreed conditions, goods which are sold by such organizations shall not be disposed of in Japan to persons not authorized to make purchases from such organizations.

4. The organizations referred to in this article shall provide such information to the Japanese authorities as is required by Japanese tax legislation.

ARTICLE XVI

It is the duty of members of the U.S. Armed Forces, the civilian component, and their dependents to respect the law of Japan and to abstain from any activity inconsistent with the spirit of this Agreement, and, in particular, from any political activity in Japan.

ARTICLE XVII

1. Subject to the provisions of this article,

(a) the military authorities of the United States shall have the right to exercise within Japan all criminal and disciplinary jurisdiction conferred on them by the law of the United States over all persons subject to the military law of the United States;

(b) the authorities of Japan shall have jurisdiction over the members of the U.S. Armed Forces, the civilian component, and their dependents with respect to offenses committed within the territory of Japan and punishable by the law of Japan.

2. (a) The military authorities of the United States shall have the right to exercise exclusive jurisdiction over persons subject to the military law of the United States with respect to offenses, including offenses relating to its security, punishable by the law of the United States, but not by the law of Japan.

(b) The authorities of Japan shall have the right to exercise exclusive jurisdiction over members of the U.S. Armed Forces, the civilian component, and their dependents with respect to offenses, including offenses

relating to the security of Japan, punishable by its law but not by the law of the United States.

(c) For the purpose of this paragraph and of paragraph 3 of this article a security offense against a state shall include—

(i) treason against the state;

(ii) sabotage, espionage, or violation of any law relating to official secrets of that state, or secrets relating to the national defense of that state.

3. In cases where the right to exercise jurisdiction is concurrent the following rules shall apply:

(a) The military authorities of the United States shall have the primary right to exercise jurisdiction over members of the United States Armed Forces or the civilian component in relation to

(i) offenses solely against the property or security of the United States, or offenses solely against the person or property of another member of the U.S. Armed Forces or the civilian component or of a dependent;

(ii) offenses arising out of any act or omission done in the performance of official duty.

(b) In the case of any other offense the authorities of Japan shall have the primary right to exercise jurisdiction.

(c) If the State having the primary right decides not to exercise jurisdiction, it shall notify the authorites of the other State as soon as practicable. The authorities of the State having the primary right shall give sympathetic consideration to a request from the authorities of the other State for a waiver of its right in cases where that other State considers such waiver to be of particular importance.

4. The foregoing provisions of this article shall not imply any right for the military authorities of the United States to exercise jurisdiction over persons who are nationals of or ordinarily resident in Japan, unless they are members of the U.S. Armed Forces.

5. (a) The military authorities of the United States and the authorities of Japan shall assist each other in the arrest of members of the U.S. Armed Forces, the civilian component, or their dependents in the territory of Japan and in handing them over to the authority which is to exercise jurisdiction in accordance with the above provisions.

(b) The authorities of Japan shall notify promptly the military authorities of the United States of the arrest of any member of the U.S. Armed Forces, the civilian component, or a dependent.

(c) The custody of an accused member of the U.S. Armed Forces or the civilian component over whom Japan is to exercise jurisdiction shall, if he is in the hands of the United States, remain with the United States until he is charged by Japan.

6. (a) The military authorities of the United States and the authorities of Japan shall assist each other in the carrying out of all necessary investigations into offenses, and in the collection and production of evidence, including the seizure and, in proper cases, the handing over of objects connected with an offense. The handing over of such objects may, however, be made subject to their return within the time specified by the authority delivering them.

(b) The military authorities of the United States and the authorities of Japan shall notify each other of the disposition of all cases in which there are concurrent rights to exercise jurisdiction.

7. (a) A death sentence shall not be carried out in Japan by the military authorities of the United States if the legislation of Japan does not provide for such punishment in a similar case.

(b) The authorities of Japan shall give sympathetic consideration to a request from the military authorities of the United States for assistance in carrying out a sentence of imprisonment pronounced by the military authorities of the United States under the provisions of this article within the territory of Japan.

8. Where an accused has been tried in accordance with the provisions of this article either by the military authorities of the United States or the authorities of Japan and has been acquitted, or has been convicted and is serving, or has served, his sentence or has been pardoned, he may not be tried again for the same offense within the territory of Japan by the authorities of the other State. However, nothing in this paragraph shall prevent the military authorities of the United States from trying a member of its Armed Forces for any violation of rules of discipline arising from an act or omission which constituted an offense for which he was tried by the authorities of Japan.

9. Whenever a member of the U.S. Armed Forces, the civilian component or a dependent is prosecuted under the jurisdiction of Japan he shall be entitled:

(a) to a prompt and speedy trial;

(b) to be informed, in advance of trial, of the specific charge or charges made against him;

(c) to be confronted with the witnesses against him;

(d) to have compulsory process for obtaining witnesses in his favor, if they are within the jurisdiction of Japan;

(e) to have legal representation of his own choice for his defense or to have free or assisted legal representation under the conditions prevailing for the time being in Japan;

(f) if he considers it necessary, to have the services of a competent interpreter; and

(g) to communicate with a representative of the Government of the United States and to have such a representative present at his trial.

10. (a) Regularly constituted military units or formations of the U.S. Armed Forces shall have the right to police any facilities or areas which they use under article II of this agreement. The military police of such forces may take all appropriate measures to insure the maintenance of order and security within such facilities and areas.

(b) Outside these facilities and areas, such military police shall be employed only subject to arrangements with the authorities of Japan and in liaison with those authorities, and insofar as such employment is necessary to maintain discipline and order among the members of the U.S. Armed Forces.

11. In the event of hostilities to which the provisions of article V of the Treaty of Mutual Cooperation and Security apply, either the Government of the United States or the Government of Japan shall have the right, by giving 60 days' notice to the other, to suspend the application of any of the provisions of this article. If this right is exercised, the Governments of the United States and Japan shall immediately consult with a view to agreeing on suitable provisions to replace the provisions suspended.

12. The provisions of this article shall not apply to any offenses committed before the entry into force of this agreement. Such cases shall be governed by the provisions of article XVII of the Administrative Agreement under article III of the Security Treaty Between the United States of America and Japan, as it existed at the relevant time.

ARTICLE XVIII

1. Each party waives all its claims against the other party for damage to any property owned by it and used by its land, sea, or air defense services, if such damage—

(a) was caused by a member or an employee of the defense services of the other party in the performance of his official duties; or

(b) arose from the use of any vehicle, vessel or aircraft owned by the other party and used by its defense services, provided either that the vehicle, vessel or aircraft causing the damage was being used for official purposes, or that the damage was caused to property being so used.

Claims for maritime salvage by one party against the other party shall be waived, provided that the vessel or cargo salved was owned by a party and being used by its defense services for official purposes.

2. (a) In the case of damage caused or arising as stated in paragraph 1 to other property owned by either party and located in Japan, the issue of the liability of the other party shall be determined and the amount of damage shall be assessed, unless the two Governments agree otherwise, by a sole arbitrator selected in accordance with subparagraph (b) of this paragraph. The arbitrator shall also decide any counterclaims arising out of the same incident.

(b) The arbitrator referred to in subparagraph (a) above shall be selected by agreement between the two Governments from amongst the nationals of Japan who hold or have held high judicial office.

(c) Any decision taken by the arbitrator shall be binding and conclusive upon the parties.

(d) The amount of any compensation awarded by the arbitrator shall be distributed in accordance with the provisions of paragraph 5(e) (i), (ii) and (iii) of this article.

(e) The compensation of the arbitrator shall be fixed by agreement between the two Governments and shall, together with the necessary expenses incidental to the performance of his duties, be defrayed in equal proportions by them.

(f) Nevertheless, each party waives its claim in any such case up to the amount of 1,400 U.S. dollars or 504,000 yen. In the case of considerable variation in the rate of exchange between these currencies the two Governments shall agree on the appropriate adjustments of these amounts.

3. For the purposes of paragraphs 1 and 2 of this article the expression "owned by a party" in the case of a vessel includes a vessel on bare boat charter to that party or requisitioned by it on bare boat terms or seized by it in prize (except to the extent that the risk of loss or liability is borne by some person other than such party).

4. Each party waives all its claims against the other party for injury or death suffered by any member of its defense services while such member was engaged in the performance of his official duties.

5. Claims (other than contractual claims and those to which paragraphs 6 or 7 of this article apply) arising out of acts or omissions of members or employees of the U.S. Armed Forces done in the performance of official duty, or out of any other act, omission or occurrence for which the U.S. Armed Forces are legally responsible, and causing damage in Japan to third parties, other than the Government of Japan, shall be dealt with by Japan in accordance with the following provisions:

(a) Claims shall be filed, considered and settled or adjudicated in accordance with the laws and regulations of Japan with respect to claims arising from the activities of its self-defense forces.

(b) Japan may settle any such claims, and payment of the amount agreed upon or determined by adjudication shall be made by Japan in yen.

(c) Such payment, whether made pursuant to a settlement or to adjudication of the case by a competent tribunal of Japan, or the final adjudication by such a tribunal denying payment, shall be binding and conclusive upon the parties.

(d) Every claim paid by Japan shall be communicated to the appropriate U.S. authorities together with full particulars and a proposed distribution in conformity with subparagraphs (e) (i) and (ii) below. In

default of a reply within two months, the proposed distribution shall be regarded as accepted.

(e) The cost incurred in satisfying claims pursuant to the preceding subparagraphs and paragraph 2 of this Article shall be distributed between the parties as follows:

(i) Where the United States alone is responsible, the amount awarded or adjudged shall be distributed in the proportion of 25 percent chargeable to Japan and 75 percent chargeable to the United States.

(ii) Where the United States and Japan are responsible for the damage, the amount awarded or adjudged shall be distributed equally between them. Where the damage was caused by the defense services of the United States or Japan and it is not possible to attribute it specifically to one or both of those defense services, the amount awarded or adjudged shall be distributed equally between the United States and Japan.

(iii) Every half year, a statement of the sums paid by Japan in the course of the half-yearly period in respect of every case regarding which the proposed distribution on a percentage basis has been accepted, shall be sent to the appropriate U.S. authorities, together with a request for reimbursement. Such reimbursement shall be made, in yen, within the shortest possible time.

(f) Members or employees of the U.S. Armed Forces, excluding those employees who have only Japanese nationality, shall not be subject to any proceedings for the enforcement of any judgment given against them in Japan in a matter arising from the performance of their official duties.

(g) Except in so far as subparagraph (e) of this paragraph applies to claims covered by paragraph 2 of this Article, the provisions of this paragraph shall not apply to any claim arising out of or in connection with the navigation or operation of a ship or the loading, carriage, or discharge of a cargo, other than claims for death or personal injury to which paragraph 4 of this Article does not apply.

6. Claims against members or employees of the United States armed forces (except employees who are nationals of or ordinarily resident in Japan) arising out of tortious acts or omissions in Japan not done in the performance of official duty shall be dealt with in the following manner:

(a) The authorities of Japan shall consider the claim and assess compensation to the claimant in a fair and just manner, taking into account all the circumstances of the case, including the conduct of the injured person, and shall prepare a report on the matter.

(b) The report shall be delivered to the appropriate United States authorities, who shall then decide without delay whether they will offer an ex gratia payment, and if so, of what amount.

(c) If an offer of ex gratia payment is made, and accepted by the claimant in full satisfaction of his claim, the U.S. authorities shall make the payment themselves and inform the authorities of Japan of their decision and of the sum paid.

(d) Nothing in this paragraph shall affect the jurisdiction of the courts of Japan to entertain an action against a member or an employee of the U.S. Armed Forces unless and until there has been payment in full satisfaction of the claim.

7. Claims arising out of the unauthorized use of any vehicle of the U.S. Armed Forces shall be dealt with in accordance with paragraph 6 of this article, except insofar as the U.S. Armed Forces are legally responsible.

8. If a dispute arises as to whether a tortious act or omission of a member or an employee of the U.S. Armed Forces was done in the performance of official duty or as to whether the use of any vehicle of the U.S. Armed Forces was unauthorized, the question shall be submitted to an arbitrator appointed in accordance with paragraph 2(b) of this article, whose decision on this point shall be final and conclusive.

9. (a) The United States shall not claim immunity from the jurisdiction of the courts of Japan for members or employees of the U.S. Armed Forces in respect of the civil jurisdiction of the courts of Japan except to the extent provided in paragraph 5(f) of this article.

(b) In case any private movable property, excluding that in use by the U.S. Armed Forces, which is subject to compulsory execution under Japanese law, is within the facilities and areas in use by the U.S. Armed Forces, the U.S. authorities shall, upon the request of Japanese courts, possess and turn over such property to the Japanese authorities.

(c) The authorities of the United States and Japan shall cooperate in the procurement of evidence for a fair hearing and disposal of claims under this article.

10. Disputes arising out of contracts concerning the procurement of materials, supplies, equipment, services and labor by or for the U.S. Armed Forces, which are not resolved by the parties to the contract concerned, may be submitted to the Joint Committee for conciliation, provided that the provisions of this paragraph shall not prejudice any right which the parties to the contract may have to file a civil suit.

11. The term "defense services" used in this article is understood to mean for Japan its self-defense forces and for the United States its Armed Forces.

12. Paragraphs 2 and 5 of this article shall apply only to claims arising incident to noncombat activities.

13. The provisions of this article shall not apply to any claims which arose before the entry into force of this agreement. Such claims shall be dealt with by the provisions of article XVIII of the Administrative Agreement under article III of the Security Treaty Between the United States of America and Japan.

ARTICLE XIX

1. Members of the U.S. Armed Forces, the civilian component, and their dependents, shall be subject to the foreign exchange controls of the Government of Japan.

2. The preceding paragraph shall not be construed to preclude the transmission into or outside of Japan of U.S. dollars or dollar instruments representing the official funds of the United States or realized as a result of service or employment in connection with this agreement by members of the U.S. Armed Forces and the civilian component, or realized by such persons and their dependents from sources outside of Japan.

3. The U.S. authorities shall take suitable measures to preclude the abuse of the privileges stipulated in the preceding paragraph or circumvention of the Japanese foreign exchange controls.

ARTICLE XX

1. (a) U.S. military payment certificates denominated in dollars may be used by persons authorized by the United States for internal transactions within the facilities and areas in use by the U.S. Armed Forces. The Government of the United States will take appropriate action to insure that authorized personnel are prohibited from engaging in transactions involving military payment certificates except as authorized by United States regulations. The Government of Japan will take necessary action to prohibit unauthorized persons from engaging in transactions involving military payment certificates and with the aid of U.S. authorities will undertake to apprehend and punish any person or persons under its jurisdiction involved in the counterfeiting or uttering of counterfeit military payment certificates.

(b) It is agreed that the U.S. authorities will apprehend and punish members of the U.S. Armed Forces, the civilian component, or their dependents, who tender military payment certificates to unauthorized persons and that no obligation will be due to such unauthorized persons or to the Government of Japan or its agencies from the United States or any of its agencies as a result of any unauthorized use of military payment certificates within Japan.

2. In order to exercise control of military payment certificates the United States may designate certain American financial institutions to maintain and operate, under U.S. supervision, facilities for the use of persons authorized by the United States to use military payment certificates. Institutions authorized to maintain military banking facilities will establish and maintain such facilities physically separated from their Japanese commercial banking business, with personnel whose sole duty is to maintain and operate such facilities. Such facilities shall be permitted to maintain U.S. currency bank accounts and to perform all financial transactions in connection therewith including receipt and remission of funds to the extent provided by article XIX, paragraph 2, of this agreement.

ARTICLE XXI

The United States may establish and operate, within the facilities and areas in use by the U.S. Armed Forces, U.S. military post offices for the use of members of the U.S. Armed Forces, the civilian component, and their dependents, for the transmission of mail between U.S. military post offices in Japan and between such military post offices and other U.S. post offices.

ARTICLE XXII

The United States may enroll and train eligible U.S. citizens residing in Japan, who apply for such enrollment, in the reserve organizations of the Armed Forces of the United States.

ARTICLE XXIII

The United States and Japan will cooperate in taking such steps as may from time to time be necessary to insure the security of the U.S. Armed Forces, the members thereof, the civilian component, their dependents, and their property. The Government of Japan agrees to seek such legislation and to take such other action as may be necessary to insure the adequate security and protection within its territory of installations, equipment, property, records, and official information of the United States, and for the punishment of offenders under the applicable laws of Japan.

ARTICLE XXIV

1. It is agreed that the United States will bear for the duration of this agreement without cost to Japan all expenditures incident to the maintenance of the U.S. Armed Forces in Japan except those to be borne by Japan as provided in paragraph 2.

2. It is agreed that Japan will furnish for the duration of this agreement without cost to the United States and make compensation where appropriate to the owners and suppliers thereof all facilities and areas and rights-of-way, including facilities and areas jointly used such as those at airfields and ports, as provided in articles II and III.

3. It is agreed that arrangements will be effected between the Governments of the United States and Japan for accounting applicable to financial transactions arising out of this agreement.

ARTICLE XXV

1. A Joint Committee shall be established as the means for consultation between the Government of the United States and the Government of Japan on all matters requiring mutual consultation regarding the implementation of this agreement. In particular, the Joint Committee shall serve as the means for consultation in determining the

facilities and areas in Japan which are required for the use of the United States in carrying out the purposes of the Treaty of Mutual Cooperation and Security.

2. The Joint Committee shall be composed of a representative of the Government of the United States and a representative of the Government of Japan, each of whom shall have one or more deputies and a staff. The Joint Committee shall determine its own procedures, and arrange for such auxiliary organs and administrative services as may be required. The Joint Committee shall be so organized that it may meet immediately at any time at the request of the representative of either the Government of the United States or the Government of Japan.

3. If the Joint Committee is unable to resolve any matter, it shall refer that matter to the respective Governments for further consideration through appropriate channels.

ARTICLE XXVI

1. This agreement shall be approved by the United States and Japan in accordance with their legal procedures, and notes indicating such approval shall be exchanged.

2. After the procedure set forth in the preceding paragraph has been followed, this agreement will enter into force on the date of coming into force of the Treaty of Mutual Cooperation and Security, at which time the Administrative Agreement under article III of the Security Treaty Between the United States of America and Japan, signed at Tokyo on February 28, 1952, as amended, shall expire.

3. The Government of each party to this agreement undertakes to seek from its legislature necessary budgetary and legislative action with respect to provisions of this agreement which require such action for their execution.

ARTICLE XXVII

Either Government may at any time request the revision of any article of this agreement, in which case the two Governments shall enter into negotiation through appropriate channels.

ARTICLE XXVIII

This agreement, and agreed revisions thereof, shall remain in force while the Treaty of Mutual Cooperation and Security remains in force unless earlier terminated by agreement between the two Governments.

In witness whereof the undersigned plenipotentiaries have signed this agreement.

Done at Washington, in duplicate, in the English and Japanese languages, both texts equally authentic, this 19th day of January, 1960.

For the United States of America:

CHRISTIAN A. HERTER.
DOUGLAS MACARTHUR 2D.
J GRAHAM PARSONS.

For Japan:

NOBUSUKE KISHI.
AIICHIRO FUJIYAMA.
MITSUJIRO ISHII.
TADASHI ADACHI.
KOICHIRO ASAKAI.

---

AGREED MINUTES TO THE AGREEMENT UNDER ARTICLE VI OF THE TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN THE UNITED STATES OF AMERICA AND JAPAN, REGARDING FACILITIES AND AREAS AND THE STATUS OF U.S. ARMED FORCES IN JAPAN

Two Plenipotentiaries of the United States of America and Japan wish to record the following understanding which they have reached during the negotiations for the agreement under article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, Regarding Facilities and Areas and the Status of U.S. Armed Forces in Japan, signed today:

ARTICLE III

The measure that may be taken by the United States under paragraph 1 shall, to the extent necessary to accomplish the purposes of this Agreement, include, inter alia, the following:

1. To construct (including dredging and filling), operate, maintain, utilize, occupy, garrison and control the facilities and areas;

2. To remove buildings or structures, make alterations, attach fixtures, or erect additions thereto and to construct any additional buildings or structures together with auxiliary facilities;

3. To improve and deepen the harbors, channels, entrances and anchorages, and to construct or maintain necessary roads and bridges affording access to such facilities and areas;

4. To control (including measures to prohibit) insofar as may be required by military necessity for the efficient operation and safety of the facilities and areas, anchorages, moorings, landings, takeoffs and operation of ships and waterborne craft, aircraft and other vehicles on water, in the air or on land comprising, or in the vicinity of, the facilities and areas;

5. To construct on rights of way utilized by the United States such wire and radio communications facilities, including submarine and subterranean cables, pipelines, and spur tracks from railroads, as may be required for military purposes; and

6. To construct, install, maintain and employ in any facility or area any type of installation, weapon, substance, device, vessel or vehicle on or under the ground, in the air or on or under the water that may be requisite or appropriate, including meteorological systems, aerial and water navigation lights, radio and radar apparatus and electronic devices.

ARTICLE IV

1. "U.S. and foreign vessels * * * operated by, for, or under the control of the United States for official purposes" mean U.S. public vessels and chartered vessels (bare boat charter, voyage charter and time charter). Space charter is not included. Commercial cargo and private passengers are carried by them only in exceptional cases.

2. The Japanese ports mentioned herein will ordinarily mean "open ports."

3. The exemption from making "appropriate notification" will be applicable only to exceptional cases where such is required for security of the U.S. Armed Forces or similar reasons.

4. The laws and regulations of Japan will be applicable except as specifically provided otherwise in this article.

ARTICLE VII

The problem of telecommunications rates applicable to the U.S. Armed Forces will continue to be studied in the light of, inter alia, the statements concerning article VII recorded in the official minutes of the 10th Joint Meeting for the Negotiation of the Administrative Agreement signed on February 28, 1952, which are hereby incorporated by reference.

ARTICLE IX

The Government of Japan will be notified at regular intervals, in accordance with procedures to be agreed between the two Governments, of numbers and categories of persons entering and departing.

ARTICLE XI

1. The quantity of goods imported under paragraph 2 by the organizations provided for in article XV for the use of the members of the U.S. Armed Forces, the civilian component, and their dependents shall be limited to the extent reasonably required for such use.

2. Paragraph 3(a) does not require concurrent shipment of goods with travel of owner nor does it require single loading or shipment.

3. The term "military cargo" as used in paragraph 5(c) is not confined to arms and equipment but refers to all cargo shipped to the U.S. Armed Forces on a U.S. Government bill of lading, the term "military cargo" being used to distinguish cargo shipped to the U.S. Armed Forces from cargo shipped to other agencies of the U.S. Government.

4. The U.S. Armed Forces will take every practicable measure to ensure that goods will not be imported into Japan by or for the members of the U.S. Armed Forces, the civilian component, or their dependents, the entry of which would be in violation of Japanese customs laws and regulations. The U.S. Armed Forces will promptly notify the Japanese customs authorities whenever the entry of such goods is discovered.

5. The Japanese customs authorities may, if they consider that there has been an abuse or infringement in connection with the entry of goods under article XI, take up the matter with the appropriate authorities of the U.S. Armed Forces.

6. The words "The U.S. Armed Forces shall render all assistance within their power etc." in paragraph 9 (b) and (c) refer to reasonable and practicable measures by the U.S. Armed Forces.

ARTICLE XII

1. The U.S. Armed Forces will furnish the Japanese authorities with appropriate information as far in advance as practicable on anticipated major changes in their procurement program in Japan.

2. The problem of a satisfactory settlement of difficulties with respect to procurement contracts arising out of differences between United States and Japanese economic laws and business practices will be studied by the Joint Committee or other appropriate persons.

3. The procedures for securing exemptions from taxation on purchases of goods for ultimate use by the U.S. Armed Forces will be as follows:

a. Upon appropriate certification by the U.S. Armed Forces that materials, supplies, and equipment consigned to or destined for such forces, are to be used, or wholly or partially used up, under the supervision of such forces, exclusively in the execution of contracts for the construction, maintenance or operation of the facilities and areas referred to in article II or for the support of the forces therein, or are ultimately to be incorporated into articles or facilities used by such forces, an authorized representative of such forces shall take delivery of such materials, supplies and equipment directly from manufacturers thereof. In such circumstances the collection of commodity and gasoline taxes shall be held in abeyance.

b. The receipt of such materials, supplies and equipment in the facilities and areas shall be confirmed by an authorized officer of the U.S. Armed Forces to the Japanese authorities.

c. Collection of commodity and gasoline taxes shall be held in abeyance until

(1) The U.S. Armed Forces confirm and certify the quantity or degree of consumption of the above referred to materials, supplies and equipment, or

(2) The U.S. Armed Forces confirm and certify the amount of the above referred to materials, supplies, and equipment which have been incorporated into articles or facilities used by U.S. Armed Forces.

d. Materials, supplies, and equipment certified under c (1) or (2) shall be exempt from commodity and gasoline taxes insofar as the price thereof is paid out of U.S. Government appropriations or out of funds contributed by the Japanese Government for disbursement by the United States.

4. The Government of the United States shall ensure that the Government of Japan is reimbursed for costs incurred under relevant contracts between appropriate authorities of the Government of Japan and the organizations provided for in article XV in connection with the employment of workers to be provided for such organizations.

5. It is understood that the term "the legislation of Japan" mentioned in paragraph 5, article XII includes decisions of the courts and the Labor Relations Commissions of Japan, subject to the provisions of paragraph 6, article XII.

6. It is understood that the provisions of article XII, paragraph 6 shall apply only to discharges for security reasons including disturbing the maintenance of military discipline within the facilities and areas used by the U.S. Armed Forces.

7. It is understood that the organizations referred to in article XV will be subject to the procedures of paragraph 6 on the basis of mutual agreement between the appropriate authorities.

ARTICLE XIII

With respect to article XIII, paragraph 2 and article XIV, paragraph 7, income payable in Japan as a result of service with or employment by the U.S. Armed Forces or by the organizations provided for in article XV, or under contract made in the United States with the U.S. Government, shall not be treated or considered as income derived from Japanese sources.

ARTICLE XV

The facilities referred to in paragraph 1 may be used by other officers and personnel of the U.S. Government ordinarily accorded such privileges abroad.

ARTICLE XVII

Re paragraph 1(a) and paragraph 2(a):

The scope of persons subject to the military laws of the United States shall be communicated, through the Joint Committee, to the Government of Japan by the Government of the United States.

Re paragraph 2(c):

Both Governments shall inform each other of the details of all the security offenses mentioned in this subparagraph and the provisions governing such offenses in the existing laws of their respective countries.

Re paragraph 3(a)(ii):

Where a member of the U.S. Armed Forces or the civilian component is charged with an offense, a certificate issued by or on behalf of his commanding officer stating that the alleged offense, if committed by him, arose out of an act or omission done in the performance of official duty, shall, in any judicial proceedings, be sufficient evidence of the fact unless the contrary is proved.

The above statement shall not be interpreted to prejudice in any way article 318 of the Japanese Code of Criminal Procedure.

Re paragraph 3(c):

1. Mutual procedures relating to waivers of the primary right to exercise jurisdiction shall be determined by the Joint Committee.

2. Trials of cases in which the Japanese authorities have waived the primary right to exercise jurisdiction, and trials of cases involving offenses described in paragraph 3(a)(ii) committed against the state or nationals of Japan shall be held promptly in Japan within a reasonable distance from the places where the offenses are alleged to have taken place unless other arrangements are mutually agreed upon. Representatives of the Japanese authorities may be present at such trials.

Re paragraph 4:

Dual nationals, United States and Japanese, who are subject to the military law of the United States and are brought to Japan by the United States shall not be considered as nationals of Japan, but shall be considered as U.S. nationals for the purposes of this paragraph.

Re paragraph 5:

1. In case the Japanese authorities have arrested an offender who is a member of the U.S. Armed Forces, the civilian component, or a dependent subject to the military law of the United States with respect to a case over which Japan has the primary right to exercise jurisdiction, the Japanese authorities will, unless they deem that there is adequate cause and necessity to retain such offender, release him to the custody of the U.S. military authorities provided that he shall, on request, be made available to the Japanese authorities, if such be the condition of his release. The U.S. authorities shall, on request, transfer his custody to the Japanese authorities at the time he is indicted by the latter.

2. The U.S. military authorities shall promptly notify the Japanese authorities of the arrest of any member of the U.S. Armed Forces, the civilian component or a dependent in any case in which Japan has the primary right to exercise jurisdiction.

Re paragraph 9:

1. The rights enumerated in items (a) through (e) of this paragraph are guaranteed to all persons on trial in Japanese courts by the provisions of the Japanese Constitution. In addition to these rights, a member of the U.S. Armed Forces, the civilian component or a dependent who is prosecuted under the jurisdiction of Japan shall have such other rights as are guaranteed under the laws of Japan to all persons on trial in Japanese courts. Such additional rights include the following which are guaranteed under the Japanese Constitution:

(a) He shall not be arrested or detained without being at once informed of the charge against him or without the immediate privilege of counsel; nor shall he be detained without adequate cause; and upon demand of any person such cause must be immediately shown in open court in his presence and the presence of his counsel;

(b) He shall enjoy the right to a public trial by an impartial tribunal;

(c) He shall not be compelled to testify against himself;

(d) He shall be permitted full opportunity to examine all witnesses;

(e) No cruel punishment shall be imposed upon him.

2. The U.S. authorities shall have the right upon request to have access at any time to members of the U.S. Armed Forces, the civilian component, or their dependents who are confined or detained under Japanese authority.

3. Nothing in the provisions of paragraph 9(g) concerning the presence of a representative of the U.S. Government at the trial of a member of the U.S. Armed Forces the civilian component or a dependent prosecuted under the jurisdiction of Japan, shall be so construed as to prejudice the provisions of the Japanese Constitution with respect to public trials.

Re paragraphs 10(a) and 10(b):

1. The U.S. military authorities will normally make all arrests within facilities and areas in use by and guarded under the authority of the U.S. Armed Forces. This shall not preclude the Japanese authorities from making arrests within facilities and areas in cases where the competent authorities of the U.S. Armed Forces have given consent, or in cases of pursuit of a flagrant offender who has committed a serious crime.

Where persons whose arrest is desired by the Japanese authorities and who are not subject to the jurisdiction of the U.S. Armed Forces are within facilities and areas in use by the U.S. Armed Forces, the U.S. military authorities will undertake, upon request, to arrest such persons. All persons arrested by the U.S. military authorities, who are not subject to the jurisdiction of the U.S. Armed Forces, shall immediately be turned over to the Japanese authorities.

The U.S. military authorities may, under due process of law, arrest in the vicinity of a facility or area any person in the commission or attempted commission of an offense against the security of that facility or area. Any such person not subject to the jurisdiction of the U.S. Armed Forces shall immediately be turned over to the Japanese authorities.

2. The Japanese authorities will normally not exercise the right of search, seizure, or inspection with respect to any persons or property within facilities and areas in use by and guarded under the authority of the U.S. Armed Forces or with respect to property of the U.S. Armed Forces wherever situated, except in cases where the competent authorities of the U.S. Armed Forces consent to such search, seizure, or inspection by the Japanese authorities of such persons or property.

Where search, seizure, or inspection with respect to persons or property within facilities and areas in use by the U.S. Armed Forces or with respect to property of the U.S. Armed Forces in Japan is desired by the Japanese authorities, the U.S. military authorities will undertake, upon request, to make such search, seizure, or inspection. In the event of a judgment concerning such property, except property owned or utilized by the U.S. Government or its instrumentalities, the United States will turn over such property to the Japanese authorities for disposition in accordance with the judgment.

ARTICLE XIX

Payment in Japan by the U.S. Armed Forces and by those organizations provided in article XV to persons other than members of the U.S. Armed Forces, civilian components, their dependents and those persons referred to in article XIV shall be effected in accordance with the Japanese foreign exchange control law and regulations. In these transactions the basic rate of exchange shall be used.

ARTICLE XXI

U.S. military post offices may be used by other officers and personnel of the U.S. Government ordinarily accorded such privileges abroad.

ARTICLE XXIV

It is understood that nothing in this Agreement shall prevent the United States from utilizing, for the defrayment of expenses which are to be borne by the United States under this Agreement, dollar or yen funds lawfully acquired by the United States.

WASHINGTON, *January 19, 1960.*

C.A.H.
N.K.

---

DEPARTMENT OF STATE,
*Washington, January 19, 1960.*

His Excellency NOBUSUKE KISHI,
*Prime Minister of Japan.*

EXCELLENCY: I have the honor to refer to paragraph 6(d) of article XII of the Agreement under article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, Regarding Facilities and Areas and the Status of U.S. Armed Forces in Japan, signed today. The second sentence of the said paragraph provides that "in such case the Government of the United States shall pay to the Government of Japan an amount equal to the cost of employment of the worker for a period of time to be agreed between the two Governments."

I wish to propose on behalf of the Government of the United States that the period of time mentioned above shall not exceed 1 year after the notification provided for in paragraph 6(b) of article XII of the above-cited agreement, and may be determined in the consultations under paragraph 6(c) of

article XII above on the basis of mutually agreeable criteria.

If the proposal made herein is acceptable to the Government of Japan, this Note and Your Excellency's reply to that effect shall be considered as constituting an agreement between the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

CHRISTIAN A. HERTER,
*Secretary of State of the United States of America.*

---

WASHINGTON, *January 19, 1960.*

His Excellency CHRISTIAN A. HERTER,
*Secretary of the State of the United States of America.*

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

"I have the honor to refer to paragraph 6(d) of article XII of the Agreement under article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, Regarding Facilities and Areas and the Status of U.S. Armed Forces in Japan, signed today. The second sentence of the said paragraph provides that 'in such case the Government of the United States shall pay to the Government of Japan an amount equal to the cost of employment of the worker for a period of time to be agreed between the two Governments.'

"I wish to propose on behalf of the Government of the United States that the period of time mentioned above shall not exceed 1 year after the notification provided for in paragraph 6(b) of article XII of the above-cited agreement, and may be determined in the consultations under paragraph 6(c) of article XII above on the basis of mutually agreeable criteria.

"If the proposal made herein is acceptable to the Government of Japan, this note and Your Excellency's reply to that effect shall be considered as constituting an agreement between the two Governments."

I have the honor to inform Your Excellency that the Government of Japan accepts the above proposal of the Government of the United States, and to confirm that your note and this reply are considered as constituting an agreement between the two Governments.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

NOBUSUKE KISHI.

Mr. JOHNSON of Texas. Mr. President, as I said earlier today, we shall proceed in orderly fashion to the consideration of the treaty. The Department has advised us that it considers ratification of the treaty of extreme importance. The Secretary testified again to that effect this morning.

At the moment, the chairman of the Foreign Relations Committee [Mr. FULBRIGHT] is having lunch with an Ambassador, but thereafter will be prepared to go into a detailed discussion of the treaty.

I should like to have all the aids, on both sides of the aisle, notify absent Senators, because this is a matter of the highest importance, and all Senators should be prepared to come to the Chamber and discuss the matter on its merits.

The minority policy committee is having its meeting. For that reason, it is agreeable to the chairman of the Foreign Relations Committee that the Senate not proceed to discuss the treaty at the moment. But we shall do so in a short time.

In a moment, I must leave the floor, and I shall not be able to return for a while. I wish all Senators to know what is planned.

Mr. CASE of South Dakota. Is it planned to take up the independent offices appropriation bill before the Japanese Treaty is acted on?

Mr. JOHNSON of Texas. No. That appropriation bill is the unfinished business. But when it is agreeable to the Senator from Arkansas [Mr. FULBRIGHT] and when it is agreeable to the minority leader [Mr. DIRKSEN], we shall discuss the treaty with Japan; and I wish all Senators to be on notice.

Mr. CASE of South Dakota. Can the Senator from Texas give any indication, in point of time, as to when that might be—possibly around 2 o'clock?

Mr. JOHNSON of Texas. I cannot tell; I do not know how long it will be before the Senators who now are out of the Chamber will enter the Chamber.

Mr. CASE of South Dakota. I hope to get some lunch, myself, in a few minutes.

Mr. JOHNSON of Texas. Certainly the Senator from South Dakota is entitled to do so, for he is one of the most dedicated and conscientious Members of this body; and certainly he should not hesitate to leave the Chamber to go to lunch.

Mr. McCLELLAN. Mr. President, there is a matter which I should like to have taken up.

Mr. JOHNSON of Texas. Has the Senator from Arkansas cleared his request with the minority?

Mr. McCLELLAN. I am sure there is no objection.

Mr. JOHNSON of Texas. It would be best, first, to have definite clearance with the minority.

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

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). 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. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Are we in executive session to consider the Japanese Treaty?

The PRESIDING OFFICER. The treaty is before the Senate as in Committee of the Whole.

Mr. JOHNSON of Texas. Mr. President, for several days I have been in constant touch with the highly respected, very able Senator from Arkansas [Mr. FULBRIGHT], chairman of the Foreign Relations Committee, and the State Department, and I am informed by the Senator from Arkansas that he is now prepared to make his recommendations to the Senate.

As all of us who serve with him know, the Senator from Arkansas has rendered outstanding service in the field of relations with other nations. Since he first came to Congress as a Member of the other body, he has taken active leadership in this field. His voice and his vote are respected throughout the world, but particularly in this Chamber, with those of us who know him best.

I shall follow with great interest the recommendations the Senator will make, and I hope other Senators will do likewise.

The PRESIDING OFFICER. The treaty is before the Senate for consideration.

Mr. FULBRIGHT. Mr. President, I wish to express my appreciation to the majority leader for the kind words he has said about the chairman of the Foreign Relations Committee. He has cooperated in every possible way with the chairman in arranging to have this treaty brought before the Senate today.

Mr. President, the Committee on Foreign Relations has favorably reported Executive E, the Treaty of Mutual Cooperation and Security to the Senate. This agreement has been nearly 2 years in the making, but in the past few weeks—on the eve of its ratification by both parties—it has become an issue of barely manageable proportions in Japan and a source of deep concern in this country and elsewhere. The uncomfortable intensity of this drama has been sharpened by the cancellation of the President's visit to Japan, a regrettable and unfortunate development.

In trying to get a broad understanding of this situation, it should first be noted that the Sino-Soviet bloc, in whipping up opposition to the treaty, has unleashed a torrent of slander and abuse that is interesting, both for its intensity and its volume. This campaign has been supported tactically by a peculiarly crude, arm-twisting diplomatic pressure. Clearly, the revision of this security treaty is for our adversaries an event so inconsonant with their objectives as to dictate a maximum—indeed, an exceptional—effort to prevent its happening.

Having said this, I should quickly add that the opposition in Japan to the pending treaty is by no means confined to Communist-oriented elements. Great numbers of literate, highly motivated people oppose it—wrongly, in my view—because they believe that any such treaty will earn for Japan not security, but insecurity. More specifically, they fear that the war-renouncing article of the Japanese Constitution will eventually disappear, in the face of a revived militarism. They also fear that a mutual security treaty conceivably could involve Japan in a war that might otherwise have been avoided.

Mr. President, I deeply respect the concern of these well-meaning Japanese. Their reservations are doubtless reinforced by their shattering experience in World War II, which for them included massive bombings and, finally, atomic attack.

I should like to quote at this point a fragment of the conclusion of the committee report on the treaty:

Some of the pacific, antitreaty elements in Japan ask that their country be left free

to cultivate such benign pursuits as trade, commerce, and science. The committee would sympathetically remind the Japanese who hold such views of the threats of those who, by one means or another, are determined to bring all such activities within the scope of their own dictatorial control.

The point I should like to leave with my Japanese friends, some of whom are in the galleries, is that the prospect of war is as abhorrent to the United States as it is to Japan. In view of the unmistakable and implacably hostile intentions of the Communist bloc, the United States has taken the lead in trying to protect the non-Communist countries from either war, or external domination. In performing this historic role, the United States has made alliances with many other nations. The United States can only perform this urgent mission in collaboration with other nations whose benign and peaceful aspirations are compatible with its own. Japan is surely one of these nations.

It is my belief that the majority of the Japanese acknowledge and welcome the growing interdependence between their country and ours. I believe, as well, these Japanese recognize that the aims and sentiments of the American people are much the same as their own. The communique that was issued by Prime Minister Kishi and President Eisenhower on the occasion of the signing of this treaty contained strong evidence that both leaders were deeply aware of this dominant interest of their peoples in the quest for peace.

Mr. President, I should like to quote a significant section of that joint statement:

The President and the Prime Minister agreed that disarmament, with the essential guarantees of inspection and verification, is a problem of urgent and central importance to all nations, whose resolution would contribute greatly to reducing the burden of armaments and the risk of war. They expressed the further hope that early agreement can be reached on an adequately safeguarded program for the discontinuance of nuclear weapons tests. They concluded that the world is entering a period affording important opportunities which they have every intention of exploring most seriously, but only on the basis of tested performance, not merely promises. Both leaders recognized that all of man's intellect, wisdom and imagination must be brought into full play to achieve a world at peace under justice and freedom.

I hasten to say that the views expressed in the communique of last January are shared in this country by Republicans and Democrats alike. Whoever our next President is, he will most certainly endorse the spirit and letter of the Eisenhower-Kishi statement. And I know that most Japanese are profoundly interested in advancing the cause of such objectives as phased disarmament and a nuclear test suspension.

In my studied opinion, nothing in the treaty before the Senate is inconsistent with the spirit of the language that I have just quoted. The treaty is defensive in character. It formalizes a relationship that has grown in importance both to the treaty parties themselves, and to other nations with a common interest in remaining free of foreign domination.

Earlier in these remarks, I used the word "interdependence" to characterize the relationship that has developed between the United States and Japan. It was used advisedly. Both countries are among the world's great trading nations, and each is a great market for the other's goods. In 1958, the United States supplied nearly 35 percent of Japan's imports and absorbed about one-fourth of Japanese exports. Only Canada buys more American goods.

In the arts and sciences, there is a growing mutuality of respect between Americans and Japanese. A great many Americans record their fondest experiences with Japanese cameras, buy Japanese prints and paintings, and see performances by Kabuki dancers when the rare opportunity presents itself. A good many American soldiers who were assigned to Japan returned home with Japanese wives. There is no question but that the two peoples find much that is admirable and compatible in one another. In view of the bitter war that was concluded only 15 years ago, this salutary development in their relations is all the more remarkable.

The consequences of war caused significant changes in Japan. Military vulnerability is one example. However, nothing has discouraged or deterred the prodigious Japanese enterprise and capacity for economic growth. By 1958, virtually all sectors of the Japanese economy—industry, mining, public utilities, agriculture and fishing—were well above the prewar—1934–36—average. National income had risen by about 68 percent above the prewar level. Per capita income was about $262, which, while substantially below that of many Western nations, is about three times higher than the average of other Asian nations in the Far East. In total industrial output, Japan ranked seventh in the non-Communist world in 1957, falling barely behind France and Italy. Japan has led the world in shipbuilding in the last 3 years and in 1958 was the fifth largest producer of crude steel, exclusive of Communist bloc countries.

In short, Japan represents one of the four great industrial complexes of the world. The other three are, of course, the United States, Western Europe, and the Soviet Union. The latter will be joined in this small elite by Communist China. At that point it would seem that the only other modern industrial society in Asia will still be Japan. The example of Japan has significance for other Asian nations, and by its example Japan can represent a counterpoise to the aggressive thrust of international communism in the Far East. Thus, Japan has become a factor in the struggle for freedom which has become the central struggle in our lives and which will dominate our future, almost certainly for the balance of this century.

It is against that background that the campaign by the Sino-Soviet bloc against this treaty must be considered. As noted, there is nothing aggressive in the treaty. Nor does it grant to the United States a "senior partner" status, or privileges outside the framework of a normal quid pro quo. To the contrary, less than 15 years after Japan's unconditional surrender to the Allied Powers, this treaty emphasizes, in the language of the committee report, "Japan's rebirth as a fully sovereign nation." This is implicit in the preamble, in several of the articles of the treaty, and in relevant exchanges of notes between officals of the treaty parties.

Under the existing security treaty, which was signed in 1951, Japan, by implication, was required to rely for its defense upon the military forces of the United States. However, the preamble of the new treaty says that the two nations share "a common concern in the maintenance of international peace and security in the Far East."

What this and other concessions to Japanese opinion reflect is the somewhat anachronistic character of certain provisions in the existing agreement. For example, one significant deletion is the provision—in article I of the old treaty—that U.S. forces could be used at the discretion of the Japanese Government to "put down large-scale internal riots and disturbances in Japan." Also deleted was a provision forbidding Japan to grant "without the prior consent" of the United States any military rights to a third power.

Article V stresses the coequal status of the partners, providing that an attack on either in Japanese territory would constitute a "common danger" that both must meet together "in accordance with the constitutional provisions and processes" of each. As noted in the report, the reference to "constitutional provisions" implies an acknowledgment of article IX of the Japanese Constitution, the war-renouncing article which forbids Japan to send military forces away from its own shores. Furthermore, under this article, the treaty parties acknowledge the ultimate authority of the United Nations in settling disputes between nations. They pledge themselves to report all measures taken to deal with an armed attack to the Security Council, and to terminate these measures when the Security Council "has taken the measures necessary to restore and maintain international peace and security."

Mr. President, at this point I should add that, of the 10 articles in this treaty, 4 of them either affirm or imply the primacy of the role of the United Nations in settling matters that endanger international peace and security.

Under article VI the continued use by the United States of certain military facilities in Japan is assured. The details regarding maintenance of these facilities, as well as the status of U.S. forces in Japan, are spelled out in an executive agreement that supersedes the present agreement covering these matters.

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

Mr. FULBRIGHT. I yield.

Mr. LONG of Louisiana. Does the treaty provide some arrangement that requires the consent of the Japanese Government for the shifting of American troops to other theaters?

Mr. FULBRIGHT. The agreement is that such movement would follow consultation with the Japanese. The agreement provides for consultation, a term which was interpreted in the hearings to mean the assent of the Japanese.

Mr. LONG of Louisiana. Let me see if I understand the answer. The troops that are stationed on Japanese soil, for the most part, are from either the Air Force or the Navy, are they not?

Mr. FULBRIGHT. They are largely from the Air Force.

Mr. LONG of Louisiana. Does the Senator know whether there are any substantial Navy contingents there?

Mr. FULBRIGHT. The number is substantial, but the number is not as large as that of the Air Force.

Mr. LONG of Louisiana. There could conceivably be a number of marines in addition to the Air Force?

Mr. FULBRIGHT. That is correct.

Mr. LONG of Louisiana. Under the agreement, the troops that are there could be used outside Japan only with the consent of the Japanese Government, if I understand correctly what the Senator has said.

Mr. FULBRIGHT. The language of the treaty is "prior consultation" with the Japanese Government. During our interrogation of the Secretary, the committee asked, "Does that term mean 'assent'?"

He said it did.

Mr. LONG of Louisiana. Does the agreement between the President of the United States and the Prime Minister of Japan stipulate that there must be assent or agreement with the Japanese before our troops on Japanese soil could be used outside Japan?

Mr. FULBRIGHT. If there is an attack upon Japan in which both countries are involved, it is understood that the military forces would be used in our common defense. A situation in which the United States desired to use its forces outside Japan, and an attack upon Japan itself was not involved, those forces could be used after consultation, which, as explained at the hearings, means the assent of the Japanese.

Mr. LONG of Louisiana. So if the Senate ratifies the agreement, it will do so with the full understanding that our troops stationed on Japanese soil cannot be used outside of Japan without the consent of the Japanese Government, is that correct?

Mr. FULBRIGHT. I think that is a fair statement. That is not the language of the treaty but the Secretary of State, in response to questioning, said that he interpreted the word "consultation" to mean the equivalent of Japan's assent. If the Japanese seriously objected and would not assent to an action that we wished to undertake I would assume that the spirit of this treaty would mean that we would not take the action.

Mr. LONG of Louisiana. Certainly, so far as Senators are concerned, when we vote to ratify the treaty, we should understand the meaning of the word "consultation" in the context in which it is used. It means American forces cannot be used outside Japan without agreement of Japan. Is that correct?

Mr. FULBRIGHT. I refer the Senator to the transcript of the hearings. I think I have stated the hearings as accurately as I can. That is what the hearings reflect.

Mr. LONG of Louisiana. Does the executive agreement make any more clear what the word "consultation" means in the context?

Mr. FULBRIGHT. I can refer to the page of the transcript of the hearings, which makes the point very clear. There are two places in which reference is made. I refer first to the note on page 9, if the Senator has that before him.

Mr. LONG of Louisiana. Does the Senator have a copy of the executive agreement which implements this language?

Mr. FULBRIGHT. To complete the RECORD, let me read this language and then I will show the Senator from Louisiana the point where the question was asked of the Secretary.

> Major changes in the deployment into Japan of U.S. Armed Forces, major changes in their equipment, and the use of facilities and areas in Japan as bases for military combat operations to be undertaken from Japan other than those conducted under article V of the said treaty, shall be the subject of prior consultation with the Government of Japan.

This is an agreed exchange of notes between Mr. Herter and the Prime Minister of Japan. Then at page 10 of the hearings I asked the Secretary:

> The CHAIRMAN. Does the term "prior consultation" as expressed in the minute to the treaty mean that Japanese assent is required as a precondition to certain U.S. military activities in the area?
>
> Secretary HERTER. It would.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. At the bottom of page 19 also the Senator from Vermont [Mr. AIKEN] asked the meaning of "prior consultation," and at the top of page 20, Secretary of State Herter in effect gave to the Senator from Vermont the same answer in a little more detail than he gave to the chairman of the committee.

Mr. LONG of Louisiana. So no doubt remains that, after the treaty is agreed to, we could not use our bases in Japan in the way we did during the Korean war, when those bases were used as staging bases to bring our forces forward into that conflict without the consent of the Japanese Government?

Mr. FULBRIGHT. That is correct. I think there could be independent logistic support, but no independent movement of forces. And I think that it would be useful to have this freedom of logistic activity.

Mr. LONG of Louisiana. To cite a specific situation, if fighting broke out tomorrow and this treaty were ratified and became effective tomorrow, and fighting should break out in Korea the day after tomorrow, our forces that are stationed in Japan could not be shifted forward into Korea for support or to engage in hostile activities there without the consent of the Japanese Government?

Mr. FULBRIGHT. I think that is correct. This is one of the principal changes between the present treaty and the new treaty.

I have tried to make that clear in my remarks. I shall make it even clearer by saying that I have no doubt that we are giving up rights of a substantial nature that we now have. But most of us believe that there are good reasons for doing that. In the broadest sense this treaty means a return of full sovereignty to Japan. This is one of the key adjustments. I hope I have made that clear. I certainly intended to do so. The rest of my remarks will, I hope, support that same thought.

Mr. LONG of Louisiana. Would the Senator not agree that this is a very major concession so far as the defense posture of this Nation is concerned?

Mr. FULBRIGHT. I would say it is a major concession, yes; but we believe there are good reasons for making it.

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

Mr. FULBRIGHT. I yield.

Mr. TALMADGE. I should like to ask the distinguished chairman of the Foreign Relations Committee, if Russia or Red China fired a thermonuclear missile and it landed on the city of Washington or the city of New York, would we still have to consult with the Japanese Government before we could use our forces stationed in Japan for the purpose of retaliation?

Mr. FULBRIGHT. Under the treaty, I think so.

Mr. TALMADGE. Is that same situation true with other treaties with countries where we have American forces stationed?

Mr. FULBRIGHT. Does the Senator mean in NATO?

Mr. TALMADGE. Yes; in NATO, or SEATO.

Mr. FULBRIGHT. Well, under the NATO agreement we do agree to consult as to the measures to be taken in our common defense. But as for our own defense the NATO treaty is more flexible in this respect. We could use our own forces. I might say that one of the further reasons for this particular aspect of the treaty, with regard to Japanese participation, is article 9 of the Japanese constitution, which forbids Japan to take the reciprocal obligation that our NATO partners do.

Mr. BUSH and Mr. HICKENLOOPER addressed the Chair.

Mr. TALMADGE. Will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. HICKENLOOPER. I should like to interject on the point the Senator from Georgia has raised. It occurs to me that the NATO treaty contains a specific provision that an attack on one is an attack on all. There is that particular provision in the NATO treaty.

Mr. FULBRIGHT. Yes; but the Senator asked if the Russians, in a hypothetical case, should attack us, we could use our forces stationed in England in retaliation without consulting the Government.

Mr. HICKENLOOPER. I am sorry, but I think perhaps I misunderstood the statement.

Mr. TALMADGE. I asked, first, with reference to Japan. The able Senator replied, as I understand, that our forces located in Japan could not retaliate without prior approval of the Japanese Government. I followed that up by asking if that were true of other countries where we have American military components stationed.

Mr. HICKENLOOPER. Mr. President——

Mr. TALMADGE. Would the Senator answer that question first?

Mr. HICKENLOOPER. Perhaps I misconstrued the statement. In the NATO agreement and in some of the other agreements, as I understand, where the statement is used that an attack is an attack on all, it would be my personal opinion that in these cases an attack on us would be considered an attack on our allies, under the NATO agreement.

Mr. FULBRIGHT. Under the NATO treaty, the parties would act together in a common cause. It would follow consultation in accordance with our constitutional processes. But as to how we could deploy our forces from another NATO country, it is our opinion that we could use them in a retaliatory gesture.

Mr. TALMADGE. Are there any other agreements, except the proposed treaty with Japan, under which we could not utilize our military forces for retaliation if we were attacked?

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

Mr. FULBRIGHT. We have so many different alliances, I do not believe I should answer that question offhand. I will review it.

Mr. TALMADGE. Does the Senator know of any other existing treaty under which American forces could not be used for retaliation if we were attacked?

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

Mr. FULBRIGHT. I am trying to think on that point. I might mention the case of Taiwan. As a practical matter I think that we certainly would have no difficulty in achieving agreement with our allies either in NATO or in SEATO in this connection. I would hesitate to answer immediately the question with regard to forces on Taiwan, for example.

Mr. TALMADGE. Does the able Senator have an opinion as to whether it would be wiser to have our military forces located in some other area, where they could be immediately utilized for retaliation if the situation made it necessary?

Mr. FULBRIGHT. No; not so far as speaking of Japan is concerned. I think it is the right place for the forces we have there. I have tried to make that clear. It is the strongest nation in the area. It has the greatest industrial base. It is an area which we have a greater interest in protecting than any other in the Far East.

Mr. TALMADGE. I am delighted that the Senator from Arkansas has the floor and that he has yielded for a series of questions.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. In response to the question raised by the distinguished Senator from Georgia, article 5 of the treaty states:

> Each party recognizes that an armed attack against either party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes.

Mr. TALMADGE. That language would have to do with an attack on Japan, at which point we would go to the aid of Japan. If an attack were made against America, Japan might not go to the aid of America.

Mr. MANSFIELD. It reads:

> Each party—

That is, Japan and the United States—

> recognizes that an armed attack against another party in the territories—

Mr. TALMADGE. Under the administration of Japan.

Mr. MANSFIELD. Yes.

Mr. TALMADGE. That does not mean Washington or Florida or Seattle.

Mr. MANSFIELD. No. What I am trying to get at is this. The American troops and a few marines and some sailors stationed there, so far as the treaty is concerned, are in an area under the jurisdiction of Japan. That is why I wished to call this article to the attention of Senators, as to just what the situation is vis-a-vis this particular treaty as it affects American forces in Japan.

Mr. TALMADGE. I still do not understand how the treaty would apply to release and trigger American forces stationed in Japan if the attack were not on Japan itself but against the continental United States of America or on some of our possessions.

Mr. MANSFIELD. I would have the idea that there are other countries in which American troops are stationed which would likewise be in the same position. I refer to the fact that we have a large base at Wheelus Field in Libya, and another at Dhahran, Saudi Arabia. There very likely are other places where the same situation would apply and the same result could be anticipated. As far as the NATO countries are concerned, the Senator from Iowa [Mr. HICKENLOOPER] is correct when he states that an attack against one is an attack against all the other members of the NATO group.

Mr. TALMADGE. Mr. President, will the distinguished chairman of the Foreign Relations Committee yield further?

Mr. FULBRIGHT. I yield.

Mr. TALMADGE. What are the terms of the treaty with reference to the jurisdiction of the courts of Japan over American troops, military personnel or civilians that are involved in the criminal or civil courts?

Mr. FULBRIGHT. The criminal jurisdiction provision is the same as that provided in the NATO Status of Forces Treaty. I refer the Senator from Georgia to page 23 of the message from the President of the United States on Executive E.

ARTICLE XVII

1. Subject to the provisions of this Article.

(a) the military authorities of the United States shall have the right to exercise within Japan all criminal and disciplinary jurisdiction conferred on them by the law of the United States over all persons subject to the military law of the United States;

(b) the authorities of Japan shall have jurisdiction over the members of the United States Armed Forces, the civilian component, and their dependents with respect to offenses committed within the territory of Japan and punishable by the law of Japan.

2. (a) The military authorities of the United States shall have the right to exercise exclusive jurisdiction over persons subject to the military law of the United States with respect to offenses, including offenses relating to its security, punishable by the law of the United States, but not by the law of Japan.

(b) The authorities of Japan shall have the right to exercise exclusive jurisdiction over members of the United States Armed Forces, the civilian component, and their dependents with respect to offenses, including offenses relating to the security of Japan, punishable by its law but not by the law of the United States.

(c) For the purposes of this paragraph and of paragraph 3 of this Article a security offense against a State shall include

(i) treason against the State;

(ii) sabotage, espionage or violation of any law relating to official secrets of that State, or secrets relating to the national defense of that State.

3. In cases where the right to exercise jurisdiction is concurrent the following rules shall apply:

(a) The military authorities of the United States shall have the primary right to exercise jurisdiction over members of the United States Armed Forces or the civilian component in relation to

(i) offenses solely against the property or security of the United States, or offenses solely against the person or property of another member of the United States Armed Forces or the civilian component or of a dependent;

(ii) offenses arising out of any act or omission done in the performance of official duty.

(b) In the case of any other offense the authorities of Japan shall have the primary right to exercise jurisdiction.

(c) If the State having the primary right decides not to exercise jurisdiction, it shall notify the authorities of the other State as soon as practicable. The authorities of the State having the primary right shall give sympathetic consideration to a request from the authorities of the other State for a waiver of its right in cases where that other State considers such waiver to be of particular importance.

These are the same provisions that we ratified in 1953, with respect to the NATO countries.

On page 81 of the hearings there is a discussion of the subject.

Mr. BUSH. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I am very much disturbed by this very discussion. I should like to point it up a little more closely. It does not seem to me that the treaty or the letter from the Prime Minister would foreclose the possibility of the United States acting promptly by using its Armed Forces in the event, for

instance, of an attack on South Korea, where we have our own forces stationed for the defense of South Korea; or, let us say, upon Okinawa, where we have forces stationed also. I do not believe the treaty should forbid the use of our forces stationed in Japan for such a purpose.

Mr. FULBRIGHT. It does not forbid their use.

Mr. BUSH. That is the point I wanted the Senator to make very clear for the record.

Mr. FULBRIGHT. It does not forbid their use. It merely provides that we shall consult with Japan.

Mr. BUSH. That is correct; but it does not necessarily give the Japanese a veto power upon the use of forces for such a purpose.

Mr. FULBRIGHT. It would be only those forces stationed in Japan itself; it would not apply to other forces. The situation mentioned by the Senator from Georgia [Mr. TALMADGE] would apply only where the act of aggression took place outside the area concerned. He cited a situation in which New York or Washington was bombed. It is contemplated by the treaty, and the proper interpretation of it, in my opinion, is that in certain situations the forces which are in Japan would be used only after consultation with Japan. I am confident there would be no great difficulty in the consultations. The treaty parties have common concerns and common objectives.

Mr. BUSH. The word "consultation" is a moot expression.

Mr. FULBRIGHT. There is nothing moot about it. It is clear from the letter and the record that it means that the consent of Japan is a precondition to certain activities. I do not want any misunderstanding to arise about that. That is my interpretation of the language, and it is what our Government says it means.

Mr. BUSH. I have the greatest respect for the Senator from Arkansas, but I frankly think that if the treaty meant to say it would require the consent of the Japanese Government for us to use such forces, under the circumstances I have mentioned, the treaty ought to say so; but it does not say so.

Mr. FULBRIGHT. The trouble with that view is that it neglects the borderline cases. I think it is wiser not to try to anticipate every possible combination of circumstances in a treaty. I think there are valid reasons for drafting the treaty in the way in which it was drawn. I think it will be found in actual practice that situations arise which do not follow preconceived ideas; so it is necessary to have some flexibility.

I do not want to deceive anyone. I asked the Secretary of State about this matter, and I read what he said.

As a general proposition, where the issue is quite outside the territory of Japan, the Japanese Government wants to be consulted before the forces on their land involve them in a war. To me, there is nothing irrational or irregular about that. I think a country which allows foreign military forces to be stationed on her own soil has some interest in how those forces are used.

We must remember that Japan is a great country and is allowing the forces of another country to be stationed on her soil. I think Japan has an interest in the question when something takes place in another theater. If something occurred within the area of Japan, that would be a different matter.

Mr. BUSH. I appreciate what the Senator says, but I still return to the language about consultation. I think it is safe, as does the Senator from Arkansas, and as the Secretary of State probably does. I think it is safe because it does not talk about consent; it talks about consultation.

I think it is appropriate that the Japanese, if we are to station our troops in Japan—and incidentally, we have no ground troops there; we have only Air Force and Navy personnel there—should be consulted, because the relationships between the two Governments are close, and we hope they will remain close and become closer. We hope our ties will become cemented by friendly, satisfactory relations. There is little doubt that the Japanese would respond to any reasonable request or any reasonable consultation if we felt it was necessary for us to use our forces stationed there in connecton with an incident in Korea, for example.

Mr. FULBRIGHT. I think the Senator from Connecticut is carrying this further than I intended to.

I refer again, if it concerns the Senator from Connecticut too much, to a further statement on the question on page 19 of the hearings, when the Senator from Vermont [Mr. AIKEN] explored it a little further.

Mr. BUSH. Is this statement in the RECORD?

Mr. FULBRIGHT. It is in the hearings. The Senator can see that the matter was not overlooked at all. I first asked about it, and later the Senator from Vermont asked almost the same question.

The language does not mean that we are tied down and cannot use our troops at all; that they are immobilized. It means that if something occurs between the United States and Cuba, for example, and we wanted to use our forces here, we could bring them back and use them, if necessary.

I believe, as a practical matter, that this provision is not nearly so important as it is made to appear. I do not imagine anything could occur in the Far East without involving Japan. Japan is one source of strength in that whole area outside the Communist world. I think, as a practical matter, that we are not taking any great risks. I think Japan would be involved in a conflict in that theater. It would be very foolish, it seems to me, for Communist Red China or the Russians to bypass Japan. I do not believe they could. Japan is a source of strength.

Mr. BUSH. I thank the Senator from Arkansas for his statement. I should like to make a further observation. So long as we are talking about consultation and not consent, I think the Senator is correct. I do not believe that there is any danger in that respect. Nevertheless, I wanted the record to show that when we are approving a treaty on the floor of the Senate, we are talking about consultation and not consent.

Let us consider the possibility of using our troops in an area in connection with a possible incident, as I can visualize one which might take place in Korea, where we have a division station on the line, or in Okinawa; or our wanting to use our naval or air forces very quickly sometime. I have little doubt that Japan would be ready to agree to consultation, but I believe it should be made clear here that the treaty does not forbid the use of these forces. It does require consultation.

Mr. FULBRIGHT. It requires consultation. Suppose a very minor skirmish occurred, and it did not appear to the Japanese that there was any point in their becoming involved, but that we had to use aircraft which happened to be based in Japan. We might move them to bases in Korea and use them there. I do not believe Japan's position is unreasonable.

Mr. BUSH. I do not think so, either. I thank the Senator from Arkansas for his patience with me on this question.

Mr. FULBRIGHT. Not at all; I have been glad to yield.

Mr. CASE of South Dakota. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Arkansas yield to the Senator from South Dakota?

Mr. FULBRIGHT. I yield.

Mr. CASE of South Dakota. It seems to me that whatever the facts are, they should be on the record very clearly.

On the date of the signing of the treaty, here in Washington, on the 19th of January, notes were exchanged between the Department of State and Secretary Herter and Mr. Kishi; and I find in the Executive E report to the Senate from the committee these notes are given. In both our note to the Japanese Minister and in his reply, this paragraph appears:

> Major changes in the deployment into Japan of U.S. Armed Forces, major changes in their equipment, and the use of facilities and areas in Japan as bases for military combat operations to be undertaken from Japan other than those conducted under article V of the said treaty, shall be the subjects of prior consultation with the Government of Japan.

The committee report, at page 3, recites the sentence I have just read, and then states:

> The committee was interested to have a precise understanding of the meaning of the term "prior consultation." In a public hearing on the treaty, the Secretary of State was asked by two members whether Japanese "assent" would be a precondition to certain U.S. military activities. The Secretary's answer was unequivocally affirmative. The committee understands that the Department of Defense's interpretation of "prior consultation" is in harmony with that of the Department of State.

It seems to me that on the record and from the report, it is very clear that the committee undertook to determine what "prior consultation" meant, and that it means assent of the Japanese with respect to certain U.S. military activities.

In the light of that statement in the report that assent is involved, it seems to me that any personal or individual opinions of Members of the Senate would fall before the plain statement of the committee in its report that in open session it asked the Secretary of State for a definition of the term "prior consultation," and that the committee understands that the Department of Defense has the same interpretation as does the Department of State.

Mr. FULBRIGHT. I think that is correct.

Mr. AIKEN. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. I think that is very clear. This plainly means that the United States would not use Japan as a base of operations from which to launch any attack upon other countries, without consultation with the Japanese; and, according to the interpretation of the Secretary of State, in the event of such circumstances, "prior consultation" would mean consent.

After all, should we expect to establish in other countries around the world, and without their consent, bases from which to launch attacks upon other countries? We would not want them to do that to us.

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

Mr. FULBRIGHT. I yield.

Mr. CASE of South Dakota. In that connection, let me say that General Norstad felt it necessary to remove certain squadrons from France to England, because there was some objection by France to the storage of certain weapons with those troops in France; and we respected the desires and the sovereignty of France in that connection.

I assume that with respect to consultation, our respect for Japanese sovereignty in certain matters is very similar to our respect for French sovereignty in certain matters.

Mr. AIKEN. In this case it clearly implies consent.

Mr. LAUSCHE. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. I wish to elaborate a little on the questions put by the Senator from Connecticut.

According to my understanding, nowhere in the treaty is there any provision that we could not withdraw our forces, and operate them from bases of our own or from other bases. The language, as read by the Senator from Vermont, and as it was explained by him, simply states that we cannot use that as an operating base, without the consent of Japan, on any involvement that we may be in, in that area.

We can withdraw our forces and rush them to the United States or wherever we are; but we cannot use Japan as bases for military combat operations to be undertaken from Japan, under the conditions covered by article V.

To reduce it to a few words: Nothing in the treaty prevents us from moving out our troops and equipment, and operating them from our own bases or other nations' bases. But if we are involved in that area, we cannot use the Japanese bases without consulting with them. And "consultation," according to Secretary Herter, means that we must have their assent.

Mr. FULBRIGHT. I thank the Senator from Ohio.

Mr. JAVITS. Mr. President, on this point, will the Senator from Arkansas yield briefly to me?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. It seems to me that many people wish to know what the United States gets out of the treaty. All the things which have been referred to recently are negative, insofar as the United States is concerned; they are protective things for Japan.

If the chairman of the committee would interpret in an affirmative way the sentence which appears on page 6 of the report, it seems to me that would answer this big question. The sentence is:

> It is not the treaty, but Japan's free institutions, that their Communist allies are trying to stifle. The treaty will not alter the Japanese Constitution, with its war-renouncing provision. But the treaty should serve to deter any external force from taking hostile, overt action against Japan.

Therefore, will the chairman of the committee agree that the value which the United States gets out of this treaty, which commends itself to the Senate of the United States, is that Japan, this key industrial power—and perhaps the only one—in the Far East must, by this treaty, be kept integral, in terms of her free institutions; and, right there, there is in being a deterrent, to keep anyone from having designs on Japan or from contemplating the extinction of Japan as a nation of free institutions.

Mr. FULBRIGHT. The Senator from New York is quite correct. We have great interest in helping Japan maintain her independence. Japan has only 360,000 in her defense forces at this time, I believe; and I think 160,000 of them are ground troops. They are, so to speak, an internal police force. They are not mobile; and if we had no bases there, I think Japan would be utterly helpless to resist an attack by any of her neighbors.

So it is very much in our interest to retain these bases, to maintain the independence of Japan, because we want Japan to be a member of the free world and to have control of her own affairs. There is no doubt in my mind about that.

I think the point discussed a moment ago was in connection with an attempt to make a comparison between this treaty and the old treaty.

The old treaty, conceived during the occupation, certainly gave us greater rights than those we have under this treaty. It is by comparison with the old treaty that the question is asked, "Are we giving up any rights?" The answer is that we are, for the old treaty gave us greater and more unfettered rights than this treaty does.

But certainly it is time for us to recognize the progress which has been made by Japan since that time—in other words, to recognize her sovereignty—for she is now a full partner of the other free countries.

Mr. JAVITS. Would the Senator from Arkansas say that, considering Japan's industrial strength and key position in the Far East, our policy that Japan be kept free is analogous with our policy that West Germany be kept free, and for the same reason?

Mr. FULBRIGHT. I think so. Both countries have shown remarkable stability in their governments, despite the very regrettable events in recent days, which are very complex. Nevertheless, over this 15-year period, Japan has had great stability. The Japanese are a great and extremely industrious people. It is in the interest of all that they retain their freedom, and not be dominated by any foreign power.

Mr. JAVITS. And that this vote today is a real gesture of friendships, the hand of friendship, by us?

Mr. FULBRIGHT. Yes. I think our country has gone far. I do not criticize that. I think it should have gone as far as it has. There is no question about it. I have tried to make it very clear that this treaty yields many rights we had under the old treaty.

Mr. JAVITS. And treating Japan as an equal.

Mr. FULBRIGHT. Yes.

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

Mr. FULBRIGHT. Yes.

Mr. McCLELLAN. I am trying to determine what benefits we get out of the treaty.

Mr. FULBRIGHT. By comparison with the old treaty?

Mr. McCLELLAN. Any benefit at all. What benefit do we get under it? That is the crux of the question. I want to know where we get any advantage.

Mr. FULBRIGHT. The crux is related to what the Senator from New York has said. Here is one of the few highly industrialized nations in the world. She is seventh in the production of crude steel. She leads the world in shipbuilding. She is endowed an able people numbering 90 million. Our purpose is to preserve this very strong bastion of free people in the Far East.

To put it the other way, if Japan were brought under Communist domination and its strength were added to the strength, let us say, of Red China, the latter would present a far more formidable antagonist to us than presently. The industrial capacity, the scientific ingenuity, and the great skill of the Japanese would be an incalculable addition to the manpower of Red China. It would create a very dangerous force to the free world, and particularly to us.

So our interest is helping to maintain Japan; we cannot do it all, by any means; she is doing a great deal, herself, and she is doing more each year so that she may maintain her independence and stand as a bulwark of strength in this area of the world which is undergoing tremendous changes. I would say it would be dangerous to abandon Japan

to the dangers she faces from her Communist neighbors.

Mr. McCLELLAN. Our advantage from the treaty, or anything we gain, is indirect, in the fact that Japan remains a sovereign nation and retains her strength and power, whatever she may develop.

Mr. FULBRIGHT. That is correct.

Mr. McCLELLAN. Which is an indirect benefit to us.

Mr. FULBRIGHT. I do not know that it is indirect. I do not know how one could distinguish that benefit from that which derives from our close relations with West Germany, for example.

Mr. McCLELLAN. Well, let us see. If Japan is attacked, we are obligated to go to her help. Is that correct?

Mr. FULBRIGHT. Yes; if she is attacked, we are under obligation to go to her help.

Mr. McCLELLAN. If we are attacked, is she under obligation to come to our defense?

Mr. FULBRIGHT. No.

Mr. McCLELLAN. That is the difference. That is what I mean when I say she has a direct advantage, and we have only an indirect advantage, under the treaty.

Mr. FULBRIGHT. As I pointed out earlier, article 9 of Japan's Constitution, which we in our wisdom sponsored during the occupation, forbids her to take any of her military forces beyond her shores.

Mr. McCLELLAN. I am trying to get this picture right.

Mr. FULBRIGHT. The Senator has the picture right. That is exactly it.

Mr. McCLELLAN. The reference to consultation means Japan's consent. I hope no one disagrees with that interpretation. That is my interpretation. Under this treaty we must get her consent. If we are not able to get her consent, we are handicapped, and she does not become an ally.

Mr. FULBRIGHT. I do not think that is correct. We do not have a great many troops there. If the necessity arose, it would be a simple matter to move our troops to Korea or to Europe. It would take some time, but we have troops scattered in many places over the world. Unless they are needed in a particular area where they are stationed, they can be moved. I do not think that is a very serious handicap. As a practical matter, I cannot imagine any trouble taking place in that area which would not involve us.

Mr. McCLELLAN. Just one further observation that may help me in trying to understand the treaty. We are getting the right to maintain bases in Japan, are we not?

Mr. FULBRIGHT. That is right.

Mr. McCLELLAN. Of what advantage are those bases going to be to us if we cannot use them when we need them? In other words, they are of no advantage on earth except as we would defend Japan. That is the only way they could be used.

Mr. FULBRIGHT. I do not dissociate our own security from Japan's.

Mr. McCLELLAN. I do not, either. That is why I called it an indirect benefit.

Mr. FULBRIGHT. Japan's security increases our own.

Mr. McCLELLAN. The direct benefit flows to Japan. The indirect benefit flows to us, in the sense that if Japan is preserved and sustained and kept free from destruction, we benefit. That is what I call an indirect benefit, whereas Japan is given the direct benefit of all-out assistance from us.

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

Mr. FULBRIGHT. Yes.

Mr. SPARKMAN. I should like to submit to the distinguished Senator from Arkansas this thought: There is a direct benefit if one considers the fact that when the original peace treaty was entered into, it was anticipated there would be a modification of the treaty as we went along. Remember, under this treaty we continue to have bases not only in Japan itself, but we have the use of the Ryukyu Islands, and probably one of the strongest bases in all the world is on Okinawa, over which we have virtually complete control.

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

Mr. SPARKMAN. Yes.

Mr. McCLELLAN. That is what I am trying to find out. The bases are of great advantage so long as we are defending Japan, but the minute we are not, we have to get her consent before we can move.

Mr. SPARKMAN. I do not think that is true with reference to Okinawa.

Mr. McCLELLAN. Perhaps it is not with reference to Okinawa. I am talking about Japan.

Mr. SPARKMAN. Our strongest bastion of defense in the Pacific is Okinawa, and we retain control over it.

Mr. McCLELLAN. That is not controlled by Japan?

Mr. SPARKMAN. No; under residual sovereignty, it belongs to Japan, but we have control over it.

Mr. McCLELLAN. We have that control under the present agreement; do we not?

Mr. SPARKMAN. That is right.

Mr. McCLELLAN. We are not giving it up.

Mr. SPARKMAN. We get a direct benefit, if the Senator considers the fact that it was contemplated in the original treaty there would be modifications as we went along.

Mr. McCLELLAN. What direct benefits are we getting by reason of this treaty? We have pointed out some that we are giving up. What are some of the direct benefits? I am not attempting to say there are none; I am trying to make the record. There are direct benefits flowing to Japan. We have indirect benefits. Insofar as we are able to maintain and preserve Japan as a free country, we get overflow or residual benefits from that fact. But there is no direct obligation upon Japan to defend us. Japan does not have to defend us unless we are attacked in Japan.

Mr. SPARKMAN. Of course, we recognize Japan as being a part of what might be called the chain of defense. It is part of the chain of defense of the free world. I am of the opinion that, if we did not have a treaty, we would probably feel obligated to go to her defense.

Mr. McCLELLAN. I want to be perfectly clear as to what we are doing, so there will be no misunderstanding. I do not think we are getting any benefits from this treaty we do not already have and we are giving up some we do have.

Mr. SPARKMAN. This treaty is of advantage to Japan. As a matter of fact, one of the surprising things about the recent uprisings in Japan is that here is a treaty that is for the benefit of Japan. It carries out our word. We promised Japan in 1951, or early 1952, when the treaty was ratified, that, as time went on, and she made progress that would justify our doing so, we would make modifications in the treaty.

We started that, the Senator will remember, a couple of years ago when we started moving out our forces. We have a very small force in Japan now. We returned the buildings. There has been a gradual demilitarizing and deoccupying of Japan from the time we signed the original peace treaty. We promised Japan at that time we would modify the treaty. This is carrying out the promise. This is keeping our word. I think we are doing it in a way which is quite advantageous to Japan.

Mr. McCLELLAN. Mr. President, I thank my colleague for yielding. I definitely agree with the last statement of my friend from Alabama, that we are doing this quite advantageously for Japan.

Mr. SPARKMAN. At the same time, we should not overlook the fact that it is a good arrangement for us.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. FULBRIGHT. I yield.

Mr. LONG of Louisiana. I should like to ask the chairman of the committee [Mr. FULBRIGHT] or the Senator from Alabama [Mr. SPARKMAN] for any evidence which can be shown that we did promise to modify, to rescind, or to withdraw the previous treaty. The best information I have is that there was no promise at the time we entered into the old treaty to make a subsequent treaty.

Mr. FULBRIGHT. In the original treaty I think that is clearly implied. I read to the Senator from the treaty:

> In exercise of these rights, Japan desires, as a provisional arrangement for its defense, that the United States of America should maintain armed forces of its own in and about Japan so as to deter armed attack upon Japan.

I think that phrase alone indicates this is a provisional arrangement, rather than a permanent one. That states the position.

Mr. LONG of Louisiana. Does the treaty say that Japan desires the United States to maintain forces? Will the Senator read the provision again?

Mr. FULBRIGHT. It says:

> In exercise of these rights, Japan desires, as a provisional arrangement for its defense,

that the United States of America should maintain armed forces of its own in and about Japan so as to deter armed attack upon Japan.

That is only one of the preambles.

Mr. LONG of Louisiana. I thank the Senator.

Mr. AIKEN, Mr. LAUSCHE, and Mr. RUSSELL addressed the Chair.

Mr. FULBRIGHT. I yield first to the Senator from Vermont.

Mr. AIKEN. I think the record would be incomplete if no Senator mentioned that Communist China has several million armed men. Communist China has not hesitated to use armed forces against any neighboring countries in southeast Asia. Red China has announced she is determined to annex Formosa, whether Formosa wishes to be annexed or not, by force.

Is there any reason to believe Red China, with 3 million or more men in the armed forces, would let Japan remain free?

If Japan is a virtually defenseless country militarily, although an extremely vital country industrially, is there any reason to believe Red China will permit Japan to remain free if no other country is willing to assist Japan in protecting herself? Japan has almost no military force at all to stand against the 3 million armed Chinese.

Let us suppose we got out of Japan. Suppose we threw the treaty away and said, "We do not want anything to do with it. We do not want anything more to do with it."

Let us suppose that the countries on the periphery of China became Chinese satellites. Then what would be the situation for us? The Philippines could not stand for long. None of those countries could stand, except for the American forces and the Seventh Fleet in that area at the present time. Our frontline of defense would be California, with Hawaii as an outpost for a while.

It is ridiculous to say that this is a one-sided treaty. Of course it is favorable to Japan, and it should be favorable to a country which permits us to maintain bases within its borders. Other countries in the world permit us to maintain bases, and receive certain assistance from us along different lines for so doing.

When we ask, "What does the United States get out of this?" It is easy to say that we get the protection of the Western Hemisphere. That is all—a simple little matter like that.

We would not get out of Japan and leave her defenseless unless Japan insistently asked us to get out. If Japan wanted to be a satellite of Red China, she surely could do so. No doubt we would have difficulty maintaining troops in Japan by force. I do not wish to see the time ever come when we would wish to do so, or think of doing so.

This is not a one-sided treaty by any means.

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

Mr. FULBRIGHT. I yield to the Senator from Ohio.

Mr. LAUSCHE. I wish to pursue the thought expressed by the Senator from Vermont.



For the moment, I ask Senators to visualize Japan, with about 165,000 troops, facing Red China and the Soviet Union on its borders. Japan has a constitutional provision which says that Japan shall have no military force, and our power is far removed. I think we would have grave reason to be apprehensive about what would happen to Japan.

Can we afford to see Japan engulfed by Red China and the Soviets? If that is done, what will be our position regarding the defense of our own country? To what extent will we have brought the Reds closer to our shores? What will be the probability that battles may be fought on our land?

I believe the factor which has been mentioned by the Senator from Vermont is one we cannot dismiss. We cannot afford to leave Japan defenseless.

I think an examination of the treaty will point out to Senators that, in effect, we recognize this fact. Article V says:

> Each party recognizes that an armed attack against either party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes.

What are the constitutional provisions and processes which will regulate Japan? We saw to it that there was written into the Japanese Constitution a provision substantially as I shall now read.

Mr. BUSH. Mr. President, from where does the Senator propose to read?

Mr. LAUSCHE. I shall read from page 22 of the hearings, from a note which was sent by General MacArthur to Brigadier General Whitney, indicating what the Japanese Constitution should contain. That note, from MacArthur to Whitney, suggested the inclusion in the Constitution of a provision as follows:

> War as a sovereign right of the nation is abolished. Japan renounces it as an instrumentality for settling its disputes and even for preserving its own security. It relies upon the higher ideals which are now stirring the world for its defense and its protection.
>
> No Japanese army, navy, or air force will ever be authorized and no rights of beligerency will ever be conferred upon any Japanese force.

What position would Japan be in, with the Red threat at its doors, with such a limitation upon its powers?

Mr. FULBRIGHT. Mr. President, I wonder if the Senator from Ohio will permit me to finish my remarks, so that I may yield the floor? I have an injured foot, and I shall have to sit down before long.

Mr. LAUSCHE. I beg the Senator's pardon.

Mr. FULBRIGHT. I do not like to interrupt. I appreciate what the Senator is saying. It occurred to me that although I am holding the floor I could yield the floor and the Senator from Ohio could obtain it.

Mr. LAUSCHE. Will the Senator permit me to continue for 2 minutes?

Mr. FULBRIGHT. Yes.

Mr. LAUSCHE. We cannot overlook the value of the peace treaty, even with the limitations which are imposed.

Third, we cannot dismiss as final that the Japanese will not, under consultation, recognize the joint interests which we have for the security of both countries.

Mr. FULBRIGHT. Mr. President, I shall be glad to yield for a question. I shall be glad to relinquish the floor fairly soon.

Mr. RUSSELL. I had an observation I wished to make, but in view of the Senator's statement, I will confine my thoughts to a question.

Mr. FULBRIGHT. I welcome the Senator's observation.

Mr. RUSSELL. I merely wish to observe that even if we made a mistake in putting this provision in the Japanese Constitution or insisting that it go in—and it now appears very clearly that it was a mistake—I am quite sure that Japan, as a free and independent power, can now change that provision of its Constitution whenever she desires to do so. There are no restrictions in the treaty which would prevent her from doing so, are there?

Mr. FULBRIGHT. The Senator is quite correct. One of the sources of internal trouble that now afflicts Japan, of which there was clear evidence at least 2 years ago, revolves around this very problem. The experiences of the Japanese people in the last war were such as to give rise to a considerable sentiment of pacifism. I think the Senate must understand that. I believe the provision about which the Senator from Georgia is speaking is utterly unrealistic in the kind of world in which we live. The people of Japan will not be able to solve this problem as a political matter until they go through some considerable internal trouble. They are doing so right now. I think that issue is one of the things which has disturbed the political situation in Japan, and that out of the turmoil some solution will come. Not that it is our business to make it come, but this internal difficulty existed before the treaty became an issue.

Mr. RUSSELL. I hope I may be permitted, without in any way appearing to dictate or even to give advice to the people of Japan, to express the hope that they will clear up this problem. We know, perhaps better than does any other nation on earth, that the Japanese make magnificent soldiers. The free world could use a number of Japanese soldiers to great advantage in maintaining world peace today. I think this would make a contribution to world peace much more realistic than the provision in their Constitution.

The Senator does not really think, does he, that there is any close comparison between our treaty with Germany and that with Japan, other than the fact that both are great industrial nations—and that it is in our own enlightened self-interest to see that they stay outside the Communist orbit and remain free and independent?

Mr. FULBRIGHT. While I think it is of great importance to our selfish interests, I do not want to limit it to that. It also has great importance to the continued freedom of all free people.

Mr. RUSSELL. That is a part of it.

Mr. FULBRIGHT. All I said in answer to my colleague's question was that, in justification of our interest in the continued independence of Japan, the situation is somewhat comparable to that of Germany. We have an interest in both those peoples remaining independent and free from domination of a foreign power.

Mr. RUSSELL. The Germans, of course, have agreed to an arrangement by which they are rearming; they will make a material contribution in military might to the defense of the free world.

Mr. FULBRIGHT. That is true. The Senator must remember that the Japanese suffered a psychological blow similar to that suffered by the Germans, only greater perhaps because Japan was the only country upon which a nuclear bomb had ever been dropped. I think the horror of nuclear war is probably much greater in Japan than it is in any other country. I have been told, and I believe, that during the immediate past and as of the present no government could remove this difficulty or do anything about it, as a political matter. Whether or not they can we do not know. It is one of the burning issues of internal Japanese policy.

Mr. RUSSELL. Suppose Mr. Khrushchev should rattle his rockets so persuasively that the Japanese Government, under the domination of some of the forces that have been in play there in the last 2 or 3 weeks, were to demand that we withdraw from Japan. Would we then have any recourse? We would be compelled to leave; would we not?

Mr. FULBRIGHT. We would have the same recourse we have under any other international agreement. Any treaty can be denounced. Treaties are denounced from time to time, but it would be a denunciation of a solemn obligation which was assumed according to their constitutional processes when the treaty was ratified.

I agree with the Senator from Georgia that we always face the possibility which he mentioned in any case. A NATO partner could say, "We do not want any more to do with you," and get out. But I do not expect the Japanese to take such action. I hope they will not do so. We have no reason to believe they will except, of course, the nervousness which has arisen from the recent rioting which, I would say, was ultra vires. It certainly was not the act of responsible elements in government. I hope they will be able to maintain order.

I agree with the Senator that there is no certainty in this world. This is the best we can do in making these international arrangements.

Mr. RUSSELL. What amazes me, however, is that the Japanese treaty should apparently have met with such violent and widespread opposition within that country. The treaty may not be completely unilateral, but it is certainly extremely favorable; I think everyone agrees to that. It seems to me that someone must have done a poor job in publicizing the terms of the treaty and in expressing our good faith to have caused such tremendous turmoil as has apparently been generated among an otherwise very peaceful and law-abiding people.

Mr. FULBRIGHT. I am not quite clear as to the implication of the Senator's question. I am not certain whether he is questioning whether our representatives have been as efficient and as intelligent in their jobs as they should have been. All I am endeavoring to do is to talk about the treaty itself and its terms. I must comment that I believe the riots are influenced by many considerations besides the treaty. I think the treaty is only one of several influences and is rather a symbol of internal problems that are far more difficult, at times, than the mere treaty. But many considerations besides the treaty enter into the very complex internal problems. I do not really think the treaty is the inspiration and principal motive for the riots that have been taking place in Japan.

Mr. RUSSELL. Of course, the press may have done a poor job of reporting, but from all I have read the riotings were aimed at the President of the United States and his representatives, including Mr. Hagerty, his press secretary, because they in some way symbolized this treaty. That was the impression I received from reading the press reports on the situation.

Mr. FULBRIGHT. I do not interpret the situation that way. It is a complicated problem. If the Senator wishes to discuss it, I shall be glad to offer one or two thoughts. I believe the riots have a direct relation to what has happened in the past. I believe Communists all over the world have had instructions to do everything they can to embarrass the President of this country. Such instructions have come as a result of the blowup in Paris. That is one consideration.

Another consideration is that the dominant party in Japan, which is led by Mr. Kishi, is made up of about four factions. Those factions are now, and for some time have been, struggling one against the other. The struggle has nothing to do with the United States, but they are struggling for power within the Government just as we have struggles in some of our own parties, though in a less violent way.

There is a struggle going on in our party as to whether this or that faction will gain control, which candidate will prevail, and so on. There is a struggle going on in Japan as to who will succeed Kishi.

Kishi uses the treaty as one of his accomplishments, which is quite natural, and the opposition is trying to denounce that accomplishment, to demean it, to lower it in importance, as a part of their effort to get rid of Mr. Kishi and take over the power of the Government. That struggle is involved.

Then a strong pacifist feeling grew out of the war, which was given constitutional expression by article 9 of the Japanese Constitution, which the United States caused to be written in.

All of those elements have contributed to the present situation. But is there not a rather strange contrast between that situation and the reception of the President of the United States in such countries as India not very long ago? There is no doubt in my mind that much of the present sentiment is due to the inspiration of the Communists growing, first, out of their frustration and disappointment and, second, from the collapse of the Paris meeting. That is why I and others thought it might have been wise for the President not to undertake his proposed trip because it also fed fuel to the fire. But that is water over the dam.

I do not believe the Senator is entitled to say that the pending treaty and the substance of the treaty is the primary objective of all that has been going on in Japan.

Mr. RUSSELL. I have no intention of challenging the distinguished Senator from Arkansas in the international field. I understood from reading press reports that the objection of the Japanese people to the treaty was probably the primary factor in the riots. The television reviews I saw showed that most of these people carried signs which, according to the interpretation given me, said that this treaty would get them into war, and they were opposed to getting into war.

Mr. FULBRIGHT. I believe that the organized leaders of the riots did use this argument and undoubtedly did tell the people that the treaty would get them into war. Of course, we have the difficulty of communication. We have great misunderstanding in our own country. There is no doubt that a number of these people felt that way. On the other hand, even in these riots, as large as they were, out of 90 million people in Japan they were confined almost altogether to the group in Tokyo, led by the Communists and radical student organizations, such as the Zengakuren, I do not believe it was representative of even a large minority of the people of the country.

What press reports I have seen and what official reports have come to me all indicate that the Liberal Democratic Party, the Kishi party, if an election were held in the near future, would receive a majority of the vote, assuming a change in leadership. The press reports I have seen, written by the most responsible reporters, show that.

I say this with the reservation that in many of these countries, which have not had a democratic system of government for very long, there is always the possibility of an organized, well-directed minority, particularly one that has been schooled in Moscow, taking over by force. That is possible. It is a possibility in Japan. I do not believe it is probable, and none of the other people I have talked to think it is probable.

I do not wish to minimize the seriousness of the situation. The only point I wish to make is that I do not believe the treaty is the principal cause of the turmoil in Japan at the present time.

Actually, as has been pointed out, the treaty is a fair reflection of United States-Japanese relations. If we do not ratify the treaty, the old treaty continues in force indefinitely. That treaty gives

us many rights or, stated another way, subjects Japan to many more onerous burdens and obligations than does the pending treaty. Thus, in comparative terms, Japanese opposition to the pending treaty is ill advised.

Mr. RUSSELL. I do not want to tax the Senator's patience or physical endurance, particularly in view of his injured foot. However, there is one further question I should like to ask. I will sum it up in a few words. I notice that the treaty would be in effect for 10 years, with the privilege of denunciation by either party after that on 1 year's notice.

Mr. FULBRIGHT. Yes.

Mr. RUSSELL. If conditions get somewhat parlous in Japan, is there any honorable way we can extricate ourselves within that 10-year period?

Mr. FULBRIGHT. No; I do not think so. If we enter into the treaty, it will be for 10 years, with the reciprocal and mutual right to give it up. We do not have to keep a certain number of troops in Japan, if we think it is not in our interest to do so. The treaty does not require any minimum number. We do not have a great many personnel there now, as the Senator from Georgia well knows.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. In response to the question raised by the able senior Senator from Georgia [Mr. RUSSELL], at any time during the 10-year period either or both countries could undertake to bring about a renegotiation of the treaty.

Mr. FULBRIGHT. Oh, yes.

Mr. MANSFIELD. At any time.

Mr. FULBRIGHT. Yes.

Mr. MANSFIELD. So I believe we would be protected there. I think we also ought to keep in mind the fact, as the chairman has pointed out, that the treaty vis-a-vis Japanese-American relations, is far more wholesome, is far better than the present 1951 treaty, which, in effect, is an occupation treaty. It is still in operation. Unless it is displaced by the treaty before the Senate, that treaty will remain in operation. That treaty puts the entire burden upon our country so far as the defense of Japan is concerned. The pending treaty equalizes that burden somewhat. This is a very fair treaty. It is certainly favorable to both Japan and the United States.

I point out also that Japan furnishes a good backstop, so to speak, for the two American divisions which we have in Korea, and which we may have to keep there for some time to come. We ought to keep in mind also that as far as peace in the Pacific is concerned, in my opinion, at least, it depends primarily upon the Empire of Japan and the United States of America. Together, our two countries can go a long way toward maintaining peace and stability in that area.

If there is a separation or a break, then I believe we can anticipate that the shift will be in the other direction, toward Communist China and the Soviet Union.

I point out also that if we look at the map of the western Pacific, we will note the Aleutians and the Japanese islands and Okinawa and Taiwan and the Philippines, and that they furnish a further protective ring for this country.

In response to the question raised earlier by the distinguished junior Senator from Georgia [Mr. TALMADGE], I have been looking over the treaty again, and it appears to me that, while article III is far from definite in its wording, nevertheless, it could be read to supply at least in part a satisfactory answer to the question raised by the junior Senator from Georgia. It reads as follows:

> The parties, individually and in cooperation with each other, by means of continuous and effective self-help and mutual aid will maintain and develop, subject to their constitutional provisions, their capacities to resist armed attack.

In contrast to article V, which looks to the situation in Japan or any territories under the sovereignty of Japan, article III is quite far ranging and, while it is hard to interpret, it would be my opinion that it would furnish an answer to the question raised by the junior Senator from Georgia [Mr. TALMADGE].

Mr. FULBRIGHT. I thank the Senator.

Mr. SCOTT rose.

Mr. FULBRIGHT. Does the Senator wish me to yield to him?

Mr. SCOTT. I am seeking recognition in my own right as soon as the Senator has finished his remarks. Is the Senator prepared to yield the floor?

Mr. FULBRIGHT. I have only a small part of my prepared statement remaining. I shall conclude in a very few minutes.

Mr. President, there are few significant changes in the new administrative agreement. The criminal jurisdiction provisions are unaltered and are in harmony with the NATO Status of Forces Agreement, which was ratified by the Senate in 1953. Indeed, such changes as have been made are designed to bring the new agreement nearer to the spirit of the NATO agreement.

An exchange of notes between the treaty parties more clearly defines the scope of American military activity in the treaty area, and deepens the bilateral spirit of the agreement. The note says:

> Major changes in the deployment into Japan of U.S. Armed Forces, major changes in their equipment; and the use of facilities and areas in Japan as bases for military combat operations to be undertaken from Japan other than those conducted under article V of the said treaty, shall be the subjects of prior consultation with the Government of Japan.

Mr. President, the committee has been assured by representatives of the Departments of State and Defense that the term "prior consultation" means that Japanese assent is a necessary precondition to the military activities covered in the exchange of notes.

I shall not dwell on the other provisions of this treaty; they are summarized in the committee report. However, in my opinion they are all entirely consistent with the tone of the preamble, which reaffirms the paramount interest of both parties in improving the prospects for peace by helping one another; and by pledging their faith in the purpose and principles of the United Nations, which includes the inherent right of individual and collective self-defense.

Mr. President, before concluding I should like to say a final word about the opposition to the treaty in Japan, much of which, as I have indicated, is represented by people who bear no animosity to the United States and are motivated by the highest concerns. However, between these people and the truculent Communist-oriented elements, with whom they share this common cause, are certain cynical groupings who would use the treaty issue to gain a political advantage. The present Japanese Government was voted into office by a majority of the electorate. The elections held since have added to the strength of the conservative bloc, which this government represents. Nevertheless, by their obstructionist tactics a noisy minority in the Diet for a period of time prevented any parliamentary action on the treaty. Finally, Prime Minister Kishi took the dramatic step of getting the necessary lower house ratification, while the opposition was boycotting the Diet chamber.

I shall not speculate on the advisability of this action, or its possible consequences. However, it should be noted that the issue raised by the performance of the Communist manipulated obstructionists is not the advisability of the treaty, but the future status of parliamentary government in Japan. Because if a noisy minority can stifle major government policies and even scuttle visits from friendly chiefs of state the principle of responsible, majority rule is placed in serious doubt.

Mr. President, in commending this treaty to the Senate, as I so unreservedly do, my deepest hope is that Japan's democratic institutions will suffer no permanent damage from the strains to which they are now being subjected.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I commend the distinguished Senator from Arkansas, the chairman of the Committee on Foreign Relations, not only for the speech he has made in behalf of this necessary and worthwhile treaty, but also for the patience and understanding he has shown in undergoing a grueling set of questions.

I believe the Senator is correct when he indicates in his speech that so far as Japan and the United States are concerned, we really need one another, and we can mutually accomplish much that is worth while.

Japan, as a country, occupies a peculiar position. It is 10,000 square miles smaller than my State of Montana. Montana has a population of 650,000. Japan's population is in excess of 90 million, and her annual increase in population is between 1 million and 2 million.

Not more than 16 percent of the land of Japan is arable. The Japanese are limited in their resources. So Japan must trade in order to live; and Japan must trade with the free world. If she does not, then she will be forced into the

arms of the Soviet Union and Communist China.

Thus there is much more besides a treaty which is involved in this arrangement. The future welfare of Japan and the future maintenance of peace in the Pacific, perhaps our own security, a better understanding between the two peoples, and a greater degree of tolerance and understanding, likewise are involved.

Again I commend the Senator from Arkansas. I hope the treaty will be overwhelmingly approved.

Mr. FULBRIGHT. I appreciate very much indeed the words of the assistant majority leader, the Senator from Montana. He has been of great assistance in the deliberations of the committee on this treaty. He has always come to the committee meetings with a wide personal knowledge of affairs in the Far East. He is an invaluable member of the committee.

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

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. First, I thank the distinguished Senator from Arkansas for his able and effective presentation. I think he has cleared up all the questions which have occurred to me.

I should simply like to ask the Senator if the background of the new treaty is not really this: In 1951, the United States entered into an agreement with Japan, when she was just reemerging from the position of being completely occupied; that the terms of that treaty necessarily gave Japan fewer rights, and gave to us more privileges and rights.

Is it not true that as Japan has sustained her independence, has regained her economic strength, and has regained, in great measure, her stature as one of the outstanding nations of the world, much less of the Orient, a time came when the old treaty would never be acceptable to a proud, independent, and successful people, and when the terms of the new treaty must recognize this growth, this strength, this complete emergence of a free and independent Japan? Is that not the real background of the treaty?

Mr. FULBRIGHT. I think the Senator has stated the case very well indeed. He has described exactly, I believe, the principal reasons why it was believed necessary to negotiate the new treaty, which has been in progress for 2 years. It was in recognition of those very factors, I believe, that it was felt necessary to have a new treaty.

Mr. HOLLAND. It would be unthinkable for us to assume for a moment that Japan as of this time, with her renewed strength, her independence, and economic stability, and her great stature among the nations of the world, would be satisfied to continue her relationship with us upon the basis of the 1951 treaty.

Mr. FULBRIGHT. The Senator is absolutely correct.

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

Mr. FULBRIGHT. I yield.

Mr. STENNIS. I, too, am among those who appreciate the fine presentation made by the Senator from Arkansas. I think he is in a peculiar position, and a very advantageous one, to give us more of an analysis of the recent happenings and events in Japan. The Senator touched on that point very lightly. However, I think what he said will shed light on the spirit in which the treaty is adopted. I myself shall vote for the treaty.

However, I believe that things are not so rosy or so peaceful and quiet. I do not believe that everything is as fine as it might have appeared to be during the debate today. If it is, then Prime Minister Kishi was doubtless in error when he said a few days ago that he could not be responsible for the safety of the President of the United States.

Mr. FULBRIGHT. I hope the Senator from Mississippi did not interpret anything I said so as to leave the impression that things are stable and peaceful. They are not, at all. The only point I was really trying to make was that I do not believe the fact that the treaty has been negotiated is the prime cause of the disturbances; that is, the real reason for the trouble. I wish that were all. I think there are some of the other causes that go deeper than the treaty.

Mr. STENNIS. The Senator is very helpful on that point. If it was not the treaty which was causing the trouble, what was the basis of the disturbance, in the Senator's opinion?

Mr. FULBRIGHT. That is a long story.

I happened to be in Japan on my way home from a meeting of the International Bank which took place in New Delhi more than 2 years ago, in 1958. A struggle was then in progress between the Kishi government and the Diet over a bill which Premier Kishi had introduced to strengthen the power of the internal police. He also tried to curb or restrict the power of the unions.

Japan, as a result of the war, suffered serious emotional and psychological effects. These came not only from the military defeat, but from the use of the atomic bomb, as well. That was something to which the people of no other country had been subjected. The defeat of Japan was complete. Her disillusionment was complete.

Then there was the period of the occupation. The Japanese had not been accustomed to real democracy.

I dislike to talk too long about this matter.

Mr. STENNIS. I think the Senator is being very helpful.

Mr. FULBRIGHT. These struggles have been taking place since 1958, with Kishi trying to establish greater authority in the central government so as to control just such elements among the people as created this regrettable situation.

The Diet has been reluctant and tentative in this field and has now and then employed obstructive tactics.

I do not want to overemphasize that point. The French used similar tactics before de Gaulle came to power. There was a period when the French Parliament was almost as disruptive. I do not wish to offend the French with an inexact comparison. However, it will be recalled that the French could not maintain a durable government for some years.

Japan has had an internal problem. She has lacked a strong internal police. The policemen are not armed, and they have hesitated to act because of the fear of a revival of a militaristic government. The Japanese believe, and rightly, I think, that the militarists who led them into the last war, under the war cabinet, did a great disservice to their country.

It will be remembered that in 1936, I think, a group of young officers assassinated some of the principal leaders of the civilian government and assumed power. The Senator will recall that incident. It was a brutal and savage act.

The current situation must be viewed against this background.

Pacifism and resistance to anything which looked like a strong police or military have arisen out of Japan's recent history.

Japan has had a remarkably good government, I think, in recent years. There is a very fine, permanent civil service which deserves much of the credit for the very fine operation of the Japanese Government.

I think Mr. Kishi and those who have served with him during his service as Prime Minister have run "a very good show," and deserve much credit, and up to this time have kept peace in Japan.

The party itself is split by four different factions. The different factions are not really contending over the treaty. Actually, they are contending within their own party for power.

I hesitate to draw an analogy, but I observe that the situation there is somewhat similar to the situation in this country, where, within the Democratic Party, there are different groups, each of which would like to have its own candidate become the next President. Similarly, in Japan there are factions which wish to have their candidate become the Prime Minister. Since the war, the Prime Minister of Japan has changed approximately every 3 years.

I do not wish to stress particularly the various names. Mr. Ikeda is one. His views are thought to be approximately the same as those of Mr. Kishi and Mr. Yoshida, the former Prime Minister. There is also Mr. Ohno; and there are two or three others. The situation is much like that in our own country, in that, if one man holds a high position, his opponents attempt to attack him and weaken his position by attempting to lower his prestige.

Therefore, in this case opponents who can discredit the treaty may discredit Mr. Kishi. The situation, as I have said, is a complex one.

There are those internal conditions. In addition, there was the blowup of the Paris meeting and the attempt by Mr. Khrushchev to embarrass the President whenever he could; and those developments have come at the same time.

An internal struggle is now going on in Japan; and some of the groups or elements have opposed the treaty on pacifist or antimilitarist grounds. Communists moved into the situation, for there are Communists in Japan. The

Socialist Party there, which is leftist inclined, also has opposed it, and unfortunately allowed itself to be used by the Communists.

So the picture is a complex one; and the combined effects of these elements militated against the President's visit to Japan.

Mr. STENNIS. Mr. President, let me say that I am certain that the statement the Senator from Arkansas has made on this point has added to the record, and has clarified the thinking of some, and is of definite value, particularly because of the position he holds.

Mr. President, I desire to state that I shall support the treaty. I look upon Japan as a strong and very necessary and very valuable ally of ours in the Pacific.

But when I read about the great crowd and mob in Tokyo which held the personal representative of the President of the United States a virtual prisoner for 70 minutes, and then when I observed that there were no reports of strong public reaction or resentment on the part of the people of Japan, I felt that there must be some underground or beneath-the-surface movement or some other underlying reasons for that situation, and that it might grow. And it did grow.

I resent the treatment of the President's representative and of our Nation, by means of what happened in Tokyo; and I think everyone in the United States should resent it, and we should not be timid in saying so.

I cannot conceive that a government would remain in power if it were so weak as not to be able to try to do more about such a situation than the Japanese Government actually did.

However, I take it that that situation did not represent the real spirit and intent of the Japanese people, who form a fine nation, and certainly are worthy of this treaty, which also is to our advantage.

Mr. FULBRIGHT. Yes.

It is very difficult to be accurate in our description of that situation. I do not desire to paint too cheerful a picture. I think it is serious when a government cannot control its people any better than that government did, in the capital city.

But I have tried to point out some of the elements which have contributed to this serious situation. We know that in other countries there have been riots, including some very unpleasant ones in certain Latin-American countries. There have been local agitators, and probably in many cases there were local grievances. In such situations, the occasion of an important foreign dignatory can provoke trouble.

I take the position—and I think the Senator did—that this is not a very good time for a Presidential visit. Probably he stated that, and I agree with him.

But I believe the treaty should be judged on its own merits.

If for any reason the riots are not controlled, and if Japan cannot recover from the chaos which temporarily existed in Tokyo, that will be a tragedy. But a great many factors more important than the treaty would have produced the tragedy.

Mr. STENNIS. Does the Senator from Arkansas agree that if we ratify the treaty, our action certainly will not constitute approval of what has happened in Japan in recent days?

Mr. FULBRIGHT. Certainly it will not.

Mr. STENNIS. Does the Senator from Arkansas agree that, on the contrary, our action in ratifying the treaty, if we do, will be an expression of our faith in what will happen in Japan from now on?

Mr. FULBRIGHT. That is correct.

Mr. STENNIS. In regard to one matter on which the Senator touched, let me say that I have assembled some figures; and from them it is obvious that the really strong tie between the two countries is the economic tie, based on the very fine, excellent economic relationships between Japan and the United States.

Mr. FULBRIGHT. That is correct.

Mr. STENNIS. In 1959, our imports from Japan amounted to more than $1 billion worth, and in that year our exports to Japan amounted to more than $931 million worth. That shows a two-way exchange which makes the ties between the two countries binding and strong.

Mr. FULBRIGHT. I am sure the Senator from Mississippi will not be influenced adversely when I say that included in those exports there was a great deal of cotton. I am quite glad of that. The Japanese are our best cotton customer, I believe. They are very discriminating people; they want the best cotton.

Mr. AIKEN. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield—although I am ready to yield the floor.

Mr. AIKEN. I wish to proceed for only a minute.

The Senator from Mississippi referred to the imprisonment—although it was harmless—of Mr. Hagerty, in Japan. All of us regret that the demonstrations in Japan got out of hand, and that the police force was unable to control them.

Nevertheless, we might point out the difference between the methods of controlling demonstrations or not controlling them in a democratic country and in a country where a Communist government is in control.

All of us are familiar with the recent student demonstrations in Hungary. What happened? The Hungarian Communist Government called for troops and tanks to come there, and they killed approximately 10,000 of those students, sent thousands more to exile in Siberia, and drove 100,000 students out of the country, because they feared that they would lose their lives if they remained there.

So I think the world has a fairly good example of the difference, and that the people of the world will make up their minds as to which they prefer.

It is unfortunate that one girl, I believe, was killed in Japan. She was crushed in some way, and no one seems to know precisely what happened. But when we contrast that situation with the slaughter of tens of thousands of young Hungarian youth by the Russians, who had their armed forces in Hungary, I believe that in the long run we shall have to agree that even though the Japanese demonstrations got out of hand, what happened there was vastly preferable to what happened in Hungary.

Mr. FULBRIGHT. I am very glad the Senator from Vermont has made that point.

Mr. AIKEN. And that what happened in Japan is vastly preferable to what would happen in Japan or in any other country once the Communists got control of it.

Mr. FULBRIGHT. Yes, the Senator from Vermont is quite correct. Despite all the difficulty and commotion, the Japanese police did not use firearms; and only once—at the last, I believe—did the Japanese police even use tear gas. Those police do not carry firearms; and that fact adds to the problem, because I believe more police than students were injured, because of the desire of the police not to use force.

Mr. PASTORE. Mr. President, will the Senator from Arkansas yield for a question?

Mr. MORSE. Mr. President, I propose to discuss the treaty——

Mr. FULBRIGHT. Mr. President, I am ready to yield the floor, but I yield for a question.

Mr. PASTORE. I am wondering if this internal strife of which the Senator has spoken so eloquently is not, somehow, a symbol of mass resentment on the part of the working people of Japan because their wages are being kept down deliberately and because the profits are not filtering down to them, that the standard of living of the Japanese wage earner is not being improved in spite of the winning of world markets by Japan?

The reason I ask the question is that there is a continuous and consistent complaint on the part of American manufacturers. For instance, it has been said that Japan is the largest purchaser of American cotton, and at the same time the greatest exporter of textile goods in the world. I realize that in the nature of progress Japan must industrialize in order to meet world competition. I am wondering if, in this design, which I do not criticize, but which I understand, there is some reason for resentment on the part of the workers. They may feel that they are not getting their share of the benefits of industrialization and the winning of world markets.

Mr. FULBRIGHT. The Senator opens up a very broad area. Although I do not have them with me, I have seen the figures. What the Senator has said is true in any industrial country, and that resentment probably is behind some of the conflict between the factions and parties I have mentioned, one party being, let us say, prolabor, and the other being promanagement, representing the same kind of differences we have in this country. I did not anticipate this argument, but I may mention that the real wages in Japan have been substantially increased. However, they are never as much as people would like to have. The per capita income in Japan is $253, which is about three times the average of the other Asian nations in this area. It is still too low, but Japan is far better off than any other country in the area.

That fact probably explains some of the internal political infighting going on. However, I do not think it has anything to do with the treaty.

Mr. PASTORE. I realize that. The treaty may have been the excuse for the explosion.

Mr. FULBRIGHT. Yes. It may have been a symbol.

Mr. PASTORE. But I think the causes were already there.

Mr. FULBRIGHT. I agree. That condition is typical in a country making progress. When it is really poor and really poverty stricken, the masses are so inert that they do not riot. Often the people riot when a country is on the "make," when it has made some progress, when the people have tasted a bit of the better life and is eager to gain more of it.

Mr. PASTORE. The Senator knows that, while tremendous progress has been made in stabilizing the economy of countries in Europe and Asia through the foreign aid supplied by this country, much of the complaint we heard was that the rich were getting richer and the poor were getting poorer.

Mr. FULBRIGHT. That is true.

Mr. PASTORE. In many instances, strangely enough, the resentment felt by the people of those countries was directed toward the country furnishing the aid. I wondered how much of that was true in Japan.

Mr. FULBRIGHT. I think that is what we witnessed in France in earlier years. It was one reason why there was such a large following in the Community Party, which has receded. When France was on the "make," and was making the most progress under the Marshall plan, we heard the same complaint that all those benefits were accruing to management, and not to labor. During such a period there must be an accumulation of capital for the purchase of equipment, and labor resents the absence of immediate benefits. I am sure that feeling is involved in the recent events in Japan, but how much I do not know.

Mr. PASTORE. I thank the Senator for his fine presentation. I shall vote for ratification of the treaty.

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

Mr. FULBRIGHT. I yield.

Mr. COOPER. I should join all of those who have commended the Senator from Arkansas, chairman of the Committee on Foreign Relations, for his presentation of the treaty. I have read the report, and I congratulate the committee. I think it one of the best reports I have read.

If the chairman of the committee will permit, I should like to address him concerning an aspect of the subject which I do not believe has been discussed in the debate. We have been discussing the treaty, under the assumption that having been ratified by Japan, and ratified by the Senate, as it will be, the greater part of the questions it has raised will be concluded. I earnestly hope this will be true, but I think it necessary to point out that it may well be an issue in Japan for some time. The success of the treaty will depend at last upon its understanding and its acceptance by the people of Japan as well as their Government.

I do not speak of its acceptance by the people of the United States, because I believe its importance to our country and to free peoples will grow.

We can agree with the comments of the distinguished Senator from Arkansas [Mr. FULBRIGHT] and the distinguished Senator from Vermont [Mr. AIKEN] that while the riots in Japan and the treatment of the President of the United States have been unhappy events, the Government of Japan did not use force against its own people, as Russia used in Hungary and as Communist China and other Communist countries would undoubtedly use to suppress any dissenting viewpoints. But it has raised the very serious question for Japan whether a minority, inspired by Soviet Russia and Communist China or any other minority can obstruct by force the parliamentary processes of a government. It raises serious questions about the depth of democratic support in Japan.

Again, as the Senator from Arkansas has suggested, there may be a strong movement in Japan toward neutrality, based in part upon emotional remembrance of the atomic bombing. From my own experience, I have no doubt that it is based in part upon the feeling one finds throughout Asia. There is a desire to avoid any situation they think draws Japan into the conflict between the United States and Russia. I am sure some of this thinking exists.

Does the Senator from Arkansas not believe that, even though this treaty is ratified, and it should be, the Japanese people will have to decide, at a general election, which we cannot know is coming, and in which the treaty will be an issue, whether they understand the treaty importance to their security and freedom, and will support it?

Mr. FULBRIGHT. I agree with the Senator, but I think it may be an oversimplification to assume that the treaty will be the main issue in an election. I think Mr. Kishi, perhaps individually—perhaps some others in his party are also concerned—has some prestige involved with respect to the treaty. As we know, in this country very often in an election certain issues become identified with a certain candidate. After the candidate is elected sometimes the issues have a way of changing, and go off in another direction. I think we can only await events and await developments.

Mr. COOPER. That is very true.

Mr. FULBRIGHT. I think as of the moment, considering what we know, with the obvious merits of the treaty, there is nothing for us to do other than to approve the resolution of ratification of the treaty. Then we should hope for the best. We should hope the Japanese can straighten out their political affairs.

I, for one, certainly do not wish to have my support of the treaty to be interpreted as any endorsement of any particular officeholder in Japan. I do not think it should be. We do not have any desire to influence the electorate in Japan simply because we support a treaty. That has nothing whatever to do with the matter. We shall judge the treaty upon its own merits. The Japanese, of course, will choose their own representatives upon their merits. In the election I think the treaty should be purely an incidental affair. I hope it will be.

Mr. COOPER. I appreciate the Senator's statement.

I do not wish to oversimplify the matter nor suggest that we should intervene in Japan's internal affairs. I raised the point because I believe it bears upon the effectiveness of the treaty. If we expect the Japanese to fully support the treaty, to resist the propaganda and subversion of the Communists with true and enduring support, there must be reciprocal advantages for the Japanese and we must recognize fully their sovereignty and equality. On their part, they must know the great obligations we undertake. The treaty is a deterrent to war, a protection for their security and their free system of government, as well as the protection for all the rest of us. The Japanese undertake a great obligation in accepting our bases and our troops, but it could mean their continued existence as a free nation.

Mr. FULBRIGHT. I agree with the Senator that it is necessary for the Japanese to understand the treaty to appreciate it. I have no doubt that the Communists and some of the pacifists have misrepresented what the treaty will do. The job of providing an understanding of the treaty is a job for the Japanese Government and the Japanese press to fulfill.

Mr. COOPER. I close by saying I earnestly hope and believe—I do not know, but I am very hopeful—that the treaty will be supported henceforth by the Japanese Government and by the Japanese people as it will be fully supported by our people. It is probably true that the overwhelmingly majority of the Japanese people will support the treaty.

I think it is incumbent upon the Congress and the administration to consider the alternatives which we may face in the future, if this treaty does not last, and we ought to be prepared for them. It could make it necessary to build new defenses in the Pacific, and further strengthen our forces at home.

I ask unanimous consent to have printed in the body of the RECORD, following my statement, a very incisive and I believe correct analysis of the situation in Japan, an editorial appearing in the Louisville Courier-Journal, June 19, 1960.

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

PERHAPS A JAPANESE ELECTION SHOULD PRECEDE THE TREATY NOW

In the further collapse of personal diplomacy, Far Eastern division, it is easy to reach simplified answers and to react emotionally toward the "ungrateful" Japanese. Such reactions are foolish and dangerous.

It is true that Japanese Premier Kishi and, after him, our Ambassador, Douglas MacArthur II, seriously miscalculated the extent to which an apparent minority could sway students and leftwing groups toward violent anti-American demonstrations. But there are many more facets to these demonstrations than mere anti-Americanism or even anti-Kishi feeling. There was the emo-

tionalism of Japanese youth, brought up with a fear of war that has its roots in defeat and in a pacifism that was considered good for the Japanese until our need for bases and a strong Far Eastern ally supervened.

But this need for bases, embodied in the new Japanese treaty and also in the old one that it supersedes, has never been sold to the student groups, even though most of their elders reluctantly acknowledge its existence. And the student groups have proved fertile ground for agitators, not all of them party line Communists.

The reaction of Americans toward the troubles of Premier Kishi must be primarily one of sympathy. But we can do little to help in light of the double loss of face he has suffered. The fall of his government seems almost inevitable. There is some comfort, however, in the knowledge that left-wing groups have never been able to summon enough votes to dominate a government by themselves. The shock and embarrassment suffered by millions of reasonable Japanese who stayed aloof from demonstrations and expressions of opinion may well react to the Kishi government's advantage.

One must wonder, however, whether the Premier is wise in struggling still to force the disputed treaty on the country without taking his case to the country. In this case, our own prompt and good-humored ratification might help him to persuade the moderate Japanese that the new treaty is actually fairer to Japan than the old one was.

A vote of confidence in the treaty would give it a far firmer basis than its enforced passage in the face of hostile demonstrations. But if the contrary happens and the reservations of the objectors are shared by large numbers of Japanese voters, we and Japan's Government might as well know the truth and plan a reappraisal of the mistaken diplomacy which led us so far on so unpredictable a road.

Mr. FULBRIGHT. I thank the Senator.

Mr. MORSE. Mr. President, as a member of the Committee on Foreign Relations, I propose to discuss the treaty and some of its implications for the next few minutes.

At the outset, I say I shall vote to agree to the resolution of ratification of the treaty, because I think, after the treaty is considered from its four corners and after its weaknesses, so far as some of its implications are concerned, are carefully weighed, we find ourselves in a position where the preponderance of the evidence is in support of the resolution of ratification of the treaty.

The chairman of the Committee on Foreign Relations, I think, deserves the thanks of the entire Senate for the very judicial, impartial, and scholarly work he did as chairman of the committee during our hearings and our executive deliberations with respect to the treaty. Once again in the field of foreign policy the Senator from Arkansas [Mr. FULBRIGHT] has demonstrated his statesmanship.

It is a great pleasure for me to serve under his leadership in the Committee on Foreign Relations of the Senate. He happens to be the type of chairman who respects sincere and honest differences of opinion with him on some matters of detail, as we are confronted with those details in connection with such a problem as this treaty.

The Senator from Arkansas is a great team worker with his associates on the Committee on Foreign Relations. He is always tolerant of the points of view of other Senators. He is always willing to listen to arguments and to evidence, and to modify his opinion according to the evidence when a modification seems to be justified. That was particularly well demonstrated by the Senator from Arkansas [Mr. FULBRIGHT] during our deliberations with respect to the treaty.

I caution the Senate to keep in mind today, as we consider the resolution of ratification of the treaty, that we should consider the matter with a good many mental reservations. It is unfortunate that we are not considering some actual reservations written into the treaty itself.

Mr. FULBRIGHT. Mr. President, will the Senator yield to me before he begins a discussion of the treaty itself?

Mr. MORSE. I am happy to yield.

Mr. FULBRIGHT. I could not let this opportunity go by, Mr. President, without expressing my appreciation for the kind words the Senator has spoken with regard to the chairman of the committee. I appreciate them very much. I certainly reciprocate the statements the Senator has made with respect to cooperation. The Senator from Oregon has certainly been of great help to me and to the other members of the committee in the committee deliberations on this treaty and on other matters of recent date. I appreciate it very much.

Mr. MORSE. Mr. President, the Senator from Arkansas has only further proved, by the utterance he has made, my words with respect to the complete fairness and the ever-present courtesy of the Senator from Arkansas in our work together on the Committee on Foreign Relations.

Mr. President, as I was saying, as we consider the resolution of ratification of the treaty we should certainly do so with a good many mental reservations. I felt perhaps it would have been better if we had proposed some reservations in the treaty itself. For a time I considered, Mr. President, the possibility of offering some reservations to the treaty. However, after conferring with my colleagues on the committee, after discussing the matter with some officials of the State Department, and after studying the text of the material we had before us, much of which is on the desks of Senators this afternoon, in the form of the exchange of notes which led to the final submission of the treaty, I felt it would not be the best procedure to offer reservations to the treaty.

I think it is perfectly clear that the prospects for getting further consideration of reservations on the part of the Japanese Government are practically nil. I felt also that the offering of reservations in the Senate might be subject to interpretations elsewhere in the world which would not be in the best interests of my country.

Mr. President, when we consider the mater of foreign policy, no matter what differences we may have on the legislative front in the Senate in respect to American foreign policy, in the carrying out of our duties as Senators in the legislative field the problem takes on a different complexion when we are confronted with international affairs and questions which are raised in regard to treaties. Mr. President, I think it is important that we should close ranks. We should ask ourselves the question, "Can we, in all honesty and sincerity, say to ourselves that under the advise-and-consent clause of the Constitution it should be our individual advice as Senators that the treaty, in view of all the circumstances, should be ratified?"

In keeping with that obligation, Mr. President, I have reached my decision. I voted in support of the treaty in the committee, and I shall vote for the resolution of ratification of the treaty in the Senate this afternoon. However, I wish to discuss the treaty a bit, for the purpose of the historic record and for future reference.

I do wish to talk about what I consider to be some of the implications of this treaty which cause us to have some mental reservations in regard to it. The Senator from Arkansas [Mr. FULBRIGHT] I think is quite right when he points out that there are two types of opposition to this treaty in Japan. There is the Communist opposition, which was manifested by the stirring up of the type of riots and mob demonstrations that characterized the protesting groups that participated in demonstrations in recent days in Japan. These groups did great damage to the history of Japan. They also did great injury, it seems to me, to the reputation of Japan as a nation that seeks to be fair and courteous and one that endeavors to conduct a foreign policy based upon good international manners.

I think we would make a great mistake if we completely ignored another group in Japan that also has a great many reservations about this treaty, and to some extent expresses hostility toward the treaty.

In this morning's issue of the Washington Post another one of those great writings by the great Walter Lippmann was published, and because during the course of my remarks I shall have some comments to make on some of the premises contained in the Lippmann article, I ask unanimous consent that the entire article, entitled "Trouble in Japan," be printed at this point as a part of my remarks.

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

TROUBLE IN JAPAN

(By Walter Lippmann)

The cancellation of the President's visit to Japan, and his embarrassing experience in Okinawa, stems from the refusal in Washington to look squarely at the U-2 affair and its significance.

The capture of the U-2 and the way the incident was handled in Washington compromised gravely the whole circle of American bases from Norway through Turkey and Pakistan to Okinawa and Japan. When we confessed, and indeed boasted, that for 4 years we had been using these bases for a secret and illegal operation against the Soviet Union, our allies were morally and legally defenseless against the threats of the Soviet Union. A small and exposed nation is bound to take such threats seriously, and although the threats may have been blunted they were not removed by the President's renunciation of aerial espionage. Thus the effect of the U-2 was to undermine our whole system of encircling bases. For it focused

attention upon the fact that the bases had been secretly used for an operation which exposed the country containing the base to grave risk.

In the very days when the U-2 had become the occasion for Mr. Khrushchev's actions in Paris, the Kishi government was trying to have the new Japanese-American Treaty ratified by Parliament. This treaty grants to us the base right in Japan for at least 11 years. A less auspicious movement for railroading the treaty through the Parliament can be hardly imagined than was the moment in which the summit conference collapsed. But Mr. Kishi, who was fighting not only for the treaty but for his own political life, did railroad the treaty through the Parliament in the face of a very large volume of public disapproval, by no means confined to the Communists.

The President was then called upon to decide whether instead of traveling to Tokyo from Moscow, as originally planned, he would go to Tokyo anyway and would arrive there on the day when Mr. Kishi's coup for the treaty was consummated. The President decided to go to Tokyo, to go despite the fact that the U-2 and the collapse at the summit had aroused great popular fears about the American base. The President chose to go despite the fact that after his quarrel with Mr. Khrushchev, his visit to Japan had ceased to be conciliatory and had become defiant. He chose to go despite the fact that the timing of the visit enabled Mr. Kishi to exploit for his own political purposes the President of the United States.

This was a wrong decision. After the collapse of the summit the right decision would have been to cancel all visits, and to remain in Washington on the grounds that the world situation required the full attention of the President for the purpose of strengthening the national position. This would have been an answer to Mr. Khrushchev's vituperations. It would have done much to restore the shaken confidence of our allies. And it would have spared the President the humiliation in the Far East which has been inflicted upon him and his office.

It can be said that the wrong decision was taken without any strong protest and criticism in Congress or in the press. That is true. The opposition had been virtually silent when the Republicans and Senator JOHNSON cried out that it was unpatriotic to inquire seriously into the causes of the U-2 disaster.

So the President and his advisers had a free hand to take the decision about the Far East. Unfortunately for them and for the country, they showed the same kind of bad judgment which had caused them to fumble the U-2 affair. In both cases they ignored the well-known conventions and the old wisdom of the art of diplomacy. In both cases they judged the immediate situation not objectively but wishfully.

Thus, in the affair of the U-2 they abandoned the ancient convention which is that a government never avows responsibility for espionage, much less attempts to justify it. In the affair of the Tokyo visit they ignored the conventions which protect a state visit. One of these conventions is that a visit by the head of a state is a visit to the whole nation and not to a political head of the Government which happens to be in office. A state visit, therefore, should never be made to a country which is divided within itself on an issue in which the visiting head of state has a special interest. The very reasons which have been advanced on behalf of the visit are compelling arguments against it—that the treaty would fail if the President decided not to come to Tokyo and that Kishi would fall. This was a misuse of the institution of the state visit, and if the President and his advisors had known or had remembered the old rules of the diplomatic game, we would all be much better off today.

Furthermore, in their judgment of the immediate situation in the Far East and especially in Japan, they grossly under-estimated the impact on Asian popular opinion of the U-2 and the renewed quarrel with Moscow. There is no use deluding ourselves as Mr. Hagerty does, that the opposition to the treaty and to the President's visit was confined to a small minority of Communists incited and paid for by Peiping and Moscow. The preponderant opinion of any Asian country within the military reach of Russia and China is bound to be neutralist. When we urge them to be antineutralist, they respond by being anti-American, and it is a great error to act as if an antineutralist policy can rally popular support. In Tokyo mighty little has been heard recently from the alleged majority who are supposed to be for the treaty.

The treaty has nevertheless been ratified. But we must realize that we are not at the end of the story. It is a question whether the treaty can now be made to work against a mounting agitation. In fact, we have to ask ourselves whether a much greater disaster to our position in the Far East can be averted unless there is, as powerful Japanese newspapers are already demanding, a renegotiation of the treaty, and with it a reformulation of our Far Eastern policy.

Mr. MORSE. Mr. President, at a point of the article by Walter Lippmann we read the following:

> The treaty has nevertheless been ratified. But we must realize that we are not at the end of the story. It is a question whether the treaty can now be made to work against a mounting agitation. In fact, we have to ask ourselves whether a much greater disaster to our position in the Far East can be averted unless there is, as powerful Japanese newspapers are already demanding, a renegotiation of the treaty, and with it a reformulation of our Far Eastern policy.

Mr. President, I am greatly concerned about the fact that there is growing opposition in Japan in the non-Communist groups and among very substantial economic groups. I say most respectfully that we shall only have our heads in the sand if we blithely go forward in the ratification of this treaty on the basis of the assumption that all is well in United States-Japanese relations in Japan except our relations with Japanese Communists. I do not think anything could be further from the realities in Japan.

There are substantial leaders in the economy of Japan who are greatly concerned about this treaty and think that this treaty is a very unwise step to take on the part of Japan.

The Senator from Arkansas [Mr. FULBRIGHT] very rightly pointed out that within the Liberal Democratic Party in Japan, the Kishi party, there is a great power political play. Let us always keep in mind that power political play in the Democratic Party in Japan and that Kishi is the head of the ultra-conservative wing of the Liberal Democratic Party in Japan.

I always find it a matter of interest that so frequently we find the United States lined up on the side of the ultra-conservatives in the countries around the world in which we have so many international policy problems. Here again we have the so-called moderates and liberals in the Liberal Democratic Party in Japan against Kishi, and in my judgment they are going to throw him out.

In my judgment, when the election takes place in Japan in the not too distant future, the Liberal Democratic Party will beat the radicals. Let us pray that that becomes a reality. I believe they will beat the Communists, win the election, and, of course, if the Liberal Democratic Party wins, there will be a new Liberal Democrat as Prime Minister. Obviously he will not be Kishi because there is the power drive to which I referred within the Kishi party in Japan to make that party a more liberal party.

I say in passing that such development should be no new experience for us to understand in the United States. That is even true of my own party in the United States. It has reached a great point of crisis in Japanese politics.

I have been in Japan, too. I am not one of those who feels that because he has visited a country he is in an expert position to speak with authority upon the problems of a country he has visited. At least it does put one in a position to take note of his observations and to keep in mind the many conversations that he has had with leaders of a foreign country in regard to the internal problems of the country when he is in that country.

Nothing has happened in Japan that has surprised me since my visit to Japan, because businessmen, professional men, and politicians in Japan told me in conferences I had with them that Japanese politics would follow just about the course of action that they have followed. This treaty will not create a rosy, pro-American political climate in Japan, and if any Senator votes for the treaty this afternoon on the basis of that assumption, I wish to say most respectfully that in my opinion he is voting on the basis of a false assumption.

We hope Japan is on the march to greater and greater progress. In my judgment, the moderate, private-enterprise, economic, and political forces of Japan will prevail. I believe we should do everything we can to help strengthen that approach, because that is the approach of the political society for Japan based upon a system of government by law, as contrasted to a system of government by men, which always prevails when radical groups such as the Communist bloc or State Socialist bloc or other radical groups take over the government of a country, including, may I say, also fascist groups.

One of the first mental reservations we should make this afternoon is one in regard to the effect of this treaty upon pro-American feelings in Japan. It is my judgment that this treaty will not strengthen pro-American feelings in Japan. I think that for the time being, under our present foreign policy in the Pacific, it will help to strengthen the security of our country and the security of Japan because of the mutuality of agreement in regard to defense policies under the treaty.

But there is another reservation I would have the Senate consider this

afternoon as we ponder this treaty and come to vote upon it. When all is said and done, this treaty is but another structure in the containment policy of U.S. foreign policy. This is nothing but an extension of the containment policy.

I had hoped that even before now more people in our country and that more Members of Congress would have given recognition to the fact that our containment policy in the long run will not work. When I say it will not work, I mean it will not win the peace. This is one of the great issues in American foreign policy, about which too few people are doing very much thinking.

I believe that if we continue to build a foreign policy based upon the program of containment of the Russian-Red Chinese Communist threat, the end will be war, and inevitably so. Such a policy as this, based upon a bilateral relation between the United States and Japan will produce—what? It will produce a further strengthening of the arms race. I say to Senators, "You wait and see." I say that Senators should expect in future sessions of Congress proposals that will be made to strengthen the military containment implications of the pending Japanese Treaty.

There may be those who think that we can continue that containment policy, with an ever-growing increase in the nuclear armaments program, to produce permanent peace in the world. Those who think so have read some history that I have never read; obviously they have never read the history I have read. If the history of mankind teaches anything, it teaches that armament races which last very long are armament races that end in war.

Therefore, one of the mental reservations I have about the treaty is the reservation expressing my fear that I believe it will add to the armaments race and not increase the possibilities of diminishing the armaments race.

I will give my reason for that observation in a moment. I wish to stress the premise first, because it is one of the major premises of my analysis of the treaty and its implications in terms of future American history.

Mr. President, what we have here again is another pact, in this instance a bilateral pact, between two great powers in the world, pledged to come to each other's assistance in the case of attack. From what direction will the attack come if it comes? It can only come from Red China and Red Russia.

Once again we proceed with a military course of action, in which we make very clear to the Communist section of the world that "we are getting ourselves ready to take you on if you in turn make a mistake in judgment which results in increasing nuclear armament program, cause an accident or an incident or make a mistake, or if you in turn, in your ever-the dropping of the first nuclear bomb."

I would have Senators keep in mind that such information as we have seems to indicate very clearly that the probabilities are great that within the next 10 years Red China will be a nuclear power.

That is why I believe it is important, if we are to ratify treaties such as the one before us, that we should accelerate a program which seeks at least to lead our foreign policy down another road, a road which seeks to set up a world authority whereby the issues which threaten the peace of mankind will be settled, and not by a proposed program of military containment, but by a program which will result in the application of the rules of reason, rather than the jungle law of military force, to the problems that threaten the peace of the world. If we are to travel that road, we must travel it with many others.

So I move to the next mental reservation I have about the treaty. Why is this a bilateral treaty? Why are we being asked to ratify a treaty this afternoon which places upon the United States the tremendous military obligation and defense obligation the treaty assumes for us? Where are our allies in this treaty? Where are our friends in the world with respect to the treaty?

Why is it a treaty only between the United States and Japan? Could it possibly be that England, with Hong Kong, has no vital concern or interest in a treaty which is entered into between Japan and the United States? What about Canada, Australia, New Zealand, France, Italy, and all the other free nations of the world?

One of my mental reservations is that once again we see our allies in the background perfectly willing to let Uncle Sam do it—to paraphrase the old saying, "Let George do it." In this instance it is Uncle Sam who is asked to do it.

Therefore, I have been concerned about the bilateral nature of the treaty. If no one else will help, then I would not have my country shirk its responsibility to the meeting of the evergrowing Communist threat.

In seeking to find an answer to the question, "Where are our allies?" I went back into our documents. In fairness I believe the record should show this afternoon how it came about that we find ourselves in this bilateral relationship with Japan, although we sacrificed the lives of many American boys in World War II, which was participated in by other allies as well as by the United States. Of course, the war against Japan was not a war between the United States and Japan alone. When I say that, I do not detract one iota from the great contributions which other allies made to that war. Of course, it is true that the United States assumed the greatest burden of that part of World War II which involved war with Japan.

It is very interesting to note what happened at the close of that war. We spoke for our allies. We did not speak for our allies without their approval. However, when we came to enter into a treaty, when we came to determine the terms of a surrender policy, the interesting thing is that, in effect—and I know this is subject to modification as far as technicalities of international law are concerned, but I am putting it in language which I believe the public can understand—in effect, the Allies delegated to us the role of spokesman and negotiator for all the Allies.

We find it in many documents that followed World War II, and in negotiations and relations which developed between the Allies and Japan, through the spokesmanship of the United States of America. I could offer many exhibits to document the observation I have just made, but I shall not do so in view of the hour, except to call attention to a few documents which demonstrate what I mean. I simply say that anyone who wishes to be a student of this problem can find many official documents which show that in effect, if not formally, the Allies delegated to us that spokesmanship role and the negotiator role in behalf of the Allies—excluding Russia.

I digress to say that a very important piece of research needs to be done. As a former professor, I should like to recommend to the deans of the graduate schools in America that a doctorate thesis needs to be written on the differences in attitudes and actions between the Allies and Red Russia following World War II, in the treaty that brought an end to the war, and in the terms-of-surrender policy which was to prevail in Japan.

One of the most remarkable things to be found is that at that very time Russia, over and over again, served clear notice that she could not be relied upon as an ally. She was a nonparticipant in a good many of the negotiations with Japan and has remained so up to the very hour when I speak.

That is the main reason, as I find as I study the record and read the accounts of those who know all the background of the treaty with Japan, why the word "Formosa" is not even mentioned in the treaty with Japan. It is pretty well understood that from the standpoint of relations with Russia, it had better not be mentioned. So up to the very moment at which I speak, we still have suspended in international law, undetermined and in complete abeyance, the whole question of the sovereignty of Formosa. It is not touched in the first Japanese Treaty, and is not touched in this one either, please take note.

Does any Senator think he can tell us who has sovereign power over Formosa within the terms or the meaning of international sovereignty or international law? Not a nation in the world at this moment. Surely not the United States. No matter how much military control we exercise over Formosa, we do not have a scintilla of international law or sovereign right over Formosa.

Certainly not Chiang Kai-shek, no matter how much military backing we give him to keep him in power.

Certainly not Red China, and certainly not Japan. Yet it was Japan that last had any sovereign power over Formosa.

The sovereignty of Japan over Formosa was well recognized in international law prior to World War II. Japan got Formosa by conquest, but she met all the criteria over the years for the establishment of sovereign rights.

So we ought to keep in mind the fact that the question of Formosa and the Pescadores is still in the background, unsettled by any Eisenhower doctrine in the Formosa Strait, unsettled by any

use of American military might in the Formosa Strait. Here, we see, we have a problem which can be settled only by the rules of reason, not by nuclear bombers or jet fighters or hydrogen bombs, so far as international law is concerned.

Of course, the question can be settled by the exercise of jungle law, if it is willed to do so. In consequence, that part of the world, and subsequently all the rest of the world, would be thrust into a great nuclear holocaust.

I would have the Senate keep in mind, as we come to ratify the treaty, that here is an implication which does not arise from the problem simply because we vote to ratify the treaty. Therefore, I respectfully suggest that our allies cannot escape this problem, even though they remain silent at the present time, and even though they do not participate with us in this new treaty, but apparently are content to let what I respectfully recall an international fiction be extended once more into a treaty between the United States and Japan, as that international fiction was extended into the first treaty between the United States and Japan.

I am of the opinion that many years after all of us here are gone, history will record that the Allied Powers which fought World War II and conquered Japan evaded a very delicate and hot issue at the time the Japanese treaty was signed after World War II. I think history will probably record that it would have been in the best interest of peace and in the best interest of setting up an international order under which the rules of reason through international law could have been applied for the creation of a permanent system of peace in the world if all the Allies, including Russia, had gone to work for as many months, or possibly more than months—2 or 3 years—to try to iron out the difficulties. We should not forget that at that time we were working together in a common cause. At that time we might have created an Allied treaty with Japan, equally binding on Russia as well as on the United States and on our allies. I respectfully submit that our allies were bound by the spokesmanship of the United States in the negotiation of the Japanese treaty in 1951. They can be charged with a tacit understanding of giving their power of attorney to the United States in the negotiating of that treaty.

But where were they in connection with the negotiating of the treaty now before the Senate? The course of action which was followed in this instance was a completely bilateral one between the United States and Japan.

I am not one to pause longer than to take note of what has happened in history and to try to learn a lesson from it, as a guide to our future course of action. In other words, I am not one to cry over spilt milk. I ask myself, once the facts of a situation are presented to me: Where do we go from here? What I am saying is that following the defeat of Japan our allies passed to the United States the major responsibilities of negotiating a peace settlement with Japan.

As a documentation of our spokesmanship in behalf of our allies—that is, our true allies, in my judgment—I cite the postsurrender policy of Japan announced in a document as of that time dated September 6, 1945.

When I use the phrase "true allies," I repeat what I have said on other occasions; namely, that during World War II it was my public position that Red Russia was never an ally of ours; all she was was a country with a common enemy, fighting a common enemy. I had too many opportunities to make observations of incident after incident and evidence after evidence that clearly demonstrated that if Russia was an ally of ours, she was a very strange, peculiar, and novel ally, because I knew something about the shiploadings on the west coast and about the Russian ships which took away our lend-lease offerings to Russia and our military supplies to Russia; and I knew of the policies and restrictions and censorship and prohibitions against any official observation by representatives of our Government on the very ships on which those supplies were being loaded. In fact, in most instances it was impossible even to find out what the course of the ship was to be; and time and time again there was manifested anything but the attitude of an ally. All of us know that even in Russia itself, by means of the prohibitions the Russian Government imposed upon our forces that were inside Russia during the war, we had ample warning that we were dealing with a country and a government which had a common enemy, but was not a true ally.

When it came to the problem of determining the post-surrender policy for Japan, a very interesting document, dated September 6, 1945, was entered into. At the beginning it states:

This document is a statement of general initial policy relating to Japan after surrender. It has been approved by the President and distributed to the Supreme Commander for the Allied Powers and to appropriate United States departments and agencies for their guidance. It does not deal with all matters relating to the occupation of Japan requiring policy determinations. Such matters as are not included or are not fully covered herein have been or will be dealt with separately.

PART I—ULTIMATE OBJECTIVES

The ultimate objectives of the United States in regard to Japan, to which policies in the initial period must conform, are:

(a) To insure that Japan will not again become a menace to the United States or to the peace and security of the world.

(b) To bring about the eventual establishment of a peaceful and responsible government which will respect the rights of other states and will support the objectives of the United States as reflected in the ideals and principles of the Charter of the United Nations. The United States desires that this government should conform as closely as may be to principles of democratic self-government but it is not the responsibility of the Allied Powers to impose upon Japan any form of government not supported by the freely expressed will of the people.

These objectives will be achieved by the following principal means:

(a) Japan's sovereignty will be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor outlying islands as may be determined, in accordance with the Cairo Declaration and other agreements to which the United States is or may be a party.

(b) Japan will be completely disarmed and demilitarized. The authority of the militarists and the influence of militarism will be totally eliminated from her political, economic, and social life. Institutions expressive of the spirit of militarism and aggression will be vigorously suppressed.

(c) The Japanese people shall be encouraged to develop a desire for individual liberties and respect for fundamental human rights, particularly the freedoms of religion, assembly, speech, and the press. They shall also be encouraged to form democratic and representative organizations.

(d) The Japanese people shall be afforded opportunity to develop for themselves an economy which will permit the peacetime requirements of the population to be met.

Mr. President, this afternoon I would not have the Senate seek to ignore that military policy of surrender, which we imposed upon Japan.

We did a great job in imposing it, because we came to deal with the problem of demilitarization of Japan by way of obtaining educational acceptance by millions of the Japanese people. I believe history will also record that one of the greatest contributions made by the MacArthur administration in Japan was in getting an overwhelming majority of the Japanese people during that period of time to accept the philosophy of demilitarization and the historic fact that one of the great causes of Japan's problem, which led to World War II, insofar as Japan was concerned, was the military dictatorship which in effect had come to characterize the Japanese Government. Japan had come to be ruled and dominated by the military powers in Japan.

We did a remarkably good job in convincing millions of the Japanese people that that course of action must be reversed. In these articles of surrender policy we made very clear that we would impose that policy upon Japan, if necessary.

But the interesting thing is that we did not have to impose it by any expression of force. We stated it. We got the leaders who came into political power in Japan, following World War II, to accede to it; and it became Japanese policy. Today, it is deeply entrenched in the thinking of millions of the Japanese people who seek to help establish a world order of peace.

I wish to draw a line of distinction between two classes of Japanese citizenry. There is no doubt that the Japanese Communists, aided and abetted by Communist agents from Red China and Red Russia, play upon this policy for propaganda purposes. Mr. President, they will always do that, everywhere in the world. The sad thing which confronts us in regard to our attempts to win the peace and set up economic and political procedures which will strengthen the peace and strengthen freedom and help us expand a private enterprise economy in all the areas of the world where the fight for freedom has to be won, is that the Communist will come in and, with their wicked and lying and clever propaganda,

seek to use these very legitimate and desirable economic and political objectives to mislead the people of that country.

So, in Japan today, I am well satisfied, part of the Communist drive is to point out that the United States and the other allies took the position that Japan should be demilitarized, that military power was not to be restored; and the Communists make attacks—very unfair ones, at least from the standpoint of the thesis from which I argue this afternoon—upon this treaty, in that they allege that it constitutes a reversal of American policy, and that now the United States is seeking to build up another military class in Japan.

Mr. President, all of us know better than that; but we cannot escape the fact that the treaty will, to some extent, supply a false platform for Communists who so argue.

However, Mr. President, I am not basing my point on the attitude of the Communists in Japan. I am basing this argument on the attitude taken by a very large number of non-Communists, Communist-hating, freedom-loving Japanese in the professions, in business, in labor, and in politics.

A part of the struggle within the Liberal Democratic Party in Japan today against Kishi, on the part of some of the moderates in that party who seek an election and seek to overthrow Kishi and supplant him with another Prime Minister from the same party, but more liberal in point of view, is their fear that Japan is moving again in the direction of seeking to build up her military power and become in the Pacific again a military country.

Mr. President, I would that that could have been avoided. I think we ought to try to avoid it. I think if the approach had been an approach other than a bilateral approach, but an allied approach, with the Allies coming out from under cover, with the Allies ceasing to set up the United States as their spokesman in regard to the Pacific problem, the cause of peace for the future would have been much more enhanced than, I fear, it may be if this treaty is accepted as the sole answer to the approach toward communism in the Pacific.

Let us see what these articles, of September 6, 1945, have to say so far as they concern a surrender policy for Japan, have to say about military occupation, because we come to the next major point I want to mention, which was alluded to by Walter Lippmann in his column and by many other writers here in the United States in recent weeks as they have discussed in their editorials and in their columns the implications of the Japanese treaty.

This article of September 6, 1945, on the problem, reads as follows:

> There will be a military occupation of the Japanese home islands to carry into effect the surrender terms and further the achievement of the ultimate objectives stated above. The occupation shall have the character of an operation in behalf of the principal Allied Powers acting in the interests of the United Nations at war with Japan.

I repeat that sentence, Mr. President:

> The occupation shall have the character of an operation in behalf—

I emphasize the words "in behalf"—

> of the principal Allied Powers acting in the interests of the United Nations at war with Japan. For that reason, participation of the forces of other nations that have taken a leading part in the war against Japan will be welcomed and expected. The occupation forces will be under the command of a Supreme Commander designated by the United States.
>
> Although every effort will be made, by consultation and by constitution of appropriate official bodies, to establish policies for the conduct of the occupation and the control of Japan which will satisfy principal Allied Powers, in the event of any differences of opinion among them, the policies of the United States will govern.

That is the catch. That provision created the problem. That is the major point of my thesis in respect to this premise. That is the spilled milk, Mr. President. That was a great mistake which we made.

I am not in a position this afternoon to give an indication as to why that mistake was made. It is going to require a good deal of research and probably the passage of a lot of time for that research; but of one thing I am satisfied: Our country made a great mistake when we took that position so early that, in the event of any differences of opinion among the Allies, the policies of the United States will govern.

I hold to the point of view, and have expressed it on other occasions here on the floor of the Senate when other great documents were before us for ratification, that the greatest mistake of American foreign policy in the Pacific is that foreign policy in the Pacific is dominated by the Unted States.

So long as foreign policy in the Pacific is dominated by the United States, I think the cause of peace in the Pacific will be greatly jeopardized. Many persons do not like to hear that statement, but I am quite impersonal about it. I mean to be very objective and coldly realistic about it. I just do not think that the United States and Russia can build up and build up and build up, year after year, now with Red China becoming more and more of a major power, what has every evidence of two sides choosing up their forces, without their finally doing battle with each other.

That is why I regret that the treaty I shall vote for today—because I think it is more in the interest of my country to vote for it than to reject it—is a United States-Japanese treaty. It ought to be a Japanese-Allied treaty. It ought to be a treaty that is the result of a much greater stride toward the building up of a system of international justice through law than this treaty is.

When all is said and done, Mr. President, the essence of this treaty makes it a military treaty. I think the world should be done with military treaties. Oh, I know it cannot be done overnight; but my plea is a plea for the march of mankind in the opposite direction from military treaties, because of my very deep conviction that, if we continue for many more years adding military treaty on top of military treaty on top of military treaty, we shall be in a holocaust from which there will be no return. It will certainly be the end for the participant nations, and too many innocent, nonparticipating nations will get caught in the holocaust at last.

We are again confronted with the same old paradox. We must do those things which are necessary to make it clear to the Communist sector of the world that it has nothing to gain by an aggressive course of action against the free world. That is the chief justification given for the treaty. Senators may read the report and analyze the arguments. I do not see how anyone could escape the conclusion I present. This is a military treaty offered to give further notice to Russia that she has everything to lose and nothing to gain by an aggressive course of action.

But this does not further the cause of peaceful procedures for the settlement of disputes. The treaty does not even include our allies. No matter what happens under the treaty, Mr. President, they at least can say, "We were only parties to it by proxy. We were only parties to it by an extension of what was understood in 1945, that the United States spoke in behalf of the Allies."

But did we? Really, did we? What evidence do we have from England, France, Canada, Australia, New Zealand, Italy or any other ally that we really did speak for our allies? What tangible, concrete support have we had from our allies in regard to the solution of any of these problems of the Pacific? They are perfectly content to let us carry the burden. I wonder how content they will be if things go awry?

It is said, "Well, Mr. Senator, it is one thing to point that out, but what do you propose to do about it?" I have made proposals from time to time. For the RECORD, I shall summarize them again this afternoon as I bring this speech to a close.

I have one additional word to say about the attitude in Japan on the part of that type of substantial citizen we want on our side, who is very much puzzled about the treaty today, referred to again by the great Lippmann and other writers. We should not forget, Mr. President, that the treaty continues to a degree, American military occupation in Japan. If Senators do not like the word "occupation"—if they find that causes a little tension—then let us use another word. The treaty would authorize the maintaining of an American base or bases in Japan.

From the standpoint of the Japanese citizen in this much larger group, I fear, than some who have discussed the matter would have us believe, this amounts to foreign soldiers on Japanese soil. I do not care how serious is the threat of a vicious ideology such as communism in any part of the world, the maintaining of a foreign soldier on a country's soil automatically is a source of resentment. It has always been so, and I think it will forever be so.

There is great criticism even in the newspapers to which Lippmann refers in his article this morning. These newspapers are already proposing renegotiation of the treaty, although the U.S. Senate has not yet acted upon the resolution of ratification. There have been editorials on the part of non-Communist newspapers in Japan expressing this emotional attitude to which I have referred about American military personnel being kept on Japanese soil. I think the situation will get worse rather than better.

This leads me to comment on the point made by the Senator from Arkansas [Mr. McCLELLAN] in his colloquy with the chairman of the committee [Mr. FULBRIGHT] concerning the duration of the treaty. I cannot reach the conclusion which was expressed on the floor of the Senate that there is any open end to the treaty, other than the 10-year end, with a year's notice.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. LAUSCHE. If it is wrong for us to have our troops in Japan under a joint understanding between our country and Japan, what about the troops of the Soviet Union in the satellite nations of Poland, Hungary, Czechoslovakia, Rumania, Lithuania, Latvia, Estonia, and all the other captive nations?

Mr. MORSE. I think, from the standpoint of the promotion of world peace, both are indefensible.

Mr. LAUSCHE. Both of them?

Mr. MORSE. One is as indefensible as the other.

Mr. LAUSCHE. Is it not a fact that so long as the Soviet Union pursues the course it has pursued, for our own security we have no alternative to seeking alliances and bases which enable us to compete with them?

Mr. MORSE. This is not an adequate answer, and I shall attempt to give a more adequate answer in a moment, but I say, good naturedly, as a parent I never accepted the idea that my child should continue improper behavior simply because a neighbor's child was guilty of improper behavior. I always thought we had a neighborhood problem, and that the parents ought to get together and negotiate a peace settlement.

Mr. LAUSCHE. I agree with the Senator in that regard, but when there are thieves and bandits upon the highway the peaceloving citizen must discard his judgment that he can do without police and do without arms to protect himself.

Mr. MORSE. I have never proposed that. The Senator understands, I am not making an argument this afternoon for a non-defense policy on the part of the United States. I am making an argument this afternoon for joint action with our allies.

Mr. LAUSCHE. I think it would be wonderful.

Mr. MORSE. I am raising a question as to why we did not try to arrive at such an agreement. From the investigation I have made I have been left with the conclusion that no attempt was made to change the position to which we acceded in 1945, when we assumed the role of spokesman for the Allies. I think it was a mistake then. I think it is a greater mistake to continue it now, after we have had all the lessons to learn since 1945.

Mr. LAUSCHE. I think it would be remarkable if the major nations with whom we are allied, especially those who have interests in the Far East, would join with us in the treaty. I do not know why it was not done. Frankly, in meditating during the Senator's argument, I assumed there must be some good reasons. I do not know what the reasons are. Perhaps there are none at all. The argument of the Senator from Oregon was so potent in regard to the comfort one would find in knowledge that there were more than merely Japan and the United States as parties to this agreement, that I did meditate upon it and come to that conclusion.

Mr. MORSE. Honest men can differ as to the interpretation of the course of action which has been taken by our Government. But, in my judgment, ever since World War II, we have not made a really vigorous attempt to try to get Pacific problems first within the jurisdiction of the United Nations and, failing in that, at least get them within the common cooperative enterprise of the other allies acting with us.

I think the sad fact is that we have followed to a greater extent than we should, a U.S. unilateral course of action in the Pacific. I think it should be changed. We will not change it overnight or drastically, but I shall make certain suggestions before I take my seat that I think would be at least first steps toward that change and which would increase the chance, I think, of our avoiding what might very well be, if we continue to build up the armament race in the Pacific, a war in the Pacific.

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

Mr. MORSE. I yield.

Mr. LAUSCHE. Returning to the thought which I originally expressed, I feel that in the face of the persistence of the Soviet penetration everywhere, and now within 100 miles of our shores, our country must try to develop allies among people who show a disposition to subscribe to the philosophy of liberty and democracy.

During the hearings I said to Secretary Herter that in my opinion, of all people in the Far East, the Japanese have shown a greater tendency to adopt our ways than had other people in that area.

This morning I saw a picture somewhere of little Korean boys in baseball uniforms. It may be that some of our basic thinking has penetrated into Korea.

Mr. MORSE. They love Indian suits, too.

Mr. LAUSCHE. That is correct. But I think by disposition Japan leans to the West. The treaty which we are considering today is more beneficial to our country than the treaty that we are abandoning if domination over a country is considered.

Mr. MORSE. I completely agree. I think it would be a matter of only a few years, anyway, when we would have had to abandon the other treaty, because I think if we had continued that practice of domination, we would have increased the danger of more and more Communist control in Japan, and there would be less likelihood of a Liberal Democratic Party, such as the Kishi party, winning the next election. Maybe they would not win the next election, but they might win two or three elections from now.

I think that is one of the strengths of the treaty. At least there is less military domination than previously existed.

I am worried, as I said, about the extent to which the treaty involves also the building up of some military power on the part of Japan itself, after we have done such a fine educational job in getting the Japanese people to reverse centuries of military philosophy and accept the notion of a demilitarized country.

Mr. LAUSCHE. I do not know whether it is generally understood, but the fact is that the treaty which we exacted as military conquerors imposed conditions upon the Japanese people that should not be imposed upon any dignified human beings.

Mr. MORSE. That is true, and yet it was a remarkably moderate and fair treaty in view of the public demand at the time. The Senator will remember—though it is so easy to forget—the attitude that prevailed in the United States following the Japanese war, because our boys had been subjected to some unbelievable atrocities, and the bitter feeling toward Japan and the people of Japan. It went beyond the Government of Japan; it went to the people of Japan.

Mr. LAUSCHE. That is correct.

Mr. MORSE. The feeling was very intense, and I felt that our Government was remarkably moderate in that treaty in view of what the emotional extremists at the time wanted us to exact from Japan.

Mr. LAUSCHE. I am glad the Senator agrees with me that if we wanted to be tyrannical and to remain conquerors, we would insist upon the terms of the treaty of 1951, which was finally approved in 1952. Those terms would have probably precipitated great difficulty, and instead of being beneficial, they would have been harmful to us.

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

Mr. MORSE. I yield.

Mr. CASE of South Dakota. Mr. President, the Senator from South Dakota has listened with great interest to most of the debate, and he thinks that all this debate will be found useful in the days, weeks, and years ahead. I found myself intrigued by several of the observations that were made.

First, I refer to two or three of the observations which were just made in the exchange between the Senator from Ohio and the Senator from Oregon with respect to the retention of some of the features of the original 1951 treaty. I think history will demonstrate that any treaty must be lived with if we are to have self-respect between the engaging powers. If there were provisions in the

1951 treaty which, even if it was a moderate treaty under the temper of the times, were provisions which were somewhat onerous, let us say, to the Japanese, there would have to come a time when they would have to be changed.

The ratification of a treaty is a formal act. Living with a treaty is something else. It is much like the marriage vow. Marriage can be entered into as a formal contract, but the marriage is something that must be lived with day after day and in the years ahead. If it does not provide for mutual self-respect, or if in the carrying out of the contract there is no mutual self-respect, the contract will eventually fall.

It seems to me that it is in the interest of both Japan and the United States to have a treaty which each country can honor and retain its self-respect.

The treaty with Japan in 1951 was moderate in relation to the temper of the times, and to remind ourselves of how moderate it was all we need do is to compare it with the unconditional surrender which was imposed upon Germany earlier during World War II. The treaty with Japan, it always seemed to me, was better considered in that respect than the extreme conditions which were written into the unconditional surrender idea.

With respect to the importance of our maintaining troops or bases in Japan, and as to the justification that we should maintain such troops because Russia has troops in some of our satellite countries, we ought to remember, it seems to me, the principle of human psychology to which the Senator from Oregon has alluded when he said that over a period of time any country resents having foreign troops within its borders.

Mr. MORSE. Particularly a free people.

Mr. CASE of South Dakota. Particularly a free people. Even in countries which have surrendered or lost some of their freedom. I have no doubt that there are germs of resentment in the so-called satellite countries of Communist Russia, and that the real seeds of freedom will grow in those countries as that resentment increases.

Mr. MORSE. If the Senator will yield for one interruption—and I want him to continue with his discourse—the interesting thing about this to me is that our own American intelligence, working in those countries, is counting on what the Senator envisages. That happens to be one of the things we are counting on to eventually help overthrow these totalitarian governments. In a sort of negative way we hope it will prove the point we are making, that the resentment will be the seed of the revolt against the foreign government.

Mr. CASE of South Dakota. To the extent that the occupying power pushes these countries down or tightens the screws in them, the greater the resentment and the greater the possibility of an eventual explosion. The placing of foreign troops in any country where there is self-respect and a desire for freedom must in the long run be regarded as a liability to the country that tries to keep the troops there.

The only intelligent approach, it seems to me, is an attempt to respect, as conditions permit, the desire for liberty, the desire for self-respect, and the encouragement of democratic processes in the occupied country.

I am glad that the treaty does contain a 10-year provision, rather than an open end. I am glad that the Japanese, after 10 years, if they wish, can serve a 1-year notice and say the treaty will end after 1 year.

As the Japanese people consider this treaty, they will regard it as something in their favor. I regret as much as anyone can the situation which has developed in Japan in the last few weeks. I was in Japan over New Years Day. When I was there I had a talk with Ambassador MacArthur about the scope of the treaty. That was only 3 weeks before he came to Washington for the signing of the treaty. I came to Japan through southeast Asia, through Taiwan and Hong Kong. I thought I had obtained some impressions on the developing attitudes in the Far East.

The Senator from Oregon makes a point with regard to the way in which we count upon ferment in the satellite countries or occupied countries or depressed countries to be the yeast which will eventually lead to the overthrow of oppression.

In Hong Kong and in Taipei, the people who discuss these matters with visiting Members of Congress point to the fact that people in Red China are commencing to react against the pressure the present government of Red China places upon them. They point to reports of the long hours that people are compelled to work, on the way in which the policy of the present Chinese Government runs counter to the traditional respect for families, and the traditional respect for ancestors, and the way in which the present government of China is destroying traditional Chinese life. All these things are seized upon by our friends in Hong Kong and Taipei as evidence of the fact that eventually the policy of Mao must come to disaster in China.

We seize upon it. Therefore, in the long run oppression will bring about an explosion. I have no doubt that it is the aim of the Communist world to try to cause as much trouble as they can, to fish in as many troubled waters as they can. I believe the Communist world would like to neutralize Japan. I believe they would like to defeat in some manner the effective operation of the proposed treaty.

One cannot travel through Okinawa without realizing there are pressures at work to try to reduce the influence of the United States in the Ryukyu Islands. All of those things are at work. It is unfortunate not merely for the United States but also for Japan that these elements were given an opportunity to fan feelings into flame at this particular time.

On second thought I believe that the great majority of the Japanese people will see that the treaty is in the interest of their country, because it gives them a shield, because it gives them the protection of the United States against possible aggression. They are not in a position to defend themselves today. With the limitations that were placed upon the development of their military forces, what air force they have, what navy they have, and what ground forces they have must all be considered in terms of self-defense. It is a self-defense air arm. It is a self-defense navy. It is a self-defense ground unit. They must all be considered in terms of self-defense under the treaty. I do not believe that the number of troops—they cannot even be called troops—would be utterly inadequate to defend Japan against Communist aggression.

I am also convinced in my own mind that, given a little time, the Japanese people will thank God for the fact that there is in effect a treaty which gives them the shield of the United States.

Some questions were raised about the advantage of the treaty to the United States. It is asked what advantage is there to the United States to have this mutual security treaty in effect, when the United States assumes the big burden and cost of providing defense for Japan. What does it provide for us? That question can be answered simply by saying that if we were not there and aggression took place tomorrow, we would want to get there in the shortest time possible. Jet planes would not be fast enough. We are already there, with a deployment up and down the 1,500 miles of the islands that constitute the whole Japanese area there. We are already there. That is of some benefit to the United States under the pressures that exist.

In addition to that, I believe the treaty has other benefits. It makes possible a better exchange of cultural relations, better trade relationships, and things of that sort. We are in much better position today, if we act wisely with our personnel, than if we did not have them there.

I am glad that there is a termination date for the treaty, so that as these things grow, changes can be made. Perhaps the treaty will be succeeded by a treaty which will be more in the economic field. However, for the time being, I believe the treaty is a treaty of mutual interest. The Japanese people, on second thought, will be just as glad that it is in effect. I suspect that a majority of them are in favor of it.

There is one other point I wished to comment on, and this is where I take a little issue with my friend from Oregon. The Senator from Oregon suggests that it would be desirable if we had some allies with us in the treaty. First, I wish to point out—and I am sure that the Senator from Oregon is even more familiar with this than I am—that the treaty does repeatedly refer to the United Nations.

Mr. MORSE. I am going to quote that. I have that point marked for discussion.

Mr. CASE of South Dakota. It provides:

> Any armed attack * * * shall be immediately reported to the Security Council of the United Nations.

In the first article of the treaty there is provided:

The parties undertake, as is set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means.

In the next sentence, the United Nations is mentioned again. It reads:

The parties will endeavor in concert with other peace-loving countries to strengthen the United Nations so that its mission of maintaining international peace and security may be discharged more effectively.

Therefore, there is recognition in the treaty of the United Nations and of our allies.

The point at which I differ particularly with the Senator from Oregon is in wishing that there were other parties to the treaties. I do not suggest that Russia herself should have been made a party to the treaty. I think it is an oversimplification to make that statement. Yet it meets my point. I am glad Russia is not a party to the treaty, because I would not want Tokyo today to present a problem akin to that which Berlin presents. I do not see how we could have Russia come into partnership in the treaty without taking a chance that we would have a divided Tokyo, a Tokyo divided into sectors, as Berlin was divided into sectors, and perhaps be confronted with the problem of access and other problems which we find in our relationships with Berlin.

I thought Russia got considerably more out of the Japanese war than she put into it, for only a couple of days' participation, which was precipitated by the action which we took in August with the bomb. Russia hurried and rushed in, then asked for the fulfillment of the Yalta Treaty, and expected to take the Manchurian Railway, the Kuriles, and Sakhalin. I thought she got more out of the war than she put into it.

Thus, so far as making Russia a party to this particular treaty is concerned, I would not favor that. I do not regret that Russia is not a party to it.

At the same time, having said that—and I have already spoken longer than I said I would, to deliver myself of a few thoughts which have occurred to me as I listened to the debate this afternoon—I feel very deeply that it is impossible for the United States, on the one hand, and Russia, on the other, to continue the arms race without expecting that some day something will happen by miscalculation, by accident, or by some impetus or movement to cause a holocaust or catastrophe to come to the world.

I have believed that we should, at every possible opportunity, attempt to find ways to lessen the tension which exists in the world. That is why I have wholeheartedly supported the President in his efforts to find some way to lessen the tensions of the cold war.

I have some feelings, some convictions, concerning the way in which certain actions have been handled. I shall not take the time to dwell on them now. I recognize that the U-2 incident and the events which have followed have shaken our entire oversea posture. In some remarks on the floor before the "blowup" at Paris, I observed that I thought the U-2 incident meant we had to reexamine our military posture overseas. I said then that I thought it raised questions about the ratification of the Japanese treaty. I suggested that some clarification, at least, would be needed; and that if the situation became a little shaken in Japan, repercussions would be felt throughout the Far East. I think we shall have to take cognizance of that.

We shall have to recognize that the small countries of the world, the countries in which we have bases, do not want to become the first battleground in a nuclear war. We cannot expect small powers, up against the borders of the Communist world, to approve of our using bases in their countries as launching points for reconnaissance machines, or whatever they may be called. Such countries are simply too close to Russia. The inevitable result for them would be to be ground between the hammer and the anvil.

In recognizing that fact, I think we should reexamine our entire posture overseas, and place our emphasis on the development of a defense capability which will fall more upon our own self-reliance. That was the basis on which I supported, the other day, some of the changes in the defense appropriation bill. The B-70, the carrier, and the modernization of the Army, I thought, were movements in the direction of improving our own military posture. They are means by which we can depend upon ourselves. I thought the action which was taken was justified in the light of the present situation.

I have strayed a bit from the discussion of the treaty; but I believe what I have said is related to it, because the incidents which have led to the situation which we find expressed in the very regrettable incidents in Japan have their repercussions in our total security position.

So far as the treaty is concerned, I certainly intend to support it. I think it is in our interest to do so. I think it is likewise in the interest of the Japanese to do so. If it were not a mutually beneficial treaty, it could not live or survive, in any event. However, it is a mutually beneficial treaty; therefore, I shall vote for it. At the same time, I shall hope we will not consider that this treaty is the end of the matter. We shall have to live with this contract afterward; and day by day, week by week, month by month, and year by year we must seek to make the relationships between the United States and Japan a rich, fruitful experience, beneficial to us all.

Mr. MORSE. Mr. President, I deeply appreciate the contribution which the distinguished Senator from South Dakota has made to my discussion of the treaty this afternoon. Many of the reasons he expressed, up to the point where he expressed certain differences with points of view which I have expressed, are the same reasons which caused me to reach the decision I reached in the Committee on Foreign Relations to support the treaty. That is why I said at the beginning of my speech, in effect, that I thought the benefits of the treaty, read from its four corners, outweigh its disadvantages. I think the treaty has some advantages which I am seeking to develop this afternoon.

I shall comment, when I reach that point in my speech, concerning the factor of the United Nations, which I think is involved. I shall also comment concerning my view about what we ought to try to do to carry a peace offensive against Russia with respect to the treaty. It is not my view that, in doing so, we would set up Tokyo as another Berlin. I hope we will not make the same mistake twice. We must promptly take advantage of the opportunity which we have, and which I think we must use, to carry a peace offensive against Russia in respect to this treaty We must not give up the opportunity, which I think is ours to get our allies to play a greater part in solving the problems in the Pacific.

Furthermore we must not give up the opportunity to bring the United Nations into the picture. This we certainly have not done.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon, who has already been so generous with his time, yield?

Mr. MORSE. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. First, I commend the Senator from Oregon for going into such great detail to express so frankly the views he has expressed. I think it is very worthwhile to put all the facts we can into the RECORD.

I may state again that I favor the treaty and shall vote for it, but that does not, by any means, mean that it is a perfect instrument. Far from it.

From the Japanese point of view, it is far better than the 1951 agreement.

According to the testimony of Assistant Secretary of State for Far Eastern Affairs J. Graham Parsons, as it appears on page 12 of the hearings before the Committee on Foreign Relations on Executive E, 86th Congress, 2d session, on January 7, 1960, the old treaty did not reflect the Japanese interest in the following respects:

The United States was permitted to use bases in Japan without consulting the Japanese Government for actions in other parts of the Far East that might involve Japan in a war irrespective of her own desires.

Second, the old treaty permitted the United States to bring into Japan whatever weapons she chose regardless of the wishes of the Japanese.

Third, the old treaty provided for the intervention of U.S. forces in large-scale international disturbances in Japan.

Then it provided for a U.S. veto over any arrangements for the entry of the forces of a third power into Japan. And finally, as has been stated, there were no provisions for the termination of the treaty.

I should say that from the point of view of the United States, the new treaty, the one under consideration now, creates problems and raises questions, as the Senator from Oregon is so ably bringing out. According to testimony at the hearings, which the Senator from Oregon attended, a question arose as to what would happen if an opposition party or a party opposed to Mr. Kishi came to power. The question was whether it would be possible for the new party to

disavow the treaty now under consideration, if it is ratified. I believe the answer was, "Yes, it could."

I think we ought to point out that even though this is a 10-year treaty, with a 1-year period added, to make it an 11-year treaty, during which time either side can give notice of withdrawing from the treaty, in my opinion it would be possible at any time, after the treaty shall be ratified, for renegotiations to take place in view of changed conditions.

One way would be voluntary action on the part of the two Governments.

Another way would be if perhaps some party different from the one which Kishi represents came into power, and had different ideas—not that I am advocating that; I am simply raising the possibility.

Both the Senator from Oregon and the Senator from Ohio [Mr. LAUSCHE] will recall that the State Department and the Department of Defense consider the treaty satisfactory from a security point of view. They informed us that the treaty has been 16 months in the making, and that it represents a reassessment of our position vis-a-vis Japan, and, by the same token, the position of Japan vis-a-vis the United States. It represents the achievement of equality to a degree on the part of Japan, and the acquiescence of Japan to our use of the bases there, on conditions agreeable to the Japanese.

I hope that as time passes, Japan—as the Senator from Oregon has said—will more and more take care of her own defense. It would be on that basis that we could begin to consider the possibility of withdrawal from Japan.

I am sure the same reasoning would apply to the Bonins and to Okinawa, in which the "residual sovereignty" of Japan is recognized. The use of the term "residual sovereignty" recognizes the fact that when real peace and stability are achieved, these areas will, as a matter of course and as a matter of right, be returned to Japan.

In view of developments to date, in my opinion it is now too late to consider a reservation, because we have reached the "take it or leave it" stage. The treaty is better for Japan than it is for the United States; but the treay does keep Japan and the United States together; it does keep Japan allied with the West; it does recognize a mutual dependence—which is very important in any consideration—of peace and of stability in the Pacific.

I wished to make these remarks while I had a chance to do so, especially in view of the fine, outstanding speech being made by the Senator from Oregon.

I desire to point out that some of these questions were raised in the committee. For instance, the question of the legality of the ratification of the treaty by the lower house of the Japanese Parliament was raised. We were assured by Secretary Herter that that was entirely legal, insofar as we know. The question of questionability was raised; and Secretary Herter replied, "I do not think it is questionable. It has been questioned; but a quorum was present, and all the normal legislative procedures were complied with."

Question was also raised at that time about the Ryukyu Islands and the Bonin Islands, as well as other matters very pertinent to the debate now under way.

I desire to thank the Senator from Oregon for his courtesy, and I wish to assure him that I appreciate his kindness in giving me this time.

If I may, I now ask unanimous consent that the colloquy between Secretary Herter and me, at the time of the holding of the 1-day hearing on the treaty, be printed at this point in the RECORD.

Mr. MORSE. Certainly.

The PRESIDING OFFICER. Is there objection?

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

SIGNERS OF THE TREATY

Senator MANSFIELD. This treaty now before the Senate Committee on Foreign Relations was initiated by the Kishi government?

Secretary HERTER. Yes.

Senator MANSFIELD. This treaty was initiated or signed by Prime Minister Kishi and President Eisenhower on January 19, last?

Secretary HERTER. It was not signed by President Eisenhower. I signed and—Mr. Parsons and I signed and Ambassador MacArthur signed on behalf of the United States.

STATUS OF THE BONIN AND RYUKYU ISLANDS

Senator MANSFIELD. Now, the Bonins and the Ryukyus will be returned to Japan once a stable peace has been achieved in the Far Eastern area?

Secretary HERTER. Excuse me?

Senator MANSFIELD. The Bonins and the Ryukyus will be returned to Japan once peace and stability has been achieved in the Far Eastern area. Is that the intention of the U.S. Government?

Secretary HERTER. That has always been the interpretation of the phrase, "residual sovereignty."

DURATION OF THE TREATY

Senator MANSFIELD. Why is there a 10-year, really an 11-year, treaty under consideration rather than a standard 1-year treaty?

Secretary HERTER. Well, when as extensive rights as base rights that were given to us were envisaged a longer term treaty seemed to be to our mutual advantage so that there wouldn't be a sudden shift that might take place perhaps because of a political gesture of some kind. This would insure that for at least a 10-year period this mutual relationship could continue.

CIRCUMSTANCES OF APPROVAL OF TREATY BY LOWER HOUSE OF JAPANESE DIET

Senator MANSFIELD. Under what conditions did the Japanese Lower House approve the treaty last month?

Secretary HERTER. That—I tried to describe that rather briefly. The conditions were very disturbed in that the Japanese Socialist Party tried to keep the speaker of the House from getting to his desk for 6 hours or so; they kept him a prisoner.

Finally, the police were called in and the Socialists were removed forcibly in order to allow the speaker to get into the Diet chamber. At that time, the ratification took place by very considerable over the majority required.

Senator MANSFIELD. Was that ratification legal?

Secretary HERTER. Entirely legal so far as we know.

Senator MANSFIELD. Was it questionable?

Secretary HERTER. I dont think it was questionable. It has been questioned, but there was a quorum present and all the normal legislative procedures had been complied with.

Senator MANSFIELD. The reason I raise the question is that it is my understanding that the Socialists stayed away en masse and did not participate in this vote.

Secretary HERTER. That was a voluntary abstention on their part.

Senator MANSFIELD. Did the one Communist member in the Lower House appear at that time, or did he likewise stay away?

Secretary HERTER. I am not sure, but it is my impression he stayed away, too. He stayed away.

EFFECT ON TREATY OF A CHANGE IN THE JAPANESE GOVERNMENT

Senator MANSFIELD. If the Kishi government were replaced by a neutralist government, let us say, and this treaty was in force, do you think the subsequent government following Kishi would adhere to the agreement entered into between the two countries?

Secretary HERTER. Well, that is entirely a matter of speculation as to whether a successor government would abide by its international obligations or not.

IMPORTANCE OF THE TREATY

Senator MANSFIELD. Mr. Chairman, I have no more questions, but I want to make one brief statement. I think this is a good treaty. I think it is beneficial to both Japan and the United States, and it is my belief that the peace of the Pacific may well be determined by the continued partnership, understanding, and unity of these two countries which occupy such an important position in the Pacific area.

That is all, Mr. Chairman.

Mr. MORSE. Mr. President, I wish to thank the Senator from Montana very much for his contribution to this discussion.

As he knows, in the committee, I joined him in the views he expressed there; and I took the position that I would vote for the treaty because I think its benefits far outweigh its disadvantages.

On the other hand, I believe that some of the disadvantages and some of the implications of the treaty need to be pointed out during the course of the debate on ratification. That is why I am doing so today.

Mr. LAUSCHE. Mr. President——

Mr. MORSE. Mr. President, before I yield to my good friend, the Senator from Ohio, I ask unanimous consent to have printed in the RECORD, at the end of my remarks, the full text of the Japanese Treaty of 1951, because I believe the Senator from Ohio is about to discuss certain portions of it, and I believe the entire treaty should be in the RECORD, so those who read the RECORD will be able to refer to it.

The PRESIDING OFFICER (Mr. MCGEE in the chair). Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. LAUSCHE. Mr. President——

Mr. MORSE. I yield.

Mr. LAUSCHE. The Senator from Montana has enumerated five respects in which we have made concessions to Japan in the proposed new treaty, as compared with the treaty of 1952.

The mysterious aspect of the whole confused situation of mob rule in Tokyo becomes rather pointed when we realize that from the time when the new treaty was proposed, the Communists began to oppose it. For 15 months they have been propagandizing, provoking disorders, and stimulating opposition to a treaty which

admittedly is better for Japan than the 1952 treaty.

Therefore, it is proper to ask why the Soviets have provoked disorder and have urged rejection of this treaty, which any reasonable person must concede is better than the 1952 treaty.

At the risk of repeating too much, I shall again enumerate the five provisions of the treaty which the Senator from Montana identified a moment ago.

The 1952 treaty, exacted by a conqueror from a conquered people, provided, among other things, the following:

First, the United States was permitted to use bases in Japan, without consulting the Japanese Government, for actions in other parts of the Far East that might involve Japan in war, irrespective of her own desires.

Mr. President, certainly the good, peace-loving American people would not wish to impose such a condition, even upon a conquered people.

Second, the old treaty, which is still in existence, permitted the United States to bring into Japan whatever weapons the United States might choose, regardless of the wishes of the Japanese.

In that connection, I make the same observation—namely, that we are not blood-lusty people; we do not wish to exact from the Japanese people the concession that we can bring into their land thermonuclear or nuclear weapons, without allowing the Japanese people to say anything about that.

Third, the 1952 treaty provided for intervention by U.S. forces in any large-scale international disturbances in Japan. We declared that the Japanese people shall be a free and sovereign people, but the 1952 treaty provided that our forces would be allowed to enter Japan and to quell or otherwise handle any disturbances which might occur there.

Fourth, the 1952 treaty provided for a U.S. veto over any arrangements for the entry into Japan of the forces of a third power.

The Senator from Oregon has observed that we said, "You shall deal with no one but us. You shall allow only our forces to be with you." That amounts to an exaction by a conqueror, not an effort by a fellow nation to seek peace and dignity in the world.

Fifth, the 1952 treaty had no terminal date; it was to continue indefinitely, with these rights vested in the United States.

The point I am trying to make is the mystery of the Communists stimulating Japanese youth and socialists into demonstrations against our Government when we made concessions which would never have been made by the Soviet, and would have been made only by a people of our character, who were seeking peace.

I thank the Senator from Oregon very much for yielding.

Mr. MORSE. I thank the Senator from Ohio very much. I think it is important to have in the RECORD the material which the Senator from Ohio has put in it.

Mr. President, I shall not yield further until I finish my remarks. I think I can conclude in 15 minutes if I am not interrupted. Then, if any Senator wishes to ask me a question when I am through, I shall be very glad to yield. There are two or three loose ends I wish to tie up which need to be tied up in view of the discussion during the interruption. Then I shall return to my speech in the order in which I had intended to give it.

Relating to the period of the treaty for 10 years, with a year's notification for its termination at the end of 11 years, the Senator from Montana [Mr. MANSFIELD], has said there is no doubt about the fact that, voluntarily, the two countries could negotiate for a modification of the treaty or the ending of the treaty during the 10-year period. However, the fact is they did agree to a period of 10 years, and that puts the initiator at a great disadvantage if it seeks to bring to an end a treaty to which it has put its signature.

Therefore, as I expressed in some of our discussions in committee, I think it would have been better if there had been a specific clause in the treaty that would have provided further opportunity on the part of either party to request negotiations at the end of the second year, or at the end of any year thereafter. I think such a provision would have eliminated some of the propaganda advantage that I understand both the Communist forces and the moderate forces in Japan are making use of in their attack on the treaty—that this is an attempt on the part of Kishi to tie up Japan in a straitjacket for 10 years under this treaty. A little change in the language, I think, could have avoided that propaganda advantage on the part of those who are making it. But, as the Senator from Montana has said, it became too late to seek to improve the treaty by reservation, and it was very much a take-it-or-leave-it proposition. I recognize that fact, and I, therefore, make these points only by way of a record of the debate on the treaty here in the Senate.

Then, too, some mention has been made as to the effect of the U-2 incident. I do not propose to discuss it other than to point out that I think Walter Lippmann again is unanswerably right when he comments on the effect of the U-2 incident on the uprisings and demonstrations in Japan. I think the incident was unfortunate from the very beginning. I have not only said publicly, but I am perfectly willing to repeat today, I do not think we should have used any U-2 plane over any country at any time, because, in my judgment, under international law, it constitutes aggression. I think we are guilty of it. I think we shall be guilty of it in all history as a nation that resorted to aggression by use of a U-2 plane.

I do not think we have heard the last of its psychological effects on our friends in the world. Our allies are remarkably silent about it. Their silence is attributable, I believe, to the fact that they cannot say anything good about it. They know any attempt upon their part to come right out and support the United States use of the U-2 plane flights for espionage purposes cannot be justified under international comity. I think it was a stupid, shortsighted mistake on the part of our Government. But, it has happened, and again I say, there is no sense in crying over spilt milk. At this point we must ask ourselves, "Where do we go from here?"

As Walter Lippmann has pointed out, one of the effects of the U-2 incident among our friends, where we have bases, is that they are much concerned because they cannot be too sure—and who can be sure?—as to whether or not the Russians will completely lose their heads and, by a madman's mistake, carry out the threat of their air marshal, which seems to have been underwritten by Khrushchev, that, if they have any evidence that a plane leaves any base in order to fly over Russia, they will fire on that base. I think that threat has provided a propaganda advantage which is a part of the great cost of the U-2 incident. So much for that. It is a mistake we must live with. I think it lends support to the argument I shall make, before I close, as to the importance of our trying to get our allies to join with us in some United Nations action in the great cause of trying to win the peace before it is too late.

Before I turn to the 1951 treaty and make the comments I was going to make on it, I wish to make another point as to the matter of tying in the ratification of this treaty.

The Senator from Montana [Mr. MANSFIELD] spoke about what would be the effect of a Japanese election in which the Liberal Democratic Party was thrown out, or the Liberal Democratic Party won and there were some change of attitude on the part of the winning group in regard to the treaty.

It has bothered me, Mr. President, as to whether or not we ought to ratify the treaty until after the Japanese election. I have decided to go along with ratification now, although I think a very good argument could be made for recognizing that the treaty is at least one of the major issues involved in the political struggle going on inside Japan at the present time. Undoubtedly this struggle will lead to an election, and the treaty will be a subject matter for discussion in that election.

I do not know, and I do not see how anyone can be sure, what the political effect in Japan in respect to that election will be by reason of our ratifying it in advance of the election. I am willing, however, on this occasion to take the advice of our Ambassador in Tokyo, Mr. MacArthur. I am glad there was reference made by the Senator from South Dakota [Mr. CASE] to Ambassador MacArthur. There have been writings recently that have seemed to be somewhat critical of our Ambassador, and I think this word of commendation needs to be spoken in the midst of this debate. I think Ambassador MacArthur has been doing a remarkable job in Tokyo.

I think he has been a very good "good will" Ambassador for the United States

in Tokyo. I base that upon my own observations when I was in Japan, as to the stature he has attained and the confidence the leaders of Japan have in him. I do not share some of the criticism to the effect that he should not have advised the President to come to Japan. After all, that was obviously the wish of the Japanese Government. When Ambassador MacArthur was giving that advice to our President, he was doing it upon the basis of what he believed to be good assurances that no untoward incidents which could not be controlled by the Japanese Government would occur, and his feeling that the overall good will the President would create in Tokyo would be a pretty good check on the progress which Communist propaganda seemed to be making.

It all did not work out that way, but I do not think there is any basis in fact for the criticism of the Ambassador for the course of action or the policies followed in respect to it.

Mr. President, I return to the thesis which I was discussing before I yielded to the Senator from South Dakota, the Senator from Montana and the Senator from Ohio.

I have already received permission to have printed in the RECORD the Peace Treaty of September 8, 1951, but I wish to read the first paragraph or two. Then I shall make a brief comment.

Whereas the Allied Powers and Japan are resolved that henceforth their relations shall be those of nations which, as sovereign equals, cooperate in friendly association to promote their common welfare and to maintain international peace and security, and are therefore desirous of concluding a Treaty of Peace which will settle questions still outstanding as a result of the existence of a state of war between them;

Whereas Japan for its part declares its intention to apply for membership in the United Nations and in all circumstances to conform to the principles of the Charter of the United Nations; to strive to realize the objectives of the Universal Declaration of Human Rights; to seek to create within Japan conditions of stability and well-being as defined in Articles 55 and 56 of the Charter of the United Nations and already initiated by post-surrender Japanese legislation; and in public and private trade and commerce to conform to internationally accepted fair practices;

Whereas the Allied Powers welcome the intentions of Japan set out in the foregoing paragraph;

The Allied Powers and Japan have therefore determined to conclude the present Treaty of Peace, and have accordingly appointed the—

and so on. I cite these paragraphs because they bear on the point I made earlier in my speech that after World War II, we really functioned as the chief spokesman and negotiator for the Allied Powers. We find that also true with respect to the Security Treaty between the United States and Japan of September 8, 1951.

Mr. President, I ask unanimous consent to have the Security Treaty printed in the CONGRESSIONAL RECORD following the Treaty of Peace with Japan, at the conclusion of my remarks.

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

(See exhibit 2.)



Mr. MORSE. All through our negotiations since World War II, Mr. President, we have been the chief spokesman for the allies and, in effect, we have been granted power of attorney by the Allied Nations in dealing with Japan.

With that as the background, I think it is all the more important that greater attention should have been paid to my point that the Allied Powers should have been specifically drawn into the matter of negotiating a new treaty with Japan and should have played a very active part.

What about the possible role of Russia? It would have been a pretty good test to see what Russia's demands would have been, or what Russia's attitude would have been, as to whether she would have been willing to cooperate at all. I happen to hold to the point of view that we ought always to keep the Soviet Union on the spot in the United Nations and before the people of the world in the matter of the course of action she is willing to follow in promoting peace. I happen to think that for propaganda purposes, for so-called psychological purposes in relation to the people in the underdeveloped areas of the world, we lost another opportunity to demonstrate again who is seeking to prevent the development of a permanent system of peace in the world.

I think it is probably true that Russia would not have gone along. If she did not, or if she took a position which was completely unacceptable, as she took at Berlin—which ought to have been considered unacceptable at the time—we would not have had to consummate any treaty with her as a party thereto. But instead of doing that, we have repeated which I think is a mistake in foreign policy. We have entered into another bilateral arrangement, and we have entered into it really, in spite of what I shall quote from the treaty in a moment, without the participation of the United Nations. I think we have to stop that course of action. I think we have to stop our bilateral pacts, because I fear that our bilateral pacts are increasing the danger of war.

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

Mr. MORSE. I wish to finish my remarks. I have been yielding for a long time. I do not wish to wear out those Senators who are not present, who may say, "Is that fellow still talking?"

This would have been a relatively short speech if I had not yielded so much to my colleagues. I wish to finish my main speech, and then I shall be glad to yield to the Senator from Louisiana.

I think this bilateral course of action upon our part is having a tendency to speed up the nuclear armaments race. I think this is going to help speed it up. I think we need a slowdown in it. We need, as I said before, to keep ourselves so strong that Russia will not dare to attack. But we have to bring our allies into the program with us.

It is true, as the Senator from South Dakota pointed out in his colloquy—and as Senators will find stated in the committee report on page 5—that under article VII the two parties disavow any possible conflict between the terms of the treaty and the Charter of the United Nations, which they acknowledge as a higher authority. But that is only a bilateral agreement between Japan and the United States. There is no participation of the United Nations in that determination.

There is also cited the primary responsibility of the United Nations for the maintenance of international peace and security, but that does not bring the United Nations into the treaty.

All this amounts to, after all, is that Japan and the United States are bowing respectfully to the United Nations in language form. In fact, in no way is the United Nations brought into the treaty as a party.

Articles VIII and IX define the means by which the pending treaty supersedes the existing agreement.

Article X declares that the treaty shall remain in force until such time as the two parties are persuaded that the maintenance of peace and security within the Japan area is within the capability of the United Nations, and decide to terminate it.

The interesting thing is that even in language form Japan and the United States recognize the desirability to make a bow of courtesy to the United Nations.

I would have them do more than that. I would have them use the United Nations. I would at least try to make the United Nations a party to any international agreement which involves military defense, military security, or military agreement which is entered into henceforth. I happen to believe it is important that as rapidly as we can—and it will take years—we get the United Nations to supersede the nations in maintaining the security of the world.

One of the things I do not like about this treaty is that, in my judgment, it does not strengthen that approach to world peace. It is a long way away. Instead of American military power pledging itself under this treaty to maintain peace in the Pacific, we ought to move as rapidly as we can to the point that we can place in United Nations the responsibility for maintaining peace in the Pacific through United Nations forces, and not U.S. forces.

Again I say that if we do not come to that point, there will be no permanent peace. The countries which make these bilateral military pacts, of which this is one, and similar ones entered into by the Communist segment of the world, will finally engage in contests and the holocaust will be on.

This is not a new position for the Senator from Oregon. For years in the Senate I have either opposed such pacts or I have raised my voice in trying to point out the implications and the mental reservations we ought to have in regard to such pacts, as I am doing this afternoon in regard to this one.

In 1955 I fought the Formosa doctrine and the Formosa resolution, and I am glad I did so. I proposed then a United Nations trusteeship over the Formosa Straits and, because the United Nations had no police force, I included a pledge

then that the United States guarantee to the United Nations that we would defend Formosa and the Pescadores from a Communist blood bath or from any attack by the Communists. I think it is unfortunate that Formosa today is not under a United Nations trusteeship, because in my judgment Formosa today is one of the great potential threats to the peace of the world. I pray to my God that we will not have to experience that threat once Red China becomes a nuclear power.

That is why I have said so many times I think we have only about 10 years to win this peace. I think we have only about 10 years to avoid a nuclear war. I believe if this mad, immoral, nuclear armament race continues for another 10 years, the holocaust will be inevitable. That is why I prefer a United Nations treaty to a bilateral treaty this afternoon or, rather, a United Nations compact whereby the United Nations would assume the responsibility for maintaining the peace in the Pacific area.

Of course, that means we must have a program that will set up a workable arrangement whereby the United Nations will have the international police force that will make it possible to maintain the peace. It means something else, too. It means that in the 10-year period we must find, with the reasoning power that God gave man, a basis for setting up an international judicial system, the decisions of which would be enforced by the United Nations, so that we shall not be confronted with all the implications of a military pact which, no matter what one says about it, means that it carries with it the potentiality that Japan and the United States may possibly find themselves in armed combat against Red China and Red Russia in that area of Asia and the Pacific.

These are some of the reservations I thought we ought to take note of as we come to vote for the treaty this afternoon. I am going to vote for it, but I hope that within the 10-year period we shall be able to carry out the procedure that the Senator from Montana [Mr. MANSFIELD] suggested is inherent in this language, namely, that the parties themselves voluntarily agree to negotiate a new understanding. I hope that within that 10-year period we can negotiate with Japan a scrapping of this treaty along with the scrapping of other military pacts, because we will have been able to attain, through the United Nations, an agreement and the procedures to enforce such agreement that will make forever unnecessary this type of a military pact.

I go to the United Nations this fall as a delegate of the Senate in association with my dear friend from Vermont [Mr. AIKEN], and under the leadership of our Ambassador in the United Nations, Henry Cabot Lodge. If the treaty is confirmed, I shall do what I can within the framework of American policy to try to strengthen the judicial articles of the United Nations Charter to the end that in our time we can make a constructive contribution to the establishment of a system of international justice through law, for which the great Arthur Vandenberg so eloquently pleaded in the Senate in a series of historic speeches he made before his untimely death. I would call attention to his plea again this afternoon.

There is no hope for permanent peace, and in my judgment there is no hope for the survival of America, Western civilization, and Russian civilization unless the great powers of the world in the next 10 years put into force a practice and system of international justice through law, enforced not by Russia, not by the United States, not by any combination of nations working by way of military pacts outside of the United Nations, but by the United Nations through the enforcement procedures that were placed in it.

I yield the floor.

EXHIBIT 1

TREATY OF PEACE, SEPTEMBER 8, 1951 [1]

Whereas the Allied Powers and Japan are resolved that henceforth their relations shall be those of nations which, as sovereign equals, cooperate in friendly association to promote their common welfare and to maintain international peace and security, and are therefore desirous of concluding a Treaty of Peace which will settle questions still outstanding as a result of the existence of a state of war between them;

Whereas Japan for its part declares its intention to apply for membership in the United Nations and in all circumstances to conform to the principles of the Charter of the United Nations; to strive to realize the objectives of the Universal Declaration of Human Rights; to seek to create within Japan conditions of stability and well-being as defined in Articles 55 and 56 of the Charter of the United Nations and already initiated by post-surrender Japanese legislation; and in public and private trade and commerce to conform to internationally accepted fair practices;

Whereas the Allied Powers welcome the intentions of Japan set out in the foregoing paragraph;

The Allied Powers and Japan have therefore determined to conclude the present Treaty of Peace, and have accordingly appointed the undersigned Plenipotentiaries, who, after presentation of their full powers, found in good and due form, have agreed on the following provisions:

CHAPTER I

*Peace*

Article 1

(a) The state of war between Japan and each of the Allied Powers is terminated as from the date on which the present Treaty comes into force between Japan and the Allied Power concerned as provided for in Article 23.

(b) The Allied Powers recognize the full sovereignty of the Japanese people over Japan and its territorial waters.

CHAPTER II

*Territory*

Article 2

(a) Japan, recognizing the independence of Korea, renounces all right, title and claim to Korea, including the islands of Quelpart, Port Hamilton and Dagelet.

(b) Japan renounces all right, title and claim to Formosa and the Pescadores.

(c) Japan renounces all right, title and claim to the Kurile Islands, and to that portion of Sakhalin and the islands adjacent to it over which Japan acquired sovereignty as a consequence of the Treaty of Portsmouth of September 5, 1905.[2]

(d) Japan renounces all right, title and claim in connection with the League of Nations Mandate System, and accepts the action of the United Nations Security Council of April 2, 1947, extending the trusteeship system to the Pacific Islands formerly under mandate to Japan.[3]

(e) Japan renounces all claim to any right or title to or interest in connection with any part of the Antarctic area, whether deriving from the activities of Japanese nationals or otherwise.

(f) Japan renounces all right, title and claim to the Spratly Islands and to the Paracel Islands.

Article 3

Japan will concur in any proposal of the United States to the United Nations to place under its trusteeship system, with the United States as the sole administering authority, Nansei Shoto south of 29° north latitude (including the Ryukyu Islands and the Daito Islands), Nanpo Shoto south of Sofu Gan (including the Bonin Islands, Rosario Island and the Volcano Islands) and Parece Vela and Marcus Island.[4] Pending the making of such a proposal and affirmative action thereon, the United States will have the right to exercise all and any powers of administration, legislation and jurisdiction over the territory and inhabitants of these islands, including their territorial waters.

Article 4

(a) Subject to the provisions of paragraph (b) of this Article, the disposition of property of Japan and of its nationals in the areas referred to in Article 2, and their claims, including debts, against the authorities presently administering such areas and the residents (including juridical persons) thereof, and the disposition in Japan of property of such authorities and residents, and of claims, including debts, of such authorities and residents against Japan and its nationals, shall be the subject of special arrangements between Japan and such authorities. The property of any of the Allied Powers or its nationals in the areas referred to in Article 2 shall, insofar as this has not already been done, be returned by the administering authority in the condition in which it now exists. (The term nationals whenever used in the present Treaty includes juridical persons.)

(b) Japan recognizes the validity of dispositions of property of Japan and Japanese nationals made by or pursuant to directives of the United States Military Government in any of the areas referred to in Articles 2 and 3.

(c) Japanese owned submarine cables connecting Japan with territory removed from Japanese control pursuant to the present Treaty shall be equally divided, Japan re-

[1] TIAS 2490; 3 UST, pt. 3, p. 3169. Ratification advised by the Senate, Mar. 20, 1952, subject to a declaration (see infra); ratified by the President, Apr. 15, 1952; entered into force, Apr. 28, 1952.

[2] Foreign Relations of the United States, 1905, pp. 824–828.

[3] TIAS 1665; 61 Stat., pt. 3, p. 3301.

[4] The United States was designated as the administering authority of all trust territories formerly administered by Japan under mandate of the League of Nations by a resolution adopted by the U.N. Security Council, Apr. 2, 1947 ("A Decade of American Foreign Policy," pp. 1031–1035). All of the territories referred to here in article 3 have remained under United States jurisdiction and outside of the U.N. trusteeship system with a view to their eventual return to Japanese sovereignty. The Amami Oshima group of the Ryukyu Islands reverted to Japanese sovereignty by the terms of a United States-Japanese agreement signed Dec. 24, 1953 (TIAS 2895; 4 UST, pt. 2, p. 2912). See infra, p. 2430.

taining the Japanese terminal and adjoining half of the cable, and the detached territory the remainder of the cable and connecting terminal facilities.

CHAPTER III

*Security*

Article 5

(a) Japan accepts the obligations set forth in Article 2 of the Charter of the United Nations, and in particular the obligations.

(i) to settle its international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered;

(ii) to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the Purposes of the United Nations;

(iii) to give the United Nations every assistance in any action it takes in accordance with the Charter and to refrain from giving assistance to any State against which the United Nations may take preventive or enforcement action.

(b) The Allied Powers confirm that they will be guided by the principles of Article 2 of the Charter of the United Nations in their relations with Japan.

(c) The Allied Powers for their part recognize that Japan as a sovereign nation possesses the inherent right of individual or collective self-defense referred to in Article 51 of the Charter of the United Nations and that Japan may voluntarily enter into collective security arrangements.

Article 6

(a) All occupation forces of the Allied Powers shall be withdrawn from Japan as soon as possible after the coming into force of the present Treaty, and in any case not later than 90 days thereafter. Nothing in this provision shall, however, prevent the stationing or retention of foreign armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements which have been or may be made between one or more of the Allied Powers, on the one hand, and Japan on the other.[5]

(b) The provisions of Article 9 of the Potsdam Proclamation of July 26, 1945,[6] dealing with the return of Japanese military forces to their homes, to the extent not already completed, will be carried out.

(c) All Japanese property for which compensation has not already been paid, which was supplied for the use of the occupation forces and which remains in the possession of those forces at the time of the coming into force of the present Treaty, shall be returned to the Japanese Government within the same 90 days unless other arrangements are made by mutual agreement.

CHAPTER IV

*Political and economic clauses*

Article 7

(a) Each of the Allied Powers, within one year after the present Treaty has come into force between it and Japan, will notify Japan which of its prewar bilateral treaties or conventions with Japan it wishes to continue in force or revive, and any treaties or conventions so notified shall continue in force or be revived subject only to such amendments as may be necessary to ensure conformity with the present Treaty.[7] The treaties and conventions so notified shall be considered as having been continued in force or revived three months after the date of notification and shall be registered with the Secretariat of the United Nations. All such treaties and conventions as to which Japan is not so notified shall be regarded as abrogated.

(b) Any notification made under paragraph (a) of this Article may except from the operation or revival of a treaty or convention any territory for the international relations of which the notifying Power is responsible, until three months after the date on which notice is given to Japan that such exception shall cease to apply.

Article 8

(a) Japan will recognize the full force of all treaties now or hereafter concluded by the Allied Powers for terminating the state of war initiated on September 1, 1939, as well as any other arrangements by the Allied Powers for or in connection with the restoration of peace. Japan also accepts the arrangments made for terminating the former League of Nations and Permanent Court of International Justice.

(b) Japan renounces all such rights and interests as it may derive from being a signatory power of the Conventions of St. Germain-en-Laye of September 10, 1919[8] and the Straits Agreements of Montreux of July 20, 1936,[9] and from Article 16 of the Treaty of Peace with Turkey signed at Lausanne on July 24, 1923.[10]

(c) Japan renounces all rights, title and interests acquired under and is discharged from all obligations resulting from, the Agreement between Germany and the Creditor Powers of January 20, 1930, and its Annexes, including the Trust Agreement, dated May 17, 1930;[11] the Convention of January 20, 1930, respecting the Bank for International Settlements;[12] and the Statutes of the Bank for International Settlements.[13] Japan will notify to the Ministry of Foreign Affairs in Paris within six months of the first coming into force of the present Treaty its renunciation of the rights, title and interests referred to in this paragraph.

Article 9

Japan will enter promptly into negotiations with the Allied Powers so desiring for the conclusion of bilateral and multilateral agreements providing for the regulation or limitation of fishing and the conservation and development of fisheries on the high seas.[14]

Article 10

Japan renounces all special rights and interests in China, including all benefits and privileges resulting from the provisions of the final Protocol signed at Peking on September 7, 1901,[15] and all annexes, notes and documents supplementary thereto, and agrees to the abrogation in respect to Japan of the said protocol, annexes, notes and documents.

Article 11

Japan accepts the judgments of the International Military Tribunal for the Far East[16] and of other Allied War Crimes Courts both within and outside Japan, and will carry out the sentences imposed thereby upon Japanese nationals imprisoned in Japan. The power to grant clemency, to reduce sentences and to parole with respect to such prisoners may not be exercised except on the decision of the Government or Governments which imposed the sentence in each instance, and on the recommendation of Japan. In the case of persons sentenced by the International Military Tribunal for the Far East, such power may not be exercised except on the decision of a majority of the Governments represented on the Tribunal, and on the recommendation of Japan.

Article 12

(a) Japan declares its readiness promptly to enter into negotiations for the conclusion with each of the Allied Powers of treaties or agreements to place their trading, maritime and other cemmercial relations on a stable and friendly basis.[17]

(b) Pending the conclusion of the relevant treaty or agreement, Japan will, during a period of four years from the first coming into force of the present Treaty

(1) accord to each of the Allied Powers, its nationals, products and vessels

(i) most-favored-nation treatment with respect to customs duties, charges, restrictions and other regulations on or in connection with the importation and exportation of goods;

(ii) national treatment with respect to shipping, navigation and imported goods, and with respect to natural and juridical persons and their interests—such treatment to include all matters pertaining to the levying and collection of taxes, access to the courts, the making and performance of contracts, rights to property (tangible and intangible), participation in juridical entities constituted under Japanese law, and generally the conduct of all kinds of business and professional activities;

(2) ensure that external purchases and sales of Japanese state trading enterprises shall be based solely on commercial considerations.

(c) In respect to any matter, however, Japan shall be obliged to accord to an Allied Power national treatment, or most-favored-nation treatment, only to the extent that the Allied Power concerned accords Japan national treatment or most-favored-nation treatment, as the case may be, in respect to the same matter. The reciprocity envisaged in the foregoing sentence shall be determined, in the case of products, vessels and juridical entities of, and persons domiciled in, any non-metropolitan territory of an Allied Power, and in the case of juridical entities of, and persons domiciled in, any state or province of an Allied Power having a federal government, by reference to the treatment accorded to Japan in such territory, state or province.

(d) In the application of this Article, a discriminatory measure shall not be considered to derogate from the grant of national or most-favored-nation treatment, as the case may be, if such measure is based on an

---

[5] See the United States-Japanese Security Treaty of Sept. 8, 1951, and the attendant Administrative Agreement of Feb. 28, 1952 (infra, pp. 885–886 and 2406–2423) and the agreement respecting the status of U.N. forces in Japan, signed at Tokyo, Feb. 19, 1954 (TIAS 2995; 5 UST, pt. 2, p. 1123).

[6] "A Decade of American Foreign Policy," pp. 49–50.

[7] See the United States note to Japan, Apr. 22, 1953; Department of State Bulletin, May 18, 1953, pp. 721–722.

[8] Treaty Series 779 (46 Stat. 2199 ff.) and Treaty Series 877 (49 Stat. 3027 ff.).

[9] League of Nations Treaty Series, vol. 173, pp. 213 ff.

[10] Ibid, vol. 28, pp. 11–113.

[11] "British and Foreign State Papers," vol. 132, pp. 411 ff.

[12] Ibid, pp. 525–528.

[13] Ibid, pp. 528–538.

[14] See the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed by the United States, Canada, and Japan, May 9, 1952; TIAS 2786 (4 UST 380).

[15] Treaty Series 397. (Not reprinted in the Statutes at Large.)

[16] See "International Military Tribunal for the Far East Established at Tokyo, January 19, 1946" (Department of State publication 2765; 1947, and TIAS 1589) "Trial of Japanese War Criminals: Documents" (Department of State publication 2613; 1946).

[17] See Treaty of Friendship, Commerce, and Navigation, Protocol and Exchange of Notes of Aug. 29, 1953, United States and Japan, signed Apr. 2, 1953; TIAS 2863 (4 UST 2863).

exception customarily provided for in the commercial treaties of the party applying it, or on the need to safeguard that party's external financial position or balance of payments (except in respect to shipping and navigation), or on the need to maintain its essential security interests, and provided such measure is proportionate to the circumstances and not applied in an arbitrary or unreasonable manner.

(e) Japan's obligations under this Article shall not be affected by the exercise of any Allied rights under Article 14 of the present Treaty; nor shall the provisions of this Article be understood as limiting the undertakings assumed by Japan by virtue of Article 15 of the Treaty.

Article 13

(a) Japan will enter into negotiations with any of the Allied Powers, promptly upon the request of such Power or Powers, for the conclusion of bilateral or multilateral agreements relating to international civil air transport.

(b) Pending the conclusion of such agreement or agreements, Japan will, during a period of four years from the first coming into force of the present Treaty, extend to such Power treatment not less favorable with respect to air-traffic rights and privileges than those exercised by any such Powers at the date of such coming into force, and will accord complete equality of opportunity in respect to the operation and development of air services.

(c) Pending its becoming a party to the Convention on International Civil Aviation [18] in accordance with Article 93 thereof, Japan will give effect to the provisions of that Convention applicable to the international navigation of aircraft, and will give effect to the standards, practices and procedures adopted as annexes to the Convention in accordance with the terms of the Convention.

CHAPTER V

*Claims and property*

Article 14

(a) It is recognized that Japan should pay reparations to the Allied Powers for the damage and suffering caused by it during the war. Nevertheless it is also recognized that the resources of Japan are not presently sufficient, if it is to maintain a viable economy, to make complete reparation for all such damage and suffering and at the same time meet its other obligations.

Therefore,

1. Japan will promptly enter into negotiations with Allied Powers so desiring, whose present territories were occupied by Japanese forces and damaged by Japan, with a view to assisting to compensate those countries for the cost of repairing the damage done, by making available the services of the Japanese people in production, salvaging and other work for the Allied Powers in question. Such arrangements shall avoid the imposition of additional liabilities on other Allied Powers, and, where the manufacturing of raw materials is called for, they shall be supplied by the Allied Powers in question, so as not to throw any foreign exchange burden upon Japan.

2. (I) Subject to the provisions of subparagraph (II) below, each of the Allied Powers shall have the right to seize, retain, liquidate or otherwise dispose of all property, rights and interests of

(a) Japan and Japanese nationals,

(b) persons acting for or on behalf of Japan or Japanese nationals, and

(c) entities owned or controlled by Japan or Japanese nationals,

which on the first coming into force of the present Treaty were subject to its jurisdiction. The property, rights and interests specified in this subparagraph shall include those now blocked, vested or in the possession or under the control of enemy property authorities of Allied Powers, which belonged to, or were held or managed on behalf of, any of the persons or entities mentioned in (a), (b) or (c) above at the time such assets came under the controls of such authorities.

(II) The following shall be excepted from the right specified in sub-paragraph (I) above:

(i) property of Japanese natural persons who during the war resided with the permission of the Government concerned in the territory of one of the Allied Powers, other than territory occupied by Japan, except property subjected to restrictions during the war and not released from such restrictions as of the date of the first coming into force of the present Treaty:

(ii) all real property, furniture and fixtures owned by the Government of Japan and used for diplomatic or consular purposes, and all personal furniture and furnishings and other private property not of an investment nature which was normally necessary for the carrying out of diplomatic and consular functions, owned by Japanese diplomatic and consular personnel;

(iii) property belonging to religious bodies or private charitable institutions and used exclusively for religious or charitable purposes;

(iv) property, rights and interests which have come within its jurisdiction in consequence of the resumption of trade and financial relations subsequent to September 2, 1945, between the country concerned and Japan, except such as have resulted from transactions contrary to the laws of the Allied Power concerned;

(v) obligations of Japan or Japanese nationals, any right, title or interest in tangible property located in Japan, interests in enterprises organized under the laws of Japan, or any paper evidence thereof; provided that this exception shall only apply to obligations of Japan and its nationals expressed in Japanese currency.

(III) Property referred to in exceptions (i) through (v) above shall be returned subject to reasonable expenses for its preservation and administration. If any such property has been liquidated the proceeds shall be returned instead.

(IV) The right to seize, retain, liquidate or otherwise dispose of property as provided in subparagraph (I) above shall be exercised in accordance with the laws of the Allied Power concerned, and the owner shall have only such rights as may be given him by those laws.

(V) The Allied Powers agree to deal with Japanese trademarks and literary and artistic property rights on a basis as favorable to Japan as circumstances ruling in each country will permit.

(b) Except as otherwise provided in the present treaty, the Allied Powers waive all reparations claims of the Allied Powers, other claims of the Allied Powers and their nationals arising out of any actions taken by Japan and its nationals in the course of the prosecution of the war, and claims of the Allied Powers for direct military costs of occupation.

Article 15

(a) Upon application made within nine months of the coming into force of the present Treaty between Japan and the Allied Power concerned, Japan will, within six months of the date of such application, return the property, tangible and intangible, and all rights or interests of any kind in Japan of each Allied Power and its nationals which was within Japan at any time between December 7, 1941, and September 2, 1945, unless the owner has freely disposed thereof without duress or fraud. Such property shall be returned free of all encumbrances and charges to which it may have become subject because of the war, and without any charges for its return. Property whose return is not applied for by or on behalf of the owner or by his Government within the prescribed period may be disposed of by the Japanese Government as it may determine. In cases where such property was within Japan on December 7, 1941, and cannot be returned or has suffered injury or damage as a result of the war, compensation will be made on terms not less favorable than the terms provided in the draft Allied Powers Property Compensation Law approved by the Japanese Cabinet on July 13, 1951.[19]

(b) With respect to industrial property rights impaired during the war, Japan will continue to accord to the Allied Powers and their nationals benefits no less than those heretofore accorded by Cabinet Orders No. 309 effective September 1, 1949, No. 12 effective January 28, 1950, and No. 9 effective February 1, 1950,[20] all as now amended, provided such nationals have applied for such benefits within the time limits prescribed therein.

(c) (i) Japan acknowledges that the literary and artistic property rights which existed in Japan on December 6, 1941, in respect to the published and unpublished works of the Allied Powers and their nationals have continued in force since that date, and recognizes those rights which have arisen, or but for the war would have arisen, in Japan since that date, by the operation of any conventions and agreements to which Japan was a party on that date, irrespective of whether or not such conventions or agreements were abrogated or suspended upon or since the outbreak of war by the domestic law of Japan or of the Allied Power concerned.

(ii) Without the need for application by the proprietor of the right and without the payment of any fee or compliance with any other formality, the period from December 7, 1941, until the coming into force of the present Treaty between Japan and the Allied Power concerned shall be excluded from the running of the normal term of such rights; and such period, with an additional period of six months, shall be excluded from the time within which a literary work must be translated into Japanese in order to obtain translating rights in Japan.

Article 16

As an expression of its desire to indemnify those members of the armed forces of the Allied Powers who suffered undue hardships while prisoners of war of Japan, Japan will transfer its assets and those of its nationals in countries which were neutral during the war, or which were at war with any of the Allied Powers, or, at its option, the equivalent of such assets, to the International Committee of the Red Cross which shall liquidate such assets and distribute the resultant fund to appropriate national agencies, for the benefit of former prisoners of war and their families on such basis as it may determine to be equitable. The categories of assets described in Article 14(a)2(II) (ii) through (v) of the present Treaty shall be excepted from transfer, as well as assets of Japanese natural persons not residents of Japan on the first coming into force of the Treaty. It is equally understood that the transfer provision of this Article has no application to

[18] Convention of Dec. 7, 1944 (TIAS 1591; 61 Stat., pt. 2, p. 1180). (Excerpts in "A Decade of American Foreign Policy," pp. 311–318.)

[19] Text in the Department of State Bulletin, Sept. 10, 1951, pp. 429–432.

[20] See the "Third Report on the Activities of the Far Eastern Commission, December 24, 1948–June 30, 1950"; ibid., Aug. 21, 1950, pp. 288–293.

the 19,770 shares in the Bank for International Settlements presently owned by Japanese financial institutions.

Article 17

(a) Upon the request of any of the Allied Powers, the Japanese Government shall review and revise in conformity with international law any decision or order of the Japanese Prize Courts in cases involving ownership rights of nationals of that Allied Power and shall supply copies of all documents comprising the records of these cases, including the decisions taken and orders issued. In any case in which such review or revision shows that restoration is due, the provisions of Article 15 shall apply to the property concerned.

(b) The Japanese Government shall take the necessary measures to enable nationals of any of the Allied Powers at any time within one year from the coming into force of the present Treaty between Japan and the Allied Power concerned to submit to the appropriate Japanese authorities for review any judgment given by a Japanese court between December 7, 1941, and such coming into force, in any proceedings in which any such national was unable to make adequate presentation of his case either as plaintiff or defendant. The Japanese Government shall provide that, where the national has suffered injury by reason of any such judgment, he shall be restored in the position in which he was before the judgment was given or shall be afforded such relief as may be just and equitable in the circumstances.

Article 18

(a) It is recognized that the intervention of the state of war has not affected the obligation to pay pecuniary debts arising out of obligations and contracts (including those in respect of bonds) which existed and rights which were acquired before the existence of a state of war, and which are due by the Government or nationals of Japan to the Government or nationals of one of the Allied Powers, or are due by the Government or nationals of one of the Allied Powers to the Government or nationals of Japan. The intervention of a state of war shall equally not be regarded as affecting the obligation to consider on their merits claims for loss or damage to property or for personal injury or death which arose before the existence of a state of war, and which may be presented or re-presented by the Government of one of the Allied Powers to the Government of Japan, or by the Government of Japan to any of the Governments of the Allied Powers. The provisions of this paragraph are without prejudice to the rights conferred by Article 14.

(b) Japan affirms its liability for the prewar external debt of the Japanese State and for debts of corporate bodies subsequently declared to be liabilities of the Japanese State, and expresses its intention to enter into negotiations at an early date with its creditors with respect to the resumption of payments on those debts; to encourage negotiations in respect to other prewar claims and obligations; and to facilitate the transfer of sums accordingly.

Article 19

(a) Japan waives all claims of Japan and its nationals against the Allied Powers and their nationals arising out of the war or out of actions taken because of the existence of a state of war, and waives all claims arising from the presence, operations or actions of forces or authorities of any of the Allied Powers in Japanese territory prior to the coming into force of the present Treaty.

(b) The foregoing waiver includes any claims arising out of actions taken by any of the Allied Powers with respect to Japanese ships between September 1, 1939, and the coming into force of the present Treaty, as well as any claims and debts arising in respect to Japanese prisoners of war and civilian internees in the hands of the Allied Powers, but does not include Japanese claims specifically recognized in the laws of any Allied Power enacted since September 2, 1945.

(c) Subject to reciprocal renunciation, the Japanese Government also renounces all claims (including debts) against Germany and German nationals on behalf of the Japanese Government and Japanese nationals, including intergovernmental claims and claims for loss or damage sustained during the war, but excepting (a) claims in respect of contracts entered into and rights acquired before September 1, 1939, and (b) claims arising out of trade and financial relations between Japan and Germany after September 2, 1945. Such renunciation shall not prejudice actions taken in accordance with Articles 16 and 20 of the present Treaty.

(d) Japan recognizes the validity of all acts and omissions done during the period of occupation under or in consequence of directives of the occupation authorities or authorized by Japanese law at that time, and will take no action subjecting Allied nationals to civil or criminal liability arising out of such acts or omissions.

Article 20

Japan will take all necessary measures to ensure such disposition of German assets in Japan as has been or may be determined by those powers entitled under the Protocol of the proceedings of the Berlin Conference of 1945 [21] to dispose of those assets, and pending the final disposition of such assets will be responsible for the conservation and administration thereof.

Article 21

Notwithstanding the provisions of Article 25 of the present Treaty, China shall be entitled to the benefits of Articles 10 and 14 (a) 2; and Korea to the benefits of Articles 2, 4, 9 and 12 of the present Treaty.

CHAPTER VI

*Settlement of disputes*

Article 22

If in the opinion of any Party to the present Treaty there has arisen a dispute concerning the interpretation or execution of the Treaty, which is not settled by reference to a special claims tribunal or by other agreed means, the dispute shall, at the request of any party thereto, be referred for decision to the International Court of Justice. Japan and those Allied Powers which are not already parties to the Statute of the International Court of Justice [22] will deposit with the Registrar of the Court, at the time of their respective ratifications of the present Treaty, and in conformity with the resolution of the United Nations Security Council, dated October 15, 1946,[23] a general declaration accepting the jurisdiction, without special agreement, of the Court generally in respect to all disputes of the character referred to in this Article.[24]

CHAPTER VII

*Final clauses*

Article 23

(a) The present Treaty shall be ratified by the States which sign it, including Japan, and will come into force for all the States which have then ratified it, when instruments of ratification have been deposited by Japan and by a majority, including the United States of America as the principal occupying Power, of the following States, namely Australia, Canada, Ceylon, France, Indonesia, the Kingdom of the Netherlands, New Zealand, Pakistan, the Republic of the Philippines, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.[25] The present Treaty shall come into force for each State which subsequently ratifies it, on the date of the deposit of its instrument of ratification.[26]

(b) If the Treaty has not come into force within nine months after the date of the deposit of Japan's ratification, any State which has ratified it may bring the Treaty into force between itself and Japan by a notification to that effect given to the Governments of Japan and the United States of America not later than three years after the date of deposit of Japan's ratification.

Article 24

All instruments of ratification shall be deposited with the Government of the United States of America which will notify all the signatory States of each such deposit, of the date of the coming into force of the Treaty under paragraph (a) of Article 23, and of any notifications made under paragraph (b) of Article 23.

Article 25

For the purposes of the present Treaty the Allied Powers shall be the States at war with Japan, or any State which previously formed a part of the territory of a State named in Article 23, provided that in each case the State concerned has signed and ratified the Treaty.[27] Subject to the provisions of Article 21, the present Treaty shall not confer any rights, titles or benefits on any State which is not an Allied Power as herein defined; nor shall any right, title or interest of Japan be deemed to be diminished or prejudiced by any provision of the Treaty in favor of a State which is not an Allied Power as so defined.

Article 26

Japan will be prepared to conclude with any State which signed or adhered to the United Nations Declaration of January 1, 1942,[28] and which is at war with Japan, or with any State which previously formed a part of the territory of a State named in Article 23, which is not a signatory of the present Treaty, a bilateral Treaty of Peace on

---

[21] *A Decade of American Foreign Policy*, pp. 34–50.

[22] "A Decade of American Foreign Policy," pp. 140–155.

[23] U.N. doc. S/INF/2, July 18, 1949, p. 35.

[24] See the declaration of Nov. 24, 1951, by the Japanese Foreign Minister; International Court of Justice Yearbook, 1951–1952, p. 213.

[25] The treaty entered into force Apr. 28, 1952, following the deposits of instruments of ratification by Japan (Nov. 28, 1951), the United Kingdom (Jan. 3, 1952), Mexico (Mar. 3, 1952), Argentina (Apr. 9, 1952), Australia and New Zealand (Apr. 10, 1952), Canada and Pakistan (Apr. 17, 1952), France (Apr. 18, 1952), and the United States (Apr. 28, 1952).

[26] The treaty was subsequently ratified and automatically entered into force with respect to Ceylon (Apr. 28, 1952), El Salvador (May 6, 1952), Brazil (May 20, 1952), Cambodia (June 2, 1952), the Dominican Republic (June 6, 1952), Ethiopia (June 12, 1952), the Netherlands and Peru (June 17, 1952), Viet-Nam (June 18, 1952), Norway (June 19, 1952), Laos and Venezuela (June 20, 1952), Turkey (July 24, 1952), Cuba (Aug. 12, 1952), Belgium (Aug. 22, 1952), Union of South Africa (Sept. 10, 1952), Costa Rica (Sept. 17, 1952), Nicaragua (Nov. 4, 1952), Uruguay (Dec. 2, 1952), Liberia and Syria (Dec. 29, 1952), Egypt (Dec. 30, 1952), Paraguay (Jan. 15, 1953), Panama (Apr. 10, 1953), Haiti (May 1, 1953), Greece (May 19, 1953), Honduras (Sept. 4, 1953), Lebanon (Jan. 7, 1954), Saudi Arabia (Mar. 13, 1954), Chile (Apr. 28, 1954), Guatemala (Sept. 23, 1954), Iraq (Aug. 18, 1955), Ecuador (Dec. 27, 1955), the Philippine Republic (July 23, 1956), and Iran (Aug. 29, 1956).

[27] The lists of these states in either category correspond to the lists set forth in the two preceding footnotes.

[28] "A Decade of American Foreign Policy," pp. 2–3.

the same or substantially the same terms as are provided for in the present Treaty,[29] but this obligation on the part of Japan will expire three years after the first coming into force of the present Treaty.[30] Should Japan make a peace settlement or war claims settlement with any State granting that State greater advantages than those provided by the present Treaty, those same advantages shall be extended to the parties to the present Treaty.

Article 27

The present Treaty shall be deposited in the archives of the Government of the United States of America which shall furnish each signatory State with a certified copy thereof.

In faith whereof the undersigned Plenipotentiaries have signed the present Treaty.

Done at the city of San Francisco this eighth day of September 1951, in the English, French, and Spanish languages, all being equally authentic, and in the Japanese language.

[The treaty was signed by the plenipotentiaries of the following states in the following order: Argentina, Australia, Belgium, Bolivia, Brazil, Cambodia, Canada, Ceylon, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Indonesia, Iran, Iraq, Laos, Lebanon, Liberia, Luxembourg, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, the Philippine Republic, Saudi Arabia, Syria, Turkey, the Union of South Africa, the United Kingdom, the United States, Uruguay, Venezuela, Vietnam, and Japan.]

EXHIBIT 2

SECURITY TREATY BETWEEN THE UNITED STATES AND JAPAN

TEXT OF TREATY, SEPTEMBER 8, 1951[1]

Japan has this day signed a Treaty of Peace with the Allied Powers.[2] On the coming into force of that Treaty, Japan will not have the effective means to exercise its inherent right of self-defense because it has been disarmed.

There is danger to Japan in this situation because irresponsible militarism has not yet been driven from the world. Therefore Japan desires a Security Treaty with the United States of America to come into force simultaneously with the Treaty of Peace between the United States of America and Japan.

The Treaty of Peace recognizes that Japan as a sovereign nation has the right to enter into collective security arrangements, and further, the Charter of the United Nations recognizes that all nations possess an inherent right of individual and collective self-defense.

In exercise of these rights, Japan desires, as a provisional arrangement for its defense, that the United States of America should maintain armed forces of its own in and about Japan so as to deter armed attack upon Japan.

The United States of America, in the interest of peace and security, is presently willing to maintain certain of its armed forces in and about Japan, in the expectation, however, that Japan will itself increasingly assume responsibility for its own defense against direct and indirect aggression, always avoiding any armament which could be an offensive threat or serve other than to promote peace and security in accordance with the purposes and principles of the United Nations Charter.

Accordingly, the two countries have agreed as follows:

ARTICLE I

Japan grants, and the United States of America accepts, the right, upon the coming into force of the Treaty of Peace and of this Treaty, to dispose United States land, air and sea forces in and about Japan. Such forces may be utilized to contribute to the maintenance of international peace and security in the Far East and to the security of Japan against armed attack from without, including assistance given at the express request of the Japanese Government to put down large-scale internal riots and disturbances in Japan, caused through instigation or intervention by an outside power or powers.

ARTICLE II

During the exercise of the right referred to in Article I, Japan will not grant, without the prior consent of the United States of America, any bases or any rights, powers or authority whatsoever, in or relating to bases or the right of garrison or of maneuver, or transit of ground, air or naval forces to any third power.

ARTICLE III

The conditions which shall govern the disposition of armed forces of the United States of America in and about Japan shall be determined by administrative agreements between the two Governments.[3]

ARTICLE IV

This Treaty shall expire whenever in the opinion of the Governments of the United States of America and Japan there shall have come into force such United Nations arrangements or such alternative individual or collective security dispositions as will satisfactorily provide for the maintenance by the United Nations or otherwise of international peace and security in the Japan Area.

ARTICLE V

This Treaty shall be ratified by the United States of America and Japan and will come into force when instruments of ratification thereof have been exchanged by them at Washington.[4]

In witness whereof the undersigned Plenipotentiaries have signed this Treaty.

Done in duplicate at the city of San Francisco, in the English and Japanese languages, this eighth day of September, 1951.

Mr. CASE of South Dakota. Mr. President, I rise to express my appreciation to the Senator from Oregon for yielding to me earlier this afternoon. He was generous to do so. May I add that I was delighted when I read a few days ago that President Eisenhower had designated the able Senator from Oregon, along with the great Senator from Vermont [Mr. AIKEN] to serve as advisors to our Ambassador, at the forthcoming Assembly of the United Nations. This will be one of the most important sessions in the history of the Assembly. The Senator from Oregon is well qualified to make there an outstanding contribution to the development of a system of order for the nations of the world. His knowledge of law and procedure may easily combine to make his contribution the greatest public service of his career.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## ORDER FOR ADJOURNMENT AND LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberation today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, that will be the order.

Mr. JOHNSON of Texas. It is expected that the Senate will remain in session until late this evening. I would like to finish consideration of the treaty and get along in the consideration of the General Government and Independent Offices appropriation bills.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 762. An act for the relief of Manuel Alves de Carvalho;

S. 2089. An act for the relief of Henry K. Lee (Hyun Kui);

S. 2106. An act for the relief of Emiko Nagamine;

S. 2528. An act for the relief of John Lipset;

S 2639. An act for the relief of Mo Tong Lui;

S. 2646. An act for the relief of Lloyd C. Kimm;

S. 2681. An act for the relief of Yi Young An;

S. 2768. An act for the relief of Frederick T. C. Yu and his wife, Alice Siao-Fen Chen Yu;

S. 2822. An act for the relief of Low Wing Quey (Kwai);

S. 2886. An act for the relief of Nikolija Lazic;

S. 2918. An act for the relief of Boris Priestley;

S. 2942. An act for the relief of Eugene Storme;

S. 2964. An act for the relief of Kang Sun Ok;

S. 2991. An act for the relief of Ah See Lee Chin;

S. 3016. An act for the relief of Walter F. Beecroft;

S. 3038. An act for the relief of Jung Hi Pak;

---

[29] Bilateral treaties of peace were subsequently negotiated and signed by Japan with the National Government of China at Taipei, Apr. 28, 1952 (United Nations Treaty Series, vol. 138, pp. 3 ff.), with India at Tokyo, June 9, 1952 (not yet registered with the U.N. Secretariat), and with Burma at Rangoon, Nov. 5, 1954 (not yet registered with the U.N. Secretariat). Outside the time limits set forth in this article Japan and the U.S.S.R. signed a joint "peace declaration" at Moscow, Oct. 19, 1956.

[30] I.e., Apr. 28, 1955.

[1] TIAS 2491; 3 UST 3329–3340. Ratification advised by the Senate, Mar. 20, 1952; ratified by the President, Apr. 15, 1952; entered into force, Apr. 28, 1952.

[2] Supra, pp. 425–440.

[3] See infra, pp. 2406–2423.

[4] Instruments of ratification were exchanged Apr. 28, 1952.

S. 3049. An act for the relief of Oh Chun Soon;

S. 3091. An act for the relief of Pasquale Mira;

S. 3130. An act for the relief of Anne-Marie Stehlin; and

S. 3235. An act for the relief of Cecilia Rubio.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H.R. 6081. An act for the relief of M. Sgt. Emery C. Jones; and

H.R. 9443. An act for the relief of Mrs. Ethel B. Morgan.

The message further announced that the House had agreed to the amendments of the Senate to the joint resolution (H.J. Res. 688) for the relief of certain aliens.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 7634) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DAVIS of Tennessee, Mr. BLATNIK, Mr. JONES of Alabama, Mr. BALDWIN, and Mr. CRAMER were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11390) 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; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOGARTY, Mr. DENTON, Mr. CANNON, Mr. LAIRD, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12381) to increase for 1-year period the public debt limit set forth in section 21 of the Second Liberty Bond Act and to extend for 1 year the existing corporate normal-tax rate and certain excise-tax rates; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. FORAND, Mr. KING of California, Mr. O'BRIEN of Illinois, Mr. MASON, Mr. BYRNES of Wisconsin, and Mr. BAKER were appointed managers on the part of the House at the conference.

## REVIEW OF VETERANS' AFFAIRS

Mr. JAVITS. Mr. President. The senior Senator from New Hampshire [Mr. BRIDGES] has compiled an excellent review of veterans' affairs since 1953 under the Republican administration. It points up the major accomplishments in the affairs of those who have served our country in uniform.

In these days, when we are particularly concerned with the defense of our Nation, it is well to reflect on what is being done in behalf of the men and women who have so nobly responded to defend our freedom in the past. As in the other, in this body we have always been aware of our responsibilities in the affairs of our veterans, and the report of the Senator from New Hampshire is most gratifying.

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

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

THE STEWARDSHIP OF VETERANS AFFAIRS UNDER THE REPUBLICAN ADMINISTRATION, 1953–60

(By U.S. Senator STYLES BRIDGES, of New Hampshire, chairman, Senate Republican policy committee)

Under the leadership of the Nation's best loved and most respected wartime military commander the Republican administration has, since 1953, substantially advanced the affairs of those who have defended the Republic and its flag against aggressors who have sought to deprive men of freedom and the world of peace.

The Republican Party, since its founding a little more than a hundred years ago, has traditionally respected the Nation's responsibility, as George Washington said, "to care for him who shall have borne the battle and his widow, and his orphan." The Republican administration has enhanced its already splendid record in the field of veterans' affairs by a number of major accomplishments as follows:

COMPENSATION AND PENSIONS

1. Compensation for the wartime disabled was increased twice, once in 1954 and again in 1957.

2. Legislation was enacted in 1959 which provides more equitable treatment of needy veterans and modernized the veterans' pension program. This legislation also provides pension benefits to widows of World War II and the Korean conflict on the same basis as those for widows of World War I veterans.

MEDICAL BENEFITS

1. Thirteen new veterans' hospitals have been opened and there has been a substantial increase in the number of hospital beds in operation and the average number of patients treated in VA hospitals throughout the year.

2. A $900 million program has been developed and approved to modernize the veterans hospital system. The first $75 million increment of this 12-year program was included in the 1961 budget.

3. A new Presidential policy was established which authorizes the continued operation of 125,000 beds in the VA hospital system and gives the Administrator of Veterans' Affairs the authority to shift and adjust the number and type of beds from one area to another to coincide with population movements and the changing diagnostic demands for hospitalization.

4. The medical research program of the VA has been broadened and strengthened, thus enhancing the quality of medical care for veterans and contributing generally to the health and welfare of the Nation.

EDUCATION AND TRAINING

1. Legislation was enacted in 1956 to provide educational assistance to orphans of war veterans. Since then a total of 19,000 war orphans have received benefits under this act.

2. Two million eight hundred and eighty thousand veterans have received training under VA education and training programs since 1953.

3. One hundred and five thousand disabled veterans have received vocational rehabilitation training benefits since 1953.

HOME LOANS

1. Between 1953 and 1960, a total of 2,639,140 loans to veterans were guaranteed or insured by the VA.

INSURANCE

1. New benefits have been provided for the GI insurance policyholder, including additional disability insurance, additional conversion rights and liberalized standards for reinstatements.

2. A new investment formula for insurance trust funds allows the investment of these funds at higher rates of interest. Increased earnings will mean increased dividends to policyholders.

MANAGEMENT

1. The VA went through a major reorganization which resulted in economies and improved service to veterans.

2. Modern electronic machines have been installed for the insurance operations and to process the compensation and pension payments. This will result in improved efficiency and economy.

3. The personnel program has been strengthened, resulting in improved morale and efficiency of employees.

4. The stature of the Administrator of Veterans' Affairs has been heightened by having him serve more directly as the adviser to the President in veterans' matters. This includes attendance at Cabinet meetings when matters under discussion involve the VA.

5. The public image of the VA has been improved vastly through sound personnel and management practices.

FIGURES SHOW SCOPE OF ACTIVITIES UNDER REPUBLICANS

Summary statistics give a picture of the scope and growth of veterans' benefits from 1954 to 1961 as follows:

| | Fiscal year 1954 | Fiscal year 1961 | Increase |
|---|---|---|---|
| Total VA budget | $4,282,591,740 | $5,397,291,000 | $1,114,719,260 |
| Compensation payments | $1,730,915,000 | $2,066,288,000 | $335,873,000 |
| Pension payments | $715,635,000 | $1,715,807,000 | $1,000,172,000 |
| Regular insurance dividends | $182,300,000 | $250,000,000 | $67,700,000 |
| VA hospital beds in operation | 114,244 | 121,456 | 7,212 |
| Average daily patients in VA hospitals | 103,491 | 111,600 | 8,109 |
| Outpatients visiting | 2,152,000 | 2,279,600 | 127,600 |
| | June 30, 1954 | Estimated, June 30, 1961 | Increase |
| Principal value of loans guaranteed: | | | |
| Cumulative | $23,948,000,000 | $51,640,000,000 | $27,692,000,000 |
| Outstanding | 17,580,000,000 | 32,350,000,000 | 14,970,000,000 |
| Direct loans: | | | |
| Cumulative | 346,000,000 | 1,525,000,000 | 1,179,000,000 |
| Outstanding | 298,000,000 | 1,200,000,000 | 902,000,000 |

## TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN THE UNITED STATES OF AMERICA AND JAPAN

The Senate resumed the consideration of Executive E (86th Cong., 2d sess.), the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington on January 19, 1960.

Mr. HICKENLOOPER. Mr. President, at the outset of the few remarks which I have to make I wish to assure my friends who are rather anxious about the time, that my remarks will take about 10 minutes.

I congratulate the Senator from Arkansas, the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT], for his very forceful and lucid discussion of the treaty and for the clarity with which he engaged in the colloquies with Senators who had some questions about the meaning and the impact of the various terms of the treaty. He has worked very diligently as chairman of the committee to bring about a full appreciation of the significance of the treaty. Those of us who have worked with him are very grateful indeed for his services and his efforts.

Mr. President, behind all the tension in Japan that the treaty before the Senate has caused, and the thousands of words which have been written about it, there stands a single fact of overriding importance. It is that the treaty is beneficial to both Japan and the United States. For that reason I fully commend it to my colleagues in the Senate.

For the Japanese this treaty signals the end of an arrangement in which the Japanese may have appeared—to themselves at least—as the junior partner of the United States in a relationship which has been regarded by both governments as essential to the security of each nation.

In addition, the present treaty between the United States and Japan, while undoubtedly a most liberal and generous treaty, so far as a defeated nation which unconditionally surrendered is concerned, was one between victor and vanquished.

This no doubt has caused some understandable irritation in Japan, and has stimulated a strong desire there for a treaty made in a new climate of equal sovereignty. Japan, through its remarkable economic and social rehabilitation, has certainly earned this consideration.

The pending treaty has been approached and signed on that basis.

Mr. President, after 10 years the new treaty may be terminated by either party on 1 year's notice to the other. The old treaty, lacking any time limit, could continue indefinitely, with the maturing friendly relationships between the two countries still in need of an adjustment.

Perhaps most important, under the new treaty, the United States gives up the unilateral right to use Japanese bases as staging areas for military operations without the consent of the Japanese. An exchange of notes to the new treaty provides that prior consultation between the two governments is a necessary precondition to military activities of the kind that might cause concern in Japan. I urge my colleagues to study this exchange of notes carefully. My regret is that they have been so inadequately reported in Japan, where the opponents of this treaty—many of them well meaning, as the Senator from Arkansas [Mr. FULBRIGHT] has suggested—either do not understand or do not choose to acknowledge the distinction between absolute American military rights and the old treaty and rights to be maintained by mutual consent under the new treaty.

For the United States the new treaty assures continued use of military bases and other facilities in the Japanese islands based on consultation. The agreement covering the use of these facilities is elaborated and detailed in an administrative agreement which in my judgment is comprehensive and equitable.

I believe, as well, that the United States can take rare satisfaction in the knowledge that a nation from which it received unconditional surrender only 15 years ago has in this short space of time restored itself to full sovereignty, maturity, and sympathetic orientation within the other great democracies of the world.

Mr. President, I use the word "maturity" advisedly, because the emotional immaturity which is characterized by a small but militant minority in many of the events attendant on the ratification of the treaty in Japan is not a fair reflection of the Japanese people as a whole.

Based on the informed observations and judgment of people with experience in Japan, I believe that the opposition to the pending treaty represents an uneasy minority coalition of elements which, taken altogether, does not represent the calm attitude of the great majority of the Japanese people.

The decibel level of these elements is high, but the level of their political responsibility is regrettably low. And, most regrettable, this minority has allowed itself to be transformed by a small, disciplined Communist nucleus into a force that could conceivably destroy Japan's free, parliamentary political institutions.

Mr. President, I do not believe that will happen. I believe that if and when the Kishi government is replaced, at some time in the future, it no doubt will be replaced by a regime whose orientation is essentially that of his or other recent Japanese Governments. Yet I think we should be alert to the danger posed by this destructive minority in Japan. In the Senate I urge the speedy ratification of the new treaty. It will strengthen the hand of the mature, responsible leaders of Japan. It will reassure the masses of pro-Western Japanese whose views have not been so vocal but which are nonetheless of the greatest importance to the future of the great Japanese Empire.

Mr. President, I should like to bring out one or two other matters in reference to the rather short, formal statement which I have made concerning the treaty.

One is the question which has been raised by Senators on the floor today about the advantages or disadvantages of the ratification of the treaty. There seems to be substantial agreement that the treaty will be advantageous to Japan; and, indeed, it will. I have tried to point out briefly, as did the Chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], that the treaty constitutes the complete maturity of Japan following World War II, a maturity among the free nations of the world, in which they have negotiated on a voluntary basis, a basis of freedom, and on a basis which they sought and received.

Japan has the advantage of the elimination of a treaty, regardless of how generous it might have been, which was, as I said a moment ago, a treaty of the victor over the vanquished. That treaty has been eliminated. The right of Japan to act within its own sphere and its own sovereignty has been completely restored. The treaty is advantageous to Japan.

However, a question has been raised concerning the advantages of the treaty to the United States. I think the treaty is very advantageous to the United States. Senators have raised here today, and in the hearings, the point that while we agree to come to the defense of Japan in the event she is attacked, Japan does not agree to come to our defense in case we are attacked on some of our territories outside the Japanese area.

I again point out, as has been pointed out repeatedly, that there is an absolute prohibition in the Japanese Constitution against the development of military forces for either offensive or defensive purposes. It is a provision which is probably as restrictive as any provision which has ever been written into a constitution on that subject, and probably is the most restrictive. Nevertheless, the Japanese, in my opinion, have exhibited every possible resource, within the legal limitations which were imposed upon them by the Constitution which they adopted immediately following World War II, to align themselves with us and to exert their fullest cooperation from the standpoint of mutual security and freedom in the world.

Mr. LONG of Louisiana. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. LONG of Louisiana. Recognizing that Japan is bound by the folly of American policy in imposing the conditions to which the Senator refers, why should we undertake to give a commitment that we will go to war to defend Japan, in view of the fact that Japan can make no reciprocal commitment?

Mr. HICKENLOOPER. There is one completely ample reason for that position, and it is that if Japan is attacked by superior force in the Pacific, the island periphery of Asia will be endangered; our whole position in the Pacific will be endangered, as the Senator from Ohio [Mr. LAUSCHE] pointed out earlier in a colloquy with the chairman of the committee; the bastion of American defense would rapidly recede to the State of Hawaii, if not to the west coast of the

United States; and the Philippines would be gone and the rest of that area would be gone.

Mr. LONG of Louisiana. The point which concerns me is that we give so much free to those to whom we are making the commitment. Turkey wanted an arrangement with the United States. She wanted a United States-Turkish pact whereby Turkey would assist us, and we would assist Turkey, in the event either country was compelled to go to war with the Soviet Union. Turkey made every effort to get the United States to agree to such an arrangement, and the effort resulted in Turkey being admitted to the North Atlantic Treaty Organization.

But how can we expect to get other nations to agree to a reciprocal arrangement if they can get an arrangement which will require us to help them without their helping us?

Mr. HICKENLOOPER. Japan is doing much in this respect. Japan is permitting us to maintain and operate bases in Japan. We are permitted to locate our troops, supplies, and logistics center in Japan. Japan is permitting us to maintain that great center in the island complex.

Mr. LONG of Louisiana. Do we not have that right already?

Mr. HICKENLOOPER. We have that right under this treaty.

Mr. LONG of Louisiana. How about the old one?

Mr. HICKENLOOPER. Under the treaty that now exists?

Mr. LONG of Louisiana. Yes.

Mr. HICKENLOOPER. The old treaty, as I tried to point out a while ago, was a treaty inflicted, we might say—I do not think that is the proper word, because it is too harsh; the treaty was liberal—it is a treaty which the Japanese were required, as a vanquished people, to accept from the victor. It was a treaty that was obtained under the duress of an unconditional surrender on the part of Japan.

The Japanese people, after 15 years of substantial and remarkable economic and political recovery, and after considerable proof during the last 15 years that they are oriented toward the West and oriented toward freedom and democracy and self-determination, are now entitled to the dignity of having the old treaty set aside and the new treaty adopted, a treaty based upon mutual consent, and their own sovereignty as a sovereign nation. This, I think, is very important.

Mr. LONG of Louisiana. If the Senator will permit me to suggest it, in dealing with a nation which is spending only a pittance for its own national defense, I question whether the army of that nation can control the Communist mobs which are rioting there today. In dealing with such a nation as that, which is doing so little to provide for its own defense, it seems to me it would be better if it did not feel that it could rely entirely upon the United States to provide adequately for the defense of Japan.

Mr. HICKENLOOPER. I point out again the provision of the Japanese Constitution which denies to Japan the right not only to have military forces for offensive purposes, but the right to have military forces for defensive forces, but only for police action. The Japanese have stretched that constitution far out.

Mr. LONG of Louisiana. If the Constitution of the United States had such a provision, I should think anybody would be foolhardy to agree to go to war to defend the United States, when we had written it into our Constitution that we could not, under any circumstances, assist a nation which would fight for us, in the event it was compelled to fight in its own defense. Does the Senator think that was a wise provision to put in the Constitution of Japan, looking at the situation with hindsight?

Mr. HICKENLOOPER. Does the Senator mean the provision which was put into the Constitution?

Mr. LONG of Louisiana. Yes.

Mr. HICKENLOOPER. No, I do not think it was wise to include that in it. But several things which were done in Japan at that time were not wise, in my opinion—and several things which were done in other parts of the world at that time were not wise, in my opinion.

But now we are facing a fact, not a theory.

I should like to ask the Senator a question in regard to our signing the treaty or getting into this so-called defensive alliance: Is the Senator from Louisiana of the opinion that if a superior, major power in the Orient—let us say Russia—today were to attack Japan, even in the absence of a treaty, we would not be in that conflict? Even in the absence of a treaty, would not our own security and best interests demand that we look to the integrity of Japan and the Philippines and Formosa and Korea?

Mr. LONG of Louisiana. It would be my reaction that in view of the small effort that our so-called allies are making—and we have many who are genuine allies—as compared to the tremendous effort the United States is making, they would be doing more for their own defense and for the defense of the free world if they did not have the assurance that the United States would go to war, in an effort to save any and all of them.

Each of them has a piecemeal commitment from us, although few of them is required to go to war in the event we have to go to war in order to fulfill our commitments elsewhere—with the result that we can be sure that if war were to break out, the Soviet Union would not begin the war by attacking Japan. Treaties of this sort are giving us a rock-ribbed guarantee that if war comes, it will come first to us, and by surprise, and that will bring us surprise attack casualties numbering to the tens of millions, because we never would receive any advance notice or warning of the war.

The United States would be attacked first, and without warning, because, by means of these commitments the United States is making it impossible for any nation to go to war with another nation, without making war on us, also.

Mr. HICKENLOOPER. But the treaty provides great benefits both to Japan and to the United States, and we shall derive great benefits from the treaty. Even if we assume that at long last, perhaps after 15 years, we would wish to set aside the war-enforced treaty with Japan, the great benefits will come to us, in the main, as a result of the bases we shall maintain in Japan and as a result of the cooperative efforts the Japanese will be making to assist us in the maintenance of those bases and in the maintenance of that strength in the Far East. That is a very great contribution. If we did not have those bases, where would we go? Would we perhaps go to Okinawa?

Mr. LONG of Louisiana. Let me ask this question: If in a few years the Russians had developed their atomic power and other power sufficiently to be in a position to be able to knock us out, by means of a surprise attack, does the Senator from Iowa believe we should be in a position to strike back at the Soviet Union from those bases in Japan, if those bases and a few planes in England would then be about all we had to strike back with?

Mr. HICKENLOOPER. In my judgment, if the situation reached that point, there would be no question but that the Japanese would be in the conflict, in one way or another.

Mr. LONG of Louisiana. Even under a neutralist government?

Mr. HICKENLOOPER. Of course I cannot look into a crystal ball and say what will be the complexion of the Government of Japan in 10 years.

I can only believe that in 10 years an enlightened self-interest would compel Japan to enter such a war, because Japan would have no other course, except slavery.

Mr. LONG of Louisiana. But would not it be better for us to have the right to make that decision alone, rather than to have to make it in part with Japan—because in view of the present commitments we have with so many other countries in the world, any nation which wished to make such an attack on Japan would strike first at the United States.

Mr. HICKENLOOPER. Does the Senator advocate that we abandon all our bases in Japan?

Mr. LONG of Louisiana. No; because we have rights there—rights obtained by conquest.

Mr. HICKENLOOPER. It is true that they are rights by conquest. But there comes a time when rights by conquest should disappear, in the interest of better international relationships. That is what we are trying to do now—in other words, set aside the old peace treaty which was obtained by the victor from the vanquished and was imposed by right of conquest. Regardless of whether that treaty was liberal or was not liberal at that time the Japanese had to accept it; they had no other choice.

Today we hope to set aside that treaty, and to deal with the Japanese on the basis of sovereign equality, and I think, thus greatly strengthen the feeling of the Japanese in regard to their equality in the family of nations; and I believe it will greatly promote the common strength and the common purpose of our two nations in the Pacific.

Mr. LONG of Louisiana. Can the Senator from Iowa tell me what nation ever made a treaty to go to war to defend the United States, without having a reciprocal commitment that the United States would respond likewise in the event that nation was attacked?

Mr. HICKENLOOPER. I cannot say there has been none, but at the moment I know of none.

Mr. LAUSCHE. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. Let me say that I think the attitude of the people of the United States in regard to the treatment the Communists are giving the captive nations should likewise be the attitude of the United States in regard to the treatment we should give to the Japanese. The Congress passed the captive nations resolution, which condemned the captivity into which the conquering Communists have placed the satellite nations of Europe. The United States and the other conscientious peoples of the world have said to the conquering Communists of Russia, "You are not treating the satellite nations correctly and justly. You are degrading their dignity. You should allow them to live as worthy human beings." That is what we are saying to the Communist leaders of Soviet Russia.

But it seems to me that if we insist upon our rights under the 1952 treaty with Japan, we are degrading the Japanese people.

It is on that basis that I believe that to yield the powerful rights which were given to us under the 1952 treaty with Japan will be only in conformity with a just attitude and a proper recognition of the rights of those people.

Mr. HICKENLOOPER. I agree completely with the Senator from Ohio. I agree that it is foreign to our policy and our belief to keep these nations in a state of servility. We do not believe in that. We have practiced our beliefs by making equitable treaties with nations which were on the other side during the recent war; and we have criticized and condemned communism for enslaving the peoples of other nations when the force and power of Soviet Russia has permitted the Soviets to do so.

Mr. FULBRIGHT. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. FULBRIGHT. First, I wish to thank the Senator from Iowa for the kind words he had to say about me.

Second, I desire to thank him for the great contributions he has made, both to this debate and to the consideration of this matter by the committee.

Under the circumstances which have arisen, this became a serious undertaking. Speaking for myself, and also for the committee and for the entire Senate, I wish to state that I certainly appreciate very much the contributions the Senator from Iowa has made to this debate.

Mr. HICKENLOOPER. I thank the Senator from Arkansas.

Again, I wish to refer to my earlier expressions of appreciation—which I made at the outset of my remarks—in regard to the contributions the Senator from Arkansas has made and in regard to what I believe to be the great and constructive step he is advocating in connection with the association of Japan and the United States.

Mr. President, I do not wish to prolong the debate; but I desire to point out one other matter which was referred to earlier in these proceedings. I believe it impossible to overemphasize the fact that the Japanese must consent to our use of bases in Japan. I believe that is a fundamental part of sovereignty if we are dealing with Japan on a basis of mutual and equal sovereignty. So I think it proper and just that that provision be included. But I also call attention to the fact that the maintenance, operation, and servicing of those bases in Japan was agreed to, and is a basic part of this treaty by reference.

I call attention to article VI of the treaty, which states:

> For the purpose of contributing to the security of Japan and the maintenance of international peace and security in the Far East, the United States of America is granted—

It does not say "may be" or "will be." It says:

> the United States of America is granted the use by its land, air, and naval forces of facilities and areas in Japan.

That is the first paragraph of article VI.

The second paragraph reads:

> The use of these facilities and areas as well as the status of the U.S. Armed Forces in Japan shall be governed by a separate agreement, replacing the administrative agreement under article III of the Security Treaty Between the United States of America and Japan, signed at Tokyo on February 28, 1952, as amended, and by such other arrangements as may be agreed upon.

The administrative agreement under article III refers to the old treaty, which is now the one in force, and which will be superseded by this one. But the important thing is that under article VI there has been agreed to between Japan and the United States a document which is contained, beginning on page 13, in the Senate document known as Executive E., 86th Congress, 2d session, which is the message of the President of the United States containing the treaty and related documents, a document entitled "Agreement Under Article VI of the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, Regarding Facilities and Areas and the Status of U.S. Armed Forces in Japan."

Then it goes on through 28 articles, plus 6 or 7 pages of agreed minutes. The 28 articles in the original agreement encompass about 18 pages in this document; and there is the agreement, already arrived at, which is just as binding, in my view, as is this treaty, because it is a part of this treaty by reference for the maintenance of American bases in Japan and all the details that go with it.

The Japanese have agreed to it. There is not any question of their waiting or any question of their agreeing. The agreement is there. They will from time to time, by their consent and ours, mutually agree to alterations and changes; but, throughout the treaty and the agreement, any changes that occur must be mutually agreeable. That is, we have to agree to the changes just as the Japanese do. I see nothing in the treaty that necessarily would permit the Japanese to throw us out of their bases in Japan merely on a whim or caprice. I see nothing in it that would give the Japanese justification, under international law or treaty law, to do anything like that whatsoever. The alterations and changes must be by mutual consent and agreement, and the agreements are already made and entered into. We know what they are, and they are in black and white.

Mr. President, I have occupied the floor about twice as long as I had intended to. I think the subject has been quite thoroughly covered by the chairman of the Foreign Relations Committee and by the discussions engaged in by other Members of the Senate. I was not on the floor at all times. May I inquire of the chairman of the committee, the Senator from Arkansas [Mr. FULBRIGHT], whether this agreement, under article VI, has been put in the RECORD?

Mr. FULBRIGHT. I do not believe so, although the treaty in its entirety was referred to. Why does not the Senator put it in the RECORD?

Mr. HICKENLOOPER. I believe it would be informative for the people of the country to have available the agreement made pursuant to article VI of the treaty. Therefore, Mr. President, I ask unanimous consent that this particular agreement, beginning on page 13 of the Senate document entitled "Executive E," ending on page 31 of the document, be placed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HICKENLOOPER. Mr. President, we are indeed in a vital struggle. I do not think there is a loyal, patriotic American who does not fervently hope and pray that the time will come—soon, we hope—when a reliable peace can be in effect throughout the world. But even greater than peace is freedom and the right of men to have freedom.

Civilization has been built upon freedom, and it has flourished and come to its highest pinnacle because people have been willing to sacrifice security for freedom. They have preferred freedom and sometimes all of the sacrifices that go with it because freedom is the dearest thing we have. And today I believe we are taking a step, in the relations between nations, and especially in the Pacific area, that will strengthen our progress toward the extension of freedom in this world and our progress toward a system of unity in the world which we hope will bring closer that day when a reliable peace may be our lot.

This treaty in and of itself will not, of course, revolutionize international affairs in the world, but it will contribute greatly to stability. It will restore, finally and at long last, the sovereignty of a great and strong and vigorous nation, Japan. It will relieve the people of

that country from the onus of a treaty under which they may feel servile at the present time. It will bring full brotherhood in the community of nations to Japan, which no doubt is the strongest nation in the Pacific area today.

It will continue a friendship between the United States and Japan which began well over 100 years ago and which, sadly, was interrupted only for a short period of misguided military philosophy which for a temporary season got hold of the people of Japan and led them into mistakes and errors from which they have suffered greatly.

I think it is a constructive treaty. I think it is a forward step toward international peace, security, and unity. I earnestly hope the Senate will advise and consent to the resolution of ratification by a very substantial majority.

EXHIBIT 1

AGREEMENT UNDER ARTICLE VI OF THE TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN THE UNITED STATES OF AMERICA AND JAPAN, REGARDING FACILITIES AND AREAS AND THE STATUS OF U.S. ARMED FORCES IN JAPAN

The United States of America and Japan, pursuant to article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan signed at Washington on January 19, 1960, have entered into this agreement in terms as set forth below:

ARTICLE I

In this agreement the expression—

(a) "members of the United States armed forces" means the personnel on active duty belonging to the land, sea or air armed services of the United States of America when in the territory of Japan.

(b) "civilian component" means the civilian persons of United States nationality who are in the employ of, serving with, or accompanying the United States armed forces in Japan, but excludes persons who are ordinarily resident in Japan or who are mentioned in paragraph 1 of article XIV. For the purposes of this agreement only, dual nationals, United States and Japanese, who are brought to Japan by the United States shall be considered as United States nationals.

(c) "dependents" means

(1) Spouse, and children under 21;

(2) Parents, and children over 21, if dependent for over half their support upon a member of the United States armed forces or civilian component.

ARTICLE II

1. (a) The United States is granted, under article VI of the Treaty of Mutual Cooperation and Security, the use of facilities and areas in Japan. Agreements as to specific facilities and areas shall be concluded by the two Governments through the Joint Committee provided for in article XXV of this agreement. "Facilities and areas" include existing furnishings, equipment and fixtures necessary to the operation of such facilities and areas.

(b) The facilities and areas of which the United States has the use at the time of expiration of the Administrative Agreement under article III of the Security Treaty between the United States of America and Japan, shall be considered as facilities and areas agreed upon between the two Governments in accordance with subparagraph (a) above.

2. At the request of either Government, the Governments of the United States and Japan shall review such arrangements and may agree that such facilities and areas shall be returned to Japan or that additional facilities and areas may be provided.

3. The facilities and areas used by the United States armed forces shall be returned to Japan whenever they are no longer needed for purposes of this agreement, and the United States agrees to keep the needs for facilities and areas under continual observation with a view toward such return.

4. (a) When facilities and areas are temporarily not being used by the United States armed forces, the Government of Japan may make, or permit Japanese nationals to make, interim use of such facilities and areas provided that it is agreed between the two Governments through the Joint Committee that such use would not be harmful to the purposes for which the facilities and areas are normally used by the United States armed forces.

(b) With respect to facilities and areas which are to be used by United States armed forces for limited periods of time, the Joint Committee shall specify in the agreements covering such facilities and areas the extent to which the provisions of this agreement shall apply.

ARTICLE III

1. Within the facilities and areas, the United States may take all the measures necessary for their establishment, operation, safeguarding and control. In order to provide access for the United States armed forces to the facilities and areas for their support, safeguarding and control, the Government of Japan shall, at the request of the United States armed forces and upon consultation between the two Governments through the Joint Committee, take necessary measures within the scope of applicable laws and regulations over land, territorial waters and airspace adjacent to, or in the vicinities of the facilities and areas. The United States may also take necessary measures for such purposes upon consultation between the two Governments through the Joint Committee.

2. The United States agrees not to take the measures referred to in paragraph 1 in such a manner as to interfere unnecessarily with navigation, aviation, communication, or land travel to or from or within the territories of Japan. All questions relating to frequencies, power and like matters used by apparatus employed by the United States designed to emit electric radiation shall be settled by arrangement between the appropriate authorities of the two Governments. The Government of Japan shall, within the scope of applicable laws and regulations, take all reasonable measures to avoid or eliminate interference with telecommunications electronics required by the United States armed forces.

3. Operations in the facilities and areas in use by the United States armed forces shall be carried on with due regard for the public safety.

ARTICLE IV

1. The United States is not obliged, when it returns facilities and areas to Japan on the expiration of this agreement or at an earlier date, to restore the facilities and areas to the condition in which they were at the time they became available to the United States armed forces, or to compensate Japan in lieu of such restoration.

2. Japan is not obliged to make any compensation to the United States for any improvements made in the facilities and areas or for the buildings or structures left thereon on the expiration of this agreement or the earlier return of the facilities and areas.

3. The foregoing provisions shall not apply to any construction which the Government of the United States may undertake under special arrangements with the Government of Japan.

ARTICLE V

1. United States and foreign vessels and aircraft operated by, for, or under the control of the United States for official purposes shall be accorded access to any port or airport of Japan free from toll or landing charges. When cargo or passengers not accorded the exemptions of this agreement are carried on such vessels and aircraft, notification shall be given to the appropriate Japanese authorities, and their entry into and departure from Japan shall be according to the laws and regulations of Japan.

2. The vessels and aircraft mentioned in paragraph 1, United States Government-owned vehicles including armor, and members of the United States armed forces, the civilian component, and their dependents shall be accorded access to and movement between facilities and areas in use by the United States armed forces and between such facilities and areas and the ports or airports of Japan. Such access to and movement between facilities and areas by United States military vehicles shall be free from toll and other charges.

3. When the vessels mentioned in paragraph 1 enter Japanese ports, appropriate notification shall, under normal conditions, be made to the proper Japanese authorities. Such vessels shall have freedom from compulsory pilotage, but if a pilot is taken pilotage shall be paid for at appropriate rates.

ARTICLE VI

1. All civil and military air traffic control and communications systems shall be developed in close coordination and shall be integrated to the extent necessary for fulfillment of collective security interests. Procedures, and any subsequent changes thereto, necessary to effect this coordination and integration will be established by arrangement between the appropriate authorities of the two Governments.

2. Lights and other aids to navigation of vessels and aircraft placed or established in the facilities and areas in use by United States armed forces and in territorial waters adjacent thereto or in the vicinity thereof shall conform to the system in use in Japan. The United States and Japanese authorities which have established such navigation aids shall notify each other of their positions and characteristics and shall give advance notification before making any changes in them or establishing additional navigation aids.

ARTICLE VII

The United States armed forces shall have the use of all public utilities and services belonging to, or controlled or regulated by the Government of Japan, and shall enjoy priorities in such uses, under conditions no less favorable than those that may be applicable from time to time to the ministries and agencies of the Government of Japan.

ARTICLE VIII

The Government of Japan undertakes to furnish the United States armed forces with the following meteorological services in accordance with arrangements between the appropriate authorities of the two Governments.

(a) Meteorological observations from land and ocean areas including observations from weather ships.

(b) Climatological information including periodic summaries and the historical data of the Meteorological Agency.

(c) Telecommunications service to disseminate meteorological information required for the safe and regular operation of aircraft.

(d) Seismographic data including forecasts of the estimated size of tidal waves resulting from earthquakes and areas that might be affected thereby.

ARTICLE IX

1. The United States may bring into Japan persons who are members of the United States armed forces, the civilian component, and their dependents, subject to the provisions of this article.

2. Members of the United States armed forces shall be exempt from Japanese passport and visa laws and regulations. Members of the United States armed forces, the civilian component, and their dependents shall be exempt from Japanese laws and regulations on the registration and control of aliens, but shall not be considered as acquiring any right to permanent residence or domicile in the territories of Japan.

3. Upon entry into or departure from Japan members of the United States armed forces shall be in possession of the following documents:

(a) personal identity card showing name, date of birth, rank and number, service, and photograph; and

(b) individual or collective travel order certifying to the status of the individual or group as a member or members of the United States armed forces and to the travel ordered.

For purposes of their identification while in Japan, members of the United States armed forces shall be in possession of the foregoing personal identity card which must be presented on request to the appropriate Japanese authorities.

4. Members of the civilian component, their dependents, and the dependents of members of the United States armed forces shall be in possession of appropriate documentation issued by the United States authorities so that their status may be verified by Japanese authorities upon their entry into or departure from Japan, or while in Japan.

5. If the status of any person brought into Japan under paragraph 1 of this article is altered so that he would no longer be entitled to such admission, the United States authorities shall notify the Japanese authorities and shall, if such person be required by the Japanese authorities to leave Japan, assure that transportation from Japan will be provided within a reasonable time at no cost to the Government of Japan.

6. If the Government of Japan has requested the removal from its territory of a member of the United States armed forces or civilian component or has made an expulsion order against an ex-member of the United States armed forces or the civilian component or against a dependent of a member or ex-member, the authorities of the United States shall be responsible for receiving the person concerned within its own territory or otherwise disposing of him outside Japan. This paragraph shall apply only to persons who are not nationals of Japan, and have entered Japan as members of the United States armed forces or civilian component or for the purpose of becoming such members, and to the dependents of such persons.

ARTICLE X

1. Japan shall accept as valid, without a driving test or fee, the driving permit or license or military driving permit issued by the United States to a member of the United States armed forces, the civilian component, and their dependents.

2. Official vehicles of the United States armed forces and the civilian component shall carry distinctive numbered plates or individual markings which will readily identify them.

3. Privately owned vehicles of members of the United States armed forces, the civilian component, and their dependents shall carry Japanese number plates to be acquired under the same conditions as those applicable to Japanese nationals.

ARTICLE XI

1. Save as provided in this agreement, members of the United States armed forces, the civilian component, and their dependents shall be subject to the laws and regulations administered by the customs authorities of Japan.

2. All materials, supplies and equipment imported by the United States armed forces, the authorized procurement agencies of the United States armed forces, or by the organizations provided for in article XV, for the official use of the United States armed forces or for the use of the members of the United States armed forces, the civilian component, and their dependents, and materials, supplies and equipment which are to be used exclusively by the United States armed forces or are ultimately to be incorporated into articles or facilities used by such forces, shall be permitted entry into Japan; such entry shall be free from customs duties and other such charges. Appropriate certification shall be made that such materials, supplies and equipment are being imported by the United States armed forces, the authorized procurement agencies of the United States armed forces, or by the organizations provided for in article XV, or, in the case of materials, supplies and equipment to be used exclusively by the United States armed forces or ultimately to be incorporated into articles or facilities used by such forces, that delivery thereof is to be taken by the United States armed forces for the purposes specified above.

3. Property consigned to and for the personal use of members of the United States armed forces, the civilian component, and their dependents, shall be subject to customs duties and other such charges, except that no duties or charges shall be paid with respect to:

(a) Furniture and household goods for their private use imported by the members of the United States armed forces or civilian component when they first arrive to serve in Japan or by their dependents when they first arrive for reunion with members of such forces or civilian component, and personal effects for private use brought by the said persons upon entrance.

(b) Vehicles and parts imported by members of the United States armed forces or civilian component for the private use of themselves or their dependents.

(c) Reasonable quantities of clothing and household goods of a type which would ordinarily be purchased in the United States for everyday use for the private use of members of the United States armed forces, civilian component, and their dependents, which are mailed into Japan through United States military post offices.

4. The exemptions granted in paragraphs 2 and 3 shall apply only to cases of importation of goods and shall not be interpreted as refunding customs duties and domestic excises collected by the customs authorities at the time of entry in cases of purchases of goods on which such duties and excises have already been collected.

5. Customs examination shall not be made in the following cases:

(a) Units of the United States armed forces under orders entering or leaving Japan;

(b) Official documents under official seal and official mail in United States military postal channels:

(c) Military cargo shipped on a United States Government bill of lading.

6. Except as such disposal may be authorized by the United States and Japanese authorities in accordance with mutually agreed conditions, goods imported into Japan free of duty shall not be disposed of in Japan to persons not entitled to import such goods free of duty.

7. Goods imported into Japan free from customs duties and other such charges pursuant to paragraphs 2 and 3, may be reexported free from customs duties and other such charges.

8. The United States armed forces, in cooperation with Japanese authorities, shall take such steps as are necessary to prevent abuse of privileges granted to the United States armed forces, members of such forces, the civilian component, and their dependents in accordance with this article.

9. (a) In order to prevent offenses against laws and regulations administered by the customs authorities of the Government of Japan, the Japanese authorities and the United States armed forces shall assist each other in the conduct of inquiries and the collection of evidence.

(b) The United States armed forces shall render all assistance within their power to ensure that articles liable to seizure by, or on behalf of, the customs authorities of the Government of Japan are handed to those authorities.

(c) The United States armed forces shall render all assistance within their power to ensure the payment of duties, taxes, and penalties payable by members of such forces or of the civilian component, or their dependents.

(d) Vehicles and articles belonging to the United States armed forces seized by the customs authorities of the Government of Japan in connection with an offense against its customs or fiscal laws or regulations shall be handed over to the appropriate authorities of the force concerned.

ARTICLE XII

1. The United States may contract for any supplies or construction work to be furnished or undertaken in Japan for purposes of, or authorized by, this agreement, without restriction as to choice of supplier or person who does the construction work. Such supplies or construction work may, upon agreement between the appropriate authorities of the two Governments, also be procured through the Government of Japan.

2. Materials, supplies, equipment and services which are required from local sources for the maintenance of the United States armed forces and the procurement of which may have an adverse effect on the economy of Japan shall be procured in coordination with, and, when desirable, through or with the assistance of, the competent authorities of Japan.

3. Materials, supplies, equipment and services procured for official purposes in Japan by the United States armed forces, or by authorized procurement agencies of the United States armed forces upon appropriate certification shall be exempt from the following Japanese taxes:

(a) Commodity tax

(b) Travelling tax

(c) Gasoline tax

(d) Electricity and gas tax.

Materials, supplies, equipment and services procured for ultimate use by the United States armed forces shall be exempt from commodity and gasoline taxes upon appropriate certification by the United States armed forces. With respect to any present or future Japanese taxes not specifically referred to in this article which might be found to constitute a significant and readily identifiable part of the gross purchase price of materials, supplies, equipment and services procured by the United States armed forces, or for ultimate use by such forces, the two Governments will agree upon a procedure for granting such exemption or relief therefrom as is consistent with the purposes of this article.

4. Local labor requirements of United States armed forces and of the organizations provided for in article XV shall be satisfied with the assistance of the Japanese authorities.

5. The obligations for the withholding and payment of income tax, local inhabitant tax and social security contributions, and, except as may otherwise be mutually agreed, the conditions of employment and work, such as those relating to wages and supplementary payments, the conditions for the protection of workers, and the rights of workers concerning labor relations shall be those laid down by the legislation of Japan.

6. Should the United States armed forces or as appropriate an organization provided

for in article XV dismiss a worker and a decision of a court or a Labor Relations Commission of Japan to the effect that the contract of employment has not terminated become final, the following procedures shall apply:

(a) The United States armed forces or the said organization shall be informed by the Government of Japan of the decision of the court or Commission;

(b) Should the United States armed forces or the said organization not desire to return the worker to duty, they shall so notify the Government of Japan within seven days after being informed by the latter of the decision of the court or Commission, and may temporarily withhold the worker from duty;

(c) Upon such notification, the Government of Japan and the United States armed forces or the said organization shall consult together without delay with a view to finding a practical solution of the case;

(d) Should such a solution not be reached within a period of thirty days from the date of commencement of the consultations under (c) above, the worker will not be entitled to return to duty. In such case, the Government of the United States shall pay to the Government of Japan an amount equal to the cost of employment of the worker for a period of time to be agreed between the two Governments.

7. Members of the civilian component shall not be subject to Japanese laws or regulations with respect to terms and conditions of employment.

8. Neither members of the United States armed forces, civilian component, nor their dependents, shall by reason of this article enjoy any exemption from taxes or similar charges relating to personal purchases of goods and services in Japan chargeable under Japanese legislation.

9. Except as such disposal may be authorized by the United States and Japanese authorities in accordance with mutually agreed conditions, goods purchased in Japan exempt from the taxes referred to in paragraph 3, shall not be disposed of in Japan to persons not entitled to purchase such goods exempt from such tax.

ARTICLE XIII

1. The United States armed forces shall not be subject to taxes or similar charges on property held, used or transferred by such forces in Japan.

2. Members of the United States armed forces, the civilian component, and their dependents shall not be liable to pay any Japanese taxes to the Government of Japan or to any other taxing agency in Japan on income received as a result of their service with or employment by the United States armed forces, or by the organizations provided for in article XV. The provisions of this article do not exempt such persons from payment of Japanese taxes on income derived from Japanese sources, nor do they exempt United States citizens who for United States income tax purposes claim Japanese residence from payment of Japanese taxes on income. Periods during which such persons are in Japan solely by reason of being members of the United States armed forces, the civilian component, or their dependents shall not be considered as periods of residence or domicile in Japan for the purpose of Japanese taxation.

3. Members of the United States armed forces, the civilian component, and their dependents shall be exempt from taxation in Japan on the holding, use, transfer inter se, or transfer by death of movable property, tangible or intangible, the presence of which in Japan is due solely to the temporary presence of these persons in Japan, provided that such exemption shall not apply to property held for the purpose of investment or the conduct of business in Japan or to any intangible property registered in Japan. There is no obligation under this article to grant exemption from taxes payable in respect of the use of roads by private vehicles.

ARTICLE XIV

1. Persons, including corporations organized under the laws of the United States, and their employees who are ordinarily resident in the United States and whose presence in Japan is solely for the purpose of executing contracts with the United States for the benefit of the United States armed forces, and who are designated by the Government of the United States in accordance with the provisions of paragraph 2 below, shall, except as provided in this article, be subject to the laws and regulations of Japan.

2. The designation referred to in paragraph 1 above shall be made upon consultation with the Government of Japan and shall be restricted to cases where open competitive bidding is not practicable due to security considerations, to the technical qualifications of the contractors involved, or to the unavailability of materials or services required by United States standards, or to limitations of United States law.

The designation shall be withdrawn by the Government of the United States:

(a) upon completion of contracts with the United States for the United States armed forces;

(b) upon proof that such persons are engaged in business activities in Japan other than those pertaining to the United States armed forces; or

(c) when such persons are engaged in practices illegal in Japan.

3. Upon certification by appropriate United States authorities as to their identity, such persons and their employees shall be accorded the following benefits of this agreement:

(a) Rights of accession and movement, as provided for in article V, paragraph 2;

(b) Entry into Japan in accordance with the provisions of article IX;

(c) The exemption from customs duties, and other such charges provided for in article XI, paragraph 3, for members of the United States armed forces, the civilian component, and their dependents;

(d) If authorized by the Government of the United States, the right to use the services of the organizations provided for in article XV;

(e) Those provided for in article XIX, paragraph 2, for members of the armed forces of the United States, the civilian component, and their dependents;

(f) If authorized by the Government of the United States, the right to use military payment certificates, as provided for in article XX;

(g) The use of postal facilities provided for in article XXI;

(h) Exemption from the laws and regulations of Japan with respect to terms and conditions of employment.

4. Such persons and their employees shall be so described in their passports and their arrival, departure and their residence while in Japan shall from time to time be notified by the United States armed forces to the Japanese authorities.

5. Upon certification by an authorized officer of the United States armed forces, depreciable assets except houses, held, used, or transferred, by such persons and their employees exclusively for the execution of contracts referred to in paragraph 1 shall not be subject to taxes or similar charges of Japan.

6. Upon certification by an authorized officer of the United States armed forces, such persons and their employees shall be exempt from taxation in Japan on the holding, use, transfer by death, or transfer to persons or agencies entitled to tax exemption under this agreement, of movable property, tangible or intangible, the presence of which in Japan is due solely to the temporary presence of these persons in Japan, provided that such exemption shall not apply to property held for the purpose of investment or the conduct of other business in Japan or to any intangible property registered in Japan. There is no obligation under this article to grant exemption from taxes payable in respect of the use of roads by private vehicles.

7. The persons and their employees referred to in paragraph 1 shall not be liable to pay income or corporation taxes to the Government of Japan or to any other taxing agency in Japan on any income derived under a contract made in the United States with the Government of the United States in connection with the construction, maintenance, or operation of any of the facilities or areas covered by this agreement. The provisions of this paragraph do not exempt such persons from payment of income or corporation taxes on income derived from Japanese sources, nor do they exempt such persons and their employees who, for United States income tax purposes, claim Japanese residence, from payment of Japanese taxes on income. Periods during which such persons are in Japan solely in connection with the execution of a contract with the Government of the United States shall not be considered periods of residence or domicile in Japan for the purposes of such taxation.

8. Japanese authorities shall have the primary right to exercise jurisdiction over the persons and their employees referred to in paragraph 1 of this article in relation to offenses committed in Japan and punishable by the law of Japan. In those cases in which the Japanese authorities decide not to exercise such jurisdiction they shall notify the military authorities of the United States as soon as possible. Upon such notification the military authorities of the United States shall have the right to exercise such jurisdiction over the persons referred to as is conferred on them by the law of the United States.

ARTICLE XV

1. (a) Navy exchanges, post exchanges, messes, social clubs, theaters, newspapers and other nonappropriated fund organizations authorized and regulated by the United States military authorities may be established in the facilities and areas in use by the United States armed forces for the use of members of such forces, the civilian component, and their dependents. Except as otherwise provided in this agreement, such organizations shall not be subject to Japanese regulations, license, fees, taxes or similar controls.

(b) When a newspaper authorized and regulated by the United States military authorities is sold to the general public, it shall be subject to Japanese regulations, license, fees, taxes or similar controls so far as such circulation is concerned.

2. No Japanese tax shall be imposed on sales of merchandise and services by such organizations, except as provided in paragraph 1(b), but purchases within Japan of merchandise and supplies by such organizations shall be subject to Japanese taxes.

3. Except as such disposal may be authorized by the United States and Japanese authorities in accordance with mutually agreed conditions, goods which are sold by such organizations shall not be disposed of in Japan to persons not authorized to make purchases from such organizations.

4. The organizations referred to in this article shall provide such information to the Japanese authorities as is required by Japanese tax legislation.

ARTICLE XVI

It is the duty of members of the United States armed forces, the civilian component, and their dependents to respect the law of Japan and to abstain from any activity inconsistent with the spirit of this agreement, and, in particular, from any political activity in Japan.

ARTICLE XVII

1. Subject to the provisions of this article,

(a) the military authorities of the United States shall have the right to exercise within Japan all criminal and disciplinary jurisdiction conferred on them by the law of the United States over all persons subject to the military law of the United States;

(b) the authorities of Japan shall have jurisdiction over the members of the United States armed forces, the civilian component, and their dependents with respect to offenses committed within the territory of Japan and punishable by the law of Japan.

2. (a) The military authorities of the United States shall have the right to exercise exclusive jurisdiction over persons subject to the military law of the United States with respect to offenses, including offenses relating to its security, punishable by the law of the United States, but not by the law of Japan.

(b) The authorities of Japan shall have the right to exercise exclusive jurisdiction over members of the United States armed forces, the civilian component, and their dependents with respect to offenses, including offenses relating to the security of Japan, punishable by its law but not by the law of the United States.

(c) For the purposes of this paragraph and of paragraph 3 of this article a security offense against a State shall include

(i) treason against the State;

(ii) sabotage, espionage or violation of any law relating to official secrets of that State, or secrets relating to the national defense of that State.

3. In cases where the right to exercise jurisdiction is concurrent the following rules shall apply:

(a) The military authorities of the United States shall have the primary right to exercise jurisdiction over members of the United States armed forces or the civilian component in relation to

(i) offenses solely against the property or security of the United States, or offenses solely against the person or property of another member of the United States armed forces or the civilian component or of a dependent;

(ii) offenses arising out of any act or omission done in the performance of official duty.

(b) In the case of any other offense the authorities of Japan shall have the primary right to exercise jurisdiction.

(c) If the State having the primary right decides not to exercise jurisdiction, it shall notify the authorities of the other State as soon as practicable. The authorities of the State having the primary right shall give sympathetic consideration to a request from the authorities of the other State for a waiver of its right in cases where that other State considers such waiver to be of particular importance.

4. The foregoing provisions of this article shall not imply any right for the military authorities of the United States to exercise jurisdiction over persons who are nationals of or ordinarily resident in Japan, unless they are members of the United States armed forces.

5. (a) The military authorities of the United States and the authorities of Japan shall assist each other in the arrest of members of the United States armed forces, the civilian component, or their dependents in the territory of Japan and in handing them over to the authority which is to exercise jurisdiction in accordance with the above provisions.

(b) The authorities of Japan shall notify promptly the military authorities of the United States of the arrest of any member of the United States armed forces, the civilian component, or a dependent.

(c) The custody of an accused member of the United States armed forces or the civilian component over whom Japan is to exercise jurisdiction shall, if he is in the hands of the United States, remain with the United States until he is charged by Japan.

6. (a) The military authorities of the United States and the authorities of Japan shall assist each other in the carrying out of all necessary investigations into offenses, and in the collection and production of evidence, including the seizure and, in proper cases, the handing over of objects connected with an offense. The handing over of such objects may, however, be made subject to their return within the time specified by the authority delivering them.

(b) The military authorities of the United States and the authorities of Japan shall notify each other of the disposition of all cases in which there are concurrent rights to exercise jurisdiction.

7. (a) A death sentence shall not be carried out in Japan by the military authorities of the United States if the legislation of Japan does not provide for such punishment in a similar case.

(b) The authorities of Japan shall give sympathetic consideration to a request from the military authorities of the United States for assistance in carrying out a sentence of imprisonment pronounced by the military authorities of the United States under the provisions of this article within the territory of Japan.

8. Where an accused has been tried in accordance with the provisions of this article either by the military authorities of the United States or the authorities of Japan and has been acquitted, or has been convicted and is serving, or has served, his sentence or has been pardoned, he may not be tried again for the same offense within the territory of Japan by the authorities of the other State. However, nothing in this paragraph shall prevent the military authorities of the United States from trying a member of its armed forces for any violation of rules of discipline arising from an act or omission which constituted an offense for which he was tried by the authorities of Japan.

9. Whenever a member of the United States armed forces, the civilian component or a dependent is prosecuted under the jurisdiction of Japan he shall be entitled:

(a) to a prompt and speedy trial;

(b) to be informed, in advance of trial, of the specific charge or charges made against him;

(c) to be confronted with the witnesses against him;

(d) to have compulsory process for obtaining witnesses in his favor, if they are within the jurisdiction of Japan;

(e) to have legal representation of his own choice for his defense or to have free or assisted legal representation under the conditions prevailing for the time being in Japan;

(f) if he considers it necessary, to have the services of a competent interpreter; and

(g) to communicate with a representative of the Government of the United States and to have such a representative present at his trial.

10. (a) Regularly constituted military units or formations of the United States armed forces shall have the right to police any facilities or areas which they use under article II of this agreement. The military police of such forces may take all appropriate measures to ensure the maintenance of order and security within such facilities and areas.

(b) Outside these facilities and areas, such military police shall be employed only subject to arrangements with the authorities of Japan and in liaison with those authorities, and in so far as such employment is necessary to maintain discipline and order among the members of the United States armed forces.

11. In the event of hostilities to which the provisions of article V of the Treaty of Mutual Cooperation and Security apply, either the Government of the United States or the Government of Japan shall have the right, by giving sixty days' notice to the other, to suspend the application of any of the provisions of this article. If this right is exercised, the Governments of the United States and Japan shall immediately consult with a view to agreeing on suitable provisions to replace the provisions suspended.

12. The provisions of this article shall not apply to any offenses committed before the entry into force of this agreement. Such cases shall be governed by the provisions of article XVII of the administrative agreement under article III of the Security Treaty between the United States of America and Japan, as it existed at the relevant time.

ARTICLE XVIII

1. Each party waives all its claims against the other party for damage to any property owned by it and used by its land, sea or air defense services, if such damage—

(a) was caused by a member or an employee of the defense services of the other party in the performance of his official duties; or

(b) arose from the use of any vehicle, vessel or aircraft owned by the other party and used by its defense services, provided either that the vehicle, vessel or aircraft causing the damage was being used for official purposes, or that the damage was caused to property being so used.

Claims for maritime salvage by one party against the other party shall be waived, provided that the vessel or cargo salved was owned by a party and being used by its defense services for official purposes.

2. (a) In the case of damage caused or arising as stated in paragraph 1 to other property owned by either party and located in Japan, the issue of the liability of the other party shall be determined and the amount of damage shall be assessed, unless the two Governments agree otherwise, by a sole arbitrator selected in accordance with subparagraph (b) of this paragraph. The arbitrator shall also decide any counterclaims arising out of the same incident.

(b) The arbitrator referred to in subparagraph (a) above shall be selected by agreement between the two Governments from amongst the nationals of Japan who hold or have held high judicial office.

(c) Any decision taken by the arbitrator shall be binding and conclusive upon the parties.

(d) The amount of any compensation awarded by the arbitrator shall be distributed in accordance with the provisions of paragraph 5(e)(i), (ii), and (iii) of this article.

(e) The compensation of the arbitrator shall be fixed by agreement between the two Governments and shall, together with the necessary expenses incidental to the performance of his duties, be defrayed in equal proportions by them.

(f) Nevertheless, each party waives its claim in any such case up to the amount of 1,400 U.S. dollars or 504,000 yen. In the case of considerable variation in the rate of exchange between these currencies the two Governments shall agree on the appropriate adjustments of these amounts.

3. For the purposes of paragraphs 1 and 2 of this article the expression "owned by a party" in the case of a vessel includes a vessel on bare boat charter to that party or requisitioned by it on bare boat terms or seized by it in prize (except to the extent that the risk of loss or liability is borne by some person other than such party).

4. Each party waives all its claims against the other party for injury or death suffered by any member of its defense services while such member was engaged in the performance of his official duties.

5. Claims (other than contractual claims and those to which paragraphs 6 or 7 of this

article apply) arising out of acts or omissions of members or employees of the United States armed forces done in the performance of official duty, or out of any other act, omission, or occurence for which the United States armed forces are legally responsible, and causing damage in Japan to third parties, other than the Government of Japan, shall be dealt with by Japan in accordance with the following provisions:

(a) Claims shall be filed, considered, and settled or adjudicated in accordance with the laws and regulations of Japan with respect to claims arising from the activities of its self-defense forces.

(b) Japan may settle any such claims, and payment of the amount agreed upon or determined by adjudication shall be made by Japan in yen.

(c) Such payment, whether made pursuant to a settlement or to adjudication of the case by a competent tribunal of Japan, or the final adjudication by such a tribunal denying payment, shall be binding and conclusive upon the parties.

(d) Every claim paid by Japan shall be communicated to the appropriate United States authorities together with full particulars and a proposed distribution in conformity with subparagraphs (e)(i) and (ii) below. In default of a reply within two months, the proposed distribution shall be regarded as accepted.

(e) The cost incurred in satisfying claims pursuant to the preceding subparagraphs and paragraph 2 of this article shall be distributed between the parties as follows:

(i) Where the United States alone is responsible, the amount awarded or adjudged shall be distributed in the proportion of 25 percent chargeable to Japan and 75 percent chargeable to the United States.

(ii) Where the United States and Japan are responsible for the damage, the amount awarded or adjudged shall be distributed equally between them. Where the damage was caused by the defense services of the United States or Japan and it is not possible to attribute it specifically to one or both of those defense services, the amount awarded or adjudged shall be distributed equally between the United States and Japan.

(iii) Every half year, a statement of the sums paid by Japan in the course of the half-yearly period in respect of every case regarding which the proposed distribution on a percentage basis has been accepted, shall be sent to the appropriate United States authorities, together with a request for reimbursement. Such reimbursement shall be made, in yen, within the shortest possible time.

(f) Members or employees of the United States armed forces, excluding those employees who have only Japanese nationality, shall not be subject to any proceedings for the enforcement of any judgment given against them in Japan in a matter arising from the performance of their official duties.

(g) Except in so far as subparagraph (e) of this paragraph applies to claims covered by paragraph 2 of this article, the provisions of this paragraph shall not apply to any claim arising out of or in connection with the navigation or operation of a ship or the loading, carriage, or discharge of a cargo; other than claims for death or personal injury to which paragraph 4 of this article does not apply.

6. Claims against members or employees of the United States armed forces (except employees who are nationals of or ordinarily resident in Japan) arising out of tortious acts or omissions in Japan not done in the performance of official duty shall be dealt with in the following manner:

(a) The authorities of Japan shall consider the claim and assess compensation to the claimant in a fair and just manner, taking into account all the circumstances of the case, including the conduct of the injured person, and shall prepare a report on the matter.

(b) The report shall be delivered to the appropriate United States authorities, who shall then decide without delay whether they will offer an ex gratia payment, and if so, of what amount.

(c) If an offer of ex gratia payment is made, and accepted by the claimant in full satisfaction of his claim, the United States authorities shall make the payment themselves and inform the authorities of Japan of their decision and of the sum paid.

(d) Nothing in this paragraph shall affect the jurisdiction of the courts of Japan to entertain an action against a member or an employee of the United States armed forces unless and until there has been payment in full satisfaction of the claim.

7. Claims arising out of the unauthorized use of any vehicle of the United States armed forces shall be dealt with in accordance with paragraph 6 of this Article, except in so far as the United States armed forces are legally responsible.

8. If a dispute arises as to whether a tortious act or omission of a member or an employee of the United States armed forces was done in the performance of official duty or as to whether the use of any vehicle of the United States armed forces was unauthorized, the question shall be submitted to an arbitrator appointed in accordance with paragraph 2(b) of this Article, whose decision on this point shall be final and conclusive.

9. (a) The United States shall not claim immunity from the jurisdiction of the courts of Japan for members or employees of the United States armed forces in respect of the civil jurisdiction of the courts of Japan except to the extent provided in paragraph 5(f) of this article.

(b) In case any private movable property, excluding that in use by the United States armed forces, which is subject to compulsory execution under Japanese law, is within the facilities and areas in use by the United States armed forces, the United States authorities shall, upon the request of Japanese courts, possess and turn over such property to the Japanese authorities.

(c) The authorities of the United States and Japan shall cooperate in the procurement of evidence for a fair hearing and disposal of claims under this article.

10. Disputes arising out of contracts concerning the procurement of materials, supplies, equipment, services, and labor by or for the United States armed forces, which are not resolved by the parties to the contract concerned, may be submitted to the Joint Committee for conciliation, provided that the provisions of this paragraph shall not prejudice any right which the parties to the contract may have to file a civil suit.

11. The term "defense services" used in this article is understood to mean for Japan its self-defense forces and for the United States its armed forces.

12. Paragraphs 2 and 5 of this article shall apply only to claims arising incident to noncombat activities.

13. The provisions of this article shall not apply to any claims which arose before the entry into force of this Agreement. Such claims shall be dealt with by the provisions of article XVIII of the Administrative Agreement under article III of the Security Treaty between the United States of America and Japan.

ARTICLE XIX

1. Members of the United States armed forces, the civilian component, and their dependents, shall be subject to the foreign exchange controls of the Government of Japan.

2. The preceding paragraph shall not be construed to preclude the transmission into or outside of Japan of United States dollars or dollar instruments representing the official funds of the United States or realized as a result of service or employment in connection with this agreement by members of the United States armed forces and the civilian component, or realized by such persons and their dependents from sources outside of Japan.

3. The United States authorities shall take suitable measures to preclude the abuse of the privileges stipulated in the preceding paragraph or circumvention of the Japanese foreign exchange controls.

ARTICLE XX

1. (a) United States military payment certificates denominated in dollars may be used by persons authorized by the United States for internal transactions within the facilities and areas in use by the United States armed forces. The Government of the United States will take appropriate action to insure that authorized personnel are prohibited from engaging in transactions involving military payment certificates except as authorized by United States regulations. The Government of Japan will take necessary action to prohibit unauthorized persons from engaging in transactions involving military payment certificates and with the aid of United States authorities will undertake to apprehend and punish any person or persons under its jurisdiction involved in the counterfeiting or uttering of counterfeit military payment certificates.

(b) It is agreed that the United States authorities will apprehend and punish members of the United States armed forces, the civilian component, or their dependents, who tender military payment certificates to unauthorized persons and that no obligation will be due to such unauthorized persons or to the Government of Japan or its agencies from the United States or any of its agencies as a result of any unauthorized use of military payment certificates within Japan.

2. In order to exercise control of military payment certificates the United States may designate certain American financial institutions to maintain and operate, under United States supervision, facilities for the use of persons authorized by the United States to use military payment certificates. Institutions authorized to maintain military banking facilities will establish and maintain such facilities physically separated from their Japanese commercial banking business, with personnel whose sole duty is to maintain and operate such facilities. Such facilies shall be permited to maintain United States currency bank accounts and to perform all financial transactions in connection therewith including receipt and remission of funds to the extent provided by article XIX, paragraph 2, of this Agreement.

ARTICLE XXI

The United States may establish and operate, within the facilities and areas in use by the United States armed forces, United States military post offices for the use of members of the United States armed forces, the civilian component, and their dependents, for the transmission of mail between United States military post offices in Japan and between such military post offices and other United States post offices.

ARTICLE XXII

The United States may enroll and train eligible United States citizens residing in Japan, who apply for such enrollment, in the reserve organizations of the armed forces of the United States.

ARTICLE XXIII

The United States and Japan will cooperate in taking such steps as may from time to time be necessary to ensure the security of the United States armed forces, the members thereof, the civilian component, their

dependents, and their property. The Government of Japan agrees to seek such legislation and to take such other action as may be necessary to ensure the adequate security and protection within its territory of installations, equipment, property, records and official information of the United States, and for the punishment of offenders under the applicable laws of Japan.

ARTICLE XXIV

1. It is agreed that the United States will bear for the duration of this agreement without cost to Japan all expenditures incident to the maintenance of the United States armed forces in Japan except those to be borne by Japan as provided in paragraph 2.

2. It is agreed that Japan will furnish for the duration of this agreement without cost to the United States and make compensation where appropriate to the owners and suppliers thereof all facilities and areas and rights of way, including facilities and areas jointly used such as those at airfields and ports, as provided in articles II and III.

3. It is agreed that arrangements will be effected between the Governments of the United States and Japan for accounting applicable to financial transactions arising out of this agreement.

ARTICLE XXV

1. A Joint Committee shall be established as the means for consultation between the Government of the United States and the Government of Japan on all matters requiring mutual consultation regarding the implementation of this agreement. In particular, the Joint Committee shall serve as the means for consultation in determining the facilities and areas in Japan which are required for the use of the United States in carrying out the purposes of the Treaty of Mutual Cooperation and Security.

2. The Joint Committee shall be composed of a representative of the Government of the United States and a representative of the Government of Japan, each of whom shall have one or more deputies and a staff. The Joint Committee shall determine its own procedures, and arrange for such auxiliary organs and administrative services as may be required. The Joint Committee shall be so organized that it may meet immediately at any time at the request of the representative of either the Government of the United States or the Government of Japan.

3. If the Joint Committee is unable to resolve any matter, it shall refer that matter to the respective Governments for further consideration through appropriate channels.

ARTICLE XXVI

1. This agreement shall be approved by the United States and Japan in accordance with their legal procedures, and notes indicating such approval shall be exchanged.

2. After the procedure set forth in the preceding paragraph has been followed, this Agreement will enter into force on the date of coming into force of the Treaty of Mutual Cooperation and Security, at which time the Administrative Agreement under Article III of the Security Treaty between the United States of America and Japan, signed at Tokyo on February 28, 1952, as amended, shall expire.

3. The Government of each party to this Agreement undertakes to seek from its legislature necessary budgetary and legislative action with respect to provisions of this Agreement which require such action for their execution.

ARTICLE XXVII

Either Government may at any time request the revision of any Article of this Agreement, in which case the two Governments shall enter into negotiation through appropriate channels.

ARTICLE XXVIII

This Agreement, and agreed revisions thereof, shall remain in force while the Treaty of Mutual Cooperation and Security remains in force unless earlier terminated by agreement between the two Governments.

In witness whereof the undersigned Plenipotentiaries have signed this Agreement.

Done at Washington, in duplicate, in the English and Japanese languages, both texts equally authentic, this 19th day of January, 1960.

For the United States of America:

CHRISTIAN A. HERTER.
DOUGLAS MACARTHUR 2D.
J. GRAHAM PARSONS.

For Japan:

NOBUSUKE KISHI.
AIICHIRO FUJIYAMA.
MITSUJIRO ISHII.
TADASHI ADACHI.
KOICHIRO ASAKAI.

Mr. ALLOTT. Mr. President, first I commend the senior Senator from Iowa for the very well considered and brilliant discourse which he has made upon the Japanese Treaty. I concur in what the Senator has said. I also concur in the remarks of the Senator from Arkansas, who this afternoon made such a fine presentation of all the ramifications of the Japanese Treaty to the Members of the Senate.

I intend to support the treaty. There is one thing I wish to state, as a result of some of the colloquy which occurred in the last few minutes. It seems to me that to deny the treaty is to draw a line down the Pacific. I do not think the United States can afford to do so. I do not think we can afford to bring our outer perimeter of defense closer to the United States than it is. We do not have to go far back in history to remember the Oxford movement of the 1930's and the very sad effect it had upon the thinking, the alertness and the wakefulness of this country. After World War II, I think we should ever be mindful of the effects which drawing a line closer to the United States might have upon our national policy and international policy.

I think we are all indebted to the Senator from Iowa [Mr. HICKENLOOPER], to the Senator from Arkansas [Mr. FULBRIGHT], to the Senator from Ohio [Mr. LAUSCHE], and to other Senators who have taken such a clear-cut stand upon this question.

Mr. President, for the benefit of my colleagues in the Senate I intend to devote myself for some 15 or 20 minutes to an entirely different subject, so Senators who have other things to do can take care of them in these few minutes.

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

Mr. ALLOTT. I am happy to yield.

Mr. HICKENLOOPER. I merely wish to express my thanks to the Senator for the kind words he has said about the treaty. I am happy the Senator agrees with me with regard to the treaty and is going to support it.

Mr. ALLOTT. Oftentimes the Senator from Iowa and I have minor disagreements, but this is not one of those occasions. I think the Senator has contributed a very great argument in behalf of the treaty.

Mr. HICKENLOOPER. I thank the Senator.

## THE NATIONAL SPACE EXPLORATION PROGRAM

Mr. ALLOTT. Mr. President, I shall take several minutes of the Senate's valuable time to make what I believe to be some pertinent comments on our national space exploration program. As ranking minority member of the Appropriations Subcommittee, which is responsible for approving the operating funds of the National Aeronautics and Space Administration, I have been somewhat disturbed by an apparent public confusion and outlook on this Nation's space efforts. I hope the statements and suggestions submitted in the course of my remarks will, on analysis, be considered as a constructive attempt to promote clarity and public understanding toward a program which unquestionably involves one of the most noble national endeavors upon which this country has ever embarked.

The study and deliberations I have made of our national space activities have led me to the conclusion that the Congress itself has been guilty of not providing the degree of enlightened cooperation which our space scientists and technologists require if they are to advance in their efforts on this challenging frontier of space. In fact, congressional enthusiasm and apathy on our space efforts have been so intermixed that our citizens have not been able to feel the real pulse of the truly great developments occurring in space in their own lifetimes.

Before providing the particulars in support of this conclusion, it may be helpful to review briefly what lies ahead on the space horizon for all humanity if our national space program is fully supported as well as vigorously pursued. Most of our scientists who have come to grips with the realities of our technical capabilities in space believe that within the lifetimes of most of us our progress in the world outside the earth will give us instantaneous communications around the earth. Television programs, for example, originating in New York, will be viewed in Bombay or Cairo. International telephone conversations will, without delay, be as easily made from Denver to Paris as they presently are today from Denver to Chicago.

Second. Our space capabilities reflect the great advances which lie before us in weather forecasting and possibly even weather control in the near future. Meteorologists of every nation have already acclaimed the breathtaking cloud cover pictures taken over millions of miles of the earth's surface by Tiros I. Pictures from Tiros I have now accumulated to a number of over 24,000. Our own weather experts indicate that with the earlier weather predictions now promised through our space efforts, billions of dollars in terms of lives and property can be saved to this Nation and the world.

It becomes immediately apparent that if our satellites can photograph with accuracy and detail cloud structure and formation, typhoons, and hurricanes, as they have, they will be able to observe, also in detail, launching sites, nuclear explosions, and military production sites. In the near future, then, hopefully the

world can be protected against sneak attacks and surprise aggression. If in December of 1941, the photographic capabilities of satellites had been available to the Nation, the destruction of our naval strength at Pearl Harbor might never have occurred.

In the field of navigation, there appears now to be no unsolved technological problems ahead to the development of a satellite system producing instantaneous information for accurate guidance of our ships and commerce on the high seas.

Sometime late next year, if present schedules can be maintained, the Nation's first man traveling in space will circle the earth in his mercury capsule. Twenty-seven thousand miles in 90 minutes, Mr. President, will be the greatest jump in manned traveling speed the world has experienced to date. In fact, it will be over a 1,200 percent increase in the speed attained today in even our advanced jet military aircraft. If our commerce keeps pace with our technological progress, it is not too unrealistic to visualize transportation between our east coast and Europe in a time period of less than 15 minutes. Yes; it sounds incredible, Mr. President, but we must remember that the Wright brothers were considered as "loony tinkerers" not too many years ago.

Even beyond the exciting vista which lies before us in the fields I have mentioned, great advancements can be expected in a number of areas upon which our lives are already heavily dependent today. The electronics industry, for example, pressed by the demands of space technology, has taken great strides forward in the development of new techniques and the miniaturization of existing equipment.

Medical research will be given new information through the experience of animate life traveling through space, some of which may open new avenues for remedies of present day diseases and illnesses. New and more powerful propulsion fuels are in development; the desire for new materials that are harder, lighter, and more durable under intense heating conditions in space may revolutionize the present day manufacture of industrial products in the days ahead; new power sources through a better understanding of the sun-earth relationship may develop; and perhaps beyond anything else, the great increase in our basic knowledge about the origin of the earth and indeed the existence of life on other planets holds a promise and excitement that few experiments in all recorded history could reflect.

I have not referred directly as yet to the international character of our space activities or the international prestige that is implicit in the competition between the United States and the U.S.S.R. in this field. The successful orbiting of Sputnik I on October 4, 1957, marked a new era in the Communist cold war, and the free nations of the world are, 4 years later, still rebounding from the claims of technological superiority of the Marxist societies.

Scientific community and world leaders, at home and abroad, know that the United States has launched successfully far more satellite and deep space probes than the Russians and have provided far more valuable data to benefit the world at large than their counterparts in the Soviet Union. However, the vast propagandist mill of the Communist network has exploited to the fullest measure, the sputniks, and luniks, which have been launched to the moon and beyond in order to achieve the greatest psychological advantage for Russia.

Our scientists inform us that the Soviet Union has revealed to the world at large relatively little scientific data that they may have obtained through these efforts. And this in spite of the condition that our data, as well as the information on our successes and failures in space, have been placed in open view, even to the Soviet Union.

I believe there is no question that we are in a technological race in space with the Soviet Union and that our competition views this race as a critical factor in their drive to communize the world. Our scientists and technicians are not hanging their heads in shame, nor are they fearful of the outcome if they can be assured of continuous support for their research efforts. They have proven to date that they are not only willing but capable of keeping this Nation in the forefront in the fields I have already mentioned but are confident of leading the way in many others that will bring credit to the Nation and the free world as well.

Most of the Members of the Senate recall the lengthy hearings held several years ago in both Houses of Congress by select committees on the subject of this Nation's space effort. These hearings culminated in the establishment of a national policy that our exploration of space should be dedicated to peaceful purposes and the establishment of the National Aeronautics and Space Administration to conduct our space exploration program. Provision was made at that time to safeguard the responsibilities of the Defense Department to carry on defense programs in space. And finally, for the first time in some 80 years, both Houses of the Congress, established new permanent committees to legislate and have jurisdiction over a new function of the Federal Government.

Since these developments have occurred, programs, personnel, and facilities have been concentrated in the NASA and a long-range plan for space exploration has been formulated by the scientists in the new agency.

In addition to these rapid developments, appropriations have been requested of the Congress to provide the financial foundation that this challenging and promising program required. And it is in this area, Mr. President, that I would like to direct my final comments to the attention of my colleagues.

I, and I am sure the citizens of my State, have been disturbed by the comments of leading members of the opposition party that we are not going fast enough in space and that budget restrictions are retarding our space efforts.

However, I find that in the last 3 fiscal years, the Congress of the United States has cut the funds for our National Space Administration by $74,900,000. And the other body of Congress has already approved a reduction of $38,900,000 for next year's operating funds for NASA. I am pleased to state quite openly that the reduction in funds for this vital program has not originated in this body. To the contrary, the Senate has supported on every occasion the appropriations requested by our space scientists and technicians. But, as the Members well know, controversies between the two Houses are settled by compromises and these compromises in our space budget have resulted in vital programs being delayed or canceled by the space agency.

I believe that the Members of Congress should be as consistent in the support which they give to the space program as they are consistent in their repeated statements regarding the urgency for our national space efforts.

In conclusion, I want to state that there may be a valid question as to whether our present organizational structure in Congress for consideration of space legislative matters is designed to promote the information needed by its members in order for them to intelligently support their efforts.

I do not wish my remarks however to be misunderstood for I have the highest regard for the work which the present Space Committees of both houses have performed to date.

Over the years the Joint Committee on Atomic Energy has become a valuable mechanism to the Members of Congress in bringing pertinent and timely information on a scientific program of great national significance. I believe that a Joint Committee on Space Exploration which would have legislative jurisdiction over our national space activities would possibly produce a greater degree of congressional support for our technical space oriented programs.

I ask unanimous consent that an information fact sheet about the National Aeronautics and Space Administration, together with a table 1 entitled, "Significant Firsts in Sounding Rockets, Satellite, and Space Probe Research," be printed in the RECORD at this point in my remarks.

There being no objection, the fact sheet and table were ordered to be printed in the RECORD, as follows:

INFORMATION FACT SHEET ABOUT THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

BACKGROUND

The National Aeronautics and Space Administration (NASA) was established by Public Law 85-568 signed by President Eisenhower on July 29, 1958. Earliest public statements about official governmental interest in scientific experiments in space occurred in 1955 when announcement was made of our intention to launch artificial satellites as part of our contribution to the program of the International Geophysical Year (IGY). Military interest in the use of the space environment has existed, but not publicly, for many years.

Prior to 1958, the limited space activities of the United States were conducted by the military departments. Although financed by the National Science Foundation, the Vanguard IGY program was under the management and technical direction of the Navy.

Projects initiated following Sputnik I (Oct. 4, 1957) were funded by the Department of Defense, Advanced Research Projects Agency (ARPA) and carried out by the military services whether for civilian scientific or for military purposes.

On October 1, 1958, NASA officially came into existence and several projects were transferred from the Department of Defense (DOD) to NASA. The Administrator of NASA and the Deputy Administrator, T. Keith Glennan and Hugh L. Dryden, respectively, were confirmed by the Senate on August 14, 1958, and sworn in on August 19, 1958. Throughout the balance of 1958 and 1959, transfers of various projects between DOD and NASA occurred as the program and operating responsibilities of each agency were clarified.

PROVISIONS OF THE SPACE ACT

The act set forth the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind and that a civilian organization, NASA, was being organized to conduct such activities. The act reserved to the Defense Department jurisdiction over those space activities which were necessary in carrying out the military responsibilities of the respective departments.

The President was made directly responsible for (1) surveying all significant aeronautical and space activities, (2) developing a comprehensive program of such activities to be conducted by agencies of the United States, (3) designating the agency to carry out major activities, (4) providing for effective cooperation between the DOD and NASA and (5) resolving differences between these two agencies on matters of jurisdiction. He was given a Space Council composed of governmental and nongovernmental members to advise him on the performance of these duties and there was established a Civilian-Military Liaison Committee through which the Secretary of Defense and the Administrator of NASA would advise and consult on matters of concern to each.

PROPOSED CHANGES IN SPACE ACT (85-568)

On January 14, 1960, the President transmitted a message to the Congress proposing changes in Public Law 85-568 which are intended to make it clear that the Nation's program in space exploration for peaceful purposes is and should be the responsibility of a single civilian agency—NASA. Provision is made for the President to allocate responsibility for the design and development of new launch vehicles and to resolve possible disputes between NASA and the DOD. While there are proposed changes in the wording regarding military activities in space, there is no change in the intent to leave the Department of Defense free to meet its military responsibilities through the use of space and the development of weapons using space vehicles.

Further, the President states his belief that it is no longer desirable to retain in the act those provisions which impose planning and supervisory duties on the President. Since the purpose of the Space Council is solely that of advising the President on the performance of his duties, the enumeration of which is to be repealed, he proposes the elimination of the Space Council. Because of the many channels for communication between NASA and the DOD, the President further proposes the elimination of the Civilian-Military Liaison Committee.

A proposed change that has attracted some attention has to do with property rights in inventions. In brief, it is proposed that the patent policies of NASA be changed to approximate those of the Department of Defense so that the Government, through both of these agencies, treats its contractors in this field similarly, while adequately protecting the interests of the Government.

TECHNICAL COMPETENCY OF NASA

NASA has transferred to it the 43-year-old National Advisory Committee for Aeronautics (NACA), including 8,000 scientific, technical, and administrative personnel. The NACA's reputation for research in the development of advanced aircraft was unexcelled anywhere in the world. Its research program, for some years, had been oriented substantially toward space related problems. In addition, the President has transferred scientists from the Naval Research Laboratory, 2,700 technical and scientific personnel of the Jet Propulsion Laboratory, and recently approximately 5,000 Government personnel from the Army's Huntsville Ordnance Command (Von Braun group) to NASA. The last transfer will become effective March 15, 1960, unless Congress disapproves, but the technical management of the group's main program, Saturn (the 1½-million-pound thrust engine) is already being carried forward by NASA.

NASA'S PROGRAM OF SPACE EXPLORATION

The major components of the Nation's space exploration program being conducted by NASA are:

(a) Manned satellite program: The first step in this program is Project Mercury. The objectives are to place a man in orbit; to recover him safely; and to study his capability to perform useful functions while in orbit. Ballistic training flights for the Astronauts are scheduled for the last half of calendar year 1960. Present plans call for orbital flight in calendar year 1961.

(b) Scientific investigations in space: A broadly based program of research in a variety of fields (chemistry, physics, astronomy, biology, etc.) will employ satellites and sounding rockets. This program will continue over many years at a significant but relatively constant funding level.

(c) Lunar and planetary programs: First steps involve the launching of lunar probes and satellites followed by hard and soft lunar landings and finally by manned lunar expeditions. Similar exploration of the environment and surface of Mars and Venus will follow in a later time period. Other projects in this category will involve the use of probes to study interplanetary space. A manned lunar landing is not anticipated before 1970.

(d) Satellite applications: This program utilizing orbiting satellite spacecraft is designed to produce practical applications of space technology. It is expected to provide greatly improved weather forecasting, worldwide television and telephone services, improved and more reliable navigational aids and more accurate mapping of the earth's surface. In this area, there exists the greatest possibility of duplication of activities between NASA and the DOD. This being recognized, effective means of avoiding needless duplication have been developed. It is important to note, too, that in these areas, the greatest opportunity for mutual support between NASA and the DOD also exists.

(e) Launch vehicle systems: A very substantial portion of NASA's budget is being devoted to the development and testing of launch vehicle systems necessary to carry instruments and men into space. This program shares with Project Mercury the highest urgency in the entire NASA effort.

The launch vehicles that are presently in use are those that for the most part have been assembled from available missile hardware and have been marginal for the missions to which they have been assigned.

However, a family of new launch vehicles is under development that will provide the capability to place payloads ranging from 200 to 30,000 pounds into a low earth orbit. It is expected to develop this capability to orbit payloads of 5,500 pounds in 12 to 15 months, 9,000 pounds in 18 months to 2 years, and 30,000 pounds in 3 to 5 years.

UNITED STATES-U.S.S.R. SPACE COMPARISON

Immediately after World War II, the Soviet Union began intensive work in the field of high-thrust ballistic missiles. This was 5 or 6 years before any serious organized activity within the United States. Due to this headstart, the U.S.S.R. has demonstrated a considerable lead over the United States in the field of propulsion, and, consequently, the ability to project heavier payloads into space. Within 2 years the present U.S. vehicle development program will enable the United States to catch up with the present effort of the U.S.S.R., but it will take 4 or 5 years before we can expect to significantly surpass their present capabilities. This will come with the development of the Saturn (1½-million-pound thrust) vehicle. All available evidence indicates U.S. superiority in tracking and data acquisition operations and equal or superior ability with the U.S.S.R. in the scientific instrumentation field.

In the past 2 years the United States successfully launched 12 scientific earth satellites and 3 deep space probes. Seven U.S. satellites are still in orbit, and one space probe orbits the sun. In the same period, the U.S.S.R. has launched three satellites and three space probes; one satellite orbits the earth, one probe orbits the sun; another probe impacted the moon, and a third is in an earth-lunar orbit. Because the U.S.S.R. has had more powerful launch vehicles, they have been able to launch heavier payloads and perform more spectacular experiments than the United States. Table I lists some of the significant accomplishments of both countries. Table II lists U.S. launchings for calendar year 1959.

INTERNATIONAL COOPERATION

The United States has continued the cooperative nature of its space activities that was the keynote of the International Geophysical Year (IGY) program. This has been effected through U.S. participation in the extension of IGY in the International Council of Scientific Unions Committee on Space Research (Cospar). Through Cospar the United States has offered to launch scientific satellites containing experiments of foreign scientists. In addition arrangements are being made for limited joint programs of space exploration between the United States, Canada, and the United Kingdom.

The operation of the extensive U.S. tracking network required for all space launchings, and in particular for project Mercury, is another avenue through which our program has attained an international character. We have even offered the services of this network in support of the Soviet-manned space flight program since they have no comparable facilities.

Last but not least the United States has taken the initiative in the United Nations to bring about the appropriate study, cooperation and action that is due a subject of such wide appeal to nations around the world.

*Space program funds*

NEW OBLIGATIONAL AUTHORITY

[In millions]

| Fiscal years | 1958 | 1959 | 1960 | 1961 [1] |
|---|---|---|---|---|
| NASA | 117 | 305 | [2] 524 | 915 |
| Defense | 52 | 440 | 454 | 407 |
| AEC | 20 | 33 | 52 | 47 |
| Total | 189 | 778 | 1,030 | 1,369 |

[1] Requested from Congress.
[2] 23 million requested from Congress as 1960 NASA supplemental.

CONGRESSIONAL ACTION ON NASA APPROPRIATIONS

[In millions of dollars]

| Fiscal year: | Reductions |
|---|---|
| 1958 | 45.0 |
| 1959 | 6.7 |
| 1960 | 23.2 |
| Total | 74.9 |

TABLE I. SIGNIFICANT FIRSTS IN SOUNDING ROCKETS, SATELLITE, AND SPACE PROBE RESEARCH

UNITED STATES

1. A number of firsts in high altitude rocket research, including among others:

First detailed photo of solar ultraviolet spectrum.

First photo of complete tropical storm.

First penetration of equatorial ionospheric current sheets.

First detection of X-rays in high atmosphere.

First detection of auroral particles in high atmosphere.

2. Discovery of the Van Allen Radiation Belt.

3. Discovery that the Van Allen Radiation Belt consists of at least two zones.

4. Creation of a manmade radiation shell around the earth (the Argus experiments).

5. The first precise geodetic use of artificial earth satellites (Vanguard I) to obtain refined information on the size and shape of the earth, providing a more accurate measurement of the flattening and showing that the earth is actually slightly pear shaped.

6. First achievement of an elementary communication satellite, in Project Score.

U.S.S.R.

1. First artificial earth satellite.

2. First lunar near miss.

3. First lunar impact.

4. First pictures of the hitherto unseen side of the moon.

5. First detection of what may be a current ring about the earth (the Chapman-Störmer ring).

6. First routine recovery of large animals (dogs and rabbits) from high altitude rocket flights.

7. Development routine use of a meteorological sounding rocket, recoverable and reflyable.

8. First launching of a large animal (laika) in a satellite of the earth.

9. First high capacity, maneuverable, heavily instrumented, spacecraft with fully successful long range communications (Lunik III).

TABLE II.—*Calendar year 1959 launchings*

| Date | Experiment | Results |
|---|---|---|
| Feb. 7, 1959 | Vanguard II | Success. |
| Mar. 3, 1959 | Pioneer IV | Do. |
| Apr. 13, 1959 | Vanguard | Failure. |
| June 22, 1959 | Vanguard | Do. |
| July 16, 1959 | Explorer | Do. |
| Aug. 7, 1959 | Explorer VI | Success. |
| Aug. 14, 1959 | Beacon (12-foot sphere) | Failure. |
| Sept. 18, 1959 | Vanguard III | Success. |
| Oct. 13, 1959 | Explorer VII | Do. |
| Nov. 26, 1959 | Lunar Orbiter | Failure. |
| Sept. 9, 1959 | Mercury-Atlas | Success. |
| Aug. 21, 1959 | Mercury-Little Joe I | Failure. |
| Oct. 4, 1959 | Mercury-Little Joe II | Success. |
| Nov. 4, 1959 | Mercury-Little Joe III | Do. |
| Dec. 4, 1959 | Mercury-Little Joe IV | Do. |

## PROPOSED NATIONAL INSTITUTE FOR ATMOSPHERIC RESEARCH

Mr. ALLOTT. Mr. President, it is with a great deal of confidence that I can announce to the Senate that plans now are under way for a new National Institute for Atmospheric Research.

This will be announced by the National Science Foundation and the University Corporation for Atmospheric Research. Both will support this coordinated endeavor to further our basic research into the atmosphere.

A Director will be announced soon. It will be his task to select a research and planning staff. New, major facilities for atmospheric research, so important in our space and other programs, are envisioned ultimately. However, it will be the task—one of several months or even of several years—of this planning group to determine exactly what is needed and where it should be located.

The National Science Foundation plans to participate by making grants to the University Corporation on Atmospheric Research to pay the salaries and costs of this planning work.

This is just one of the reasons that it is so important to restore the cuts made by the House in the proposed Foundation budget, much of which would have come from funds urgently needed for broad basic research if we are to continue to match or exceed the Soviet Union in scientific endeavor.

To background this just a bit more, let me say that in 1959 a report was published by a committee composed of scientists from 14 major universities which pointed up many deficiencies in the atmospheric sciences in the United States. A major deficiency was the lack of suitable facilities for the conduct of broad-scale research in the complex and diverse phenomena affecting the atmospheric envelope of the earth. As a result of recommendations contained in the report, the Foundation proposes a gradual buildup in the research facilities necessary to support this field of science. Examples of such facilities include aircraft, equipped and instrumented, to serve as platforms for atmospheric research; ground-based and airborne equipment for probing the atmosphere with radar and other electromagnetic radiation techniques; and, instrumented balloons and rockets for probing the upper atmosphere. Assistance in building atmospheric science laboratories will also be provided to individual university groups to improve the effectiveness and coverage of the cooperative research programs.

## TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN THE UNITED STATES OF AMERICA AND JAPAN

The Senate resumed the consideration of Executive E (86th Cong., 2d sess.), the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington on January 19, 1960.

Mr. GRUENING. Mr. President, I rise to support the ratification of the treaty with Japan. I shall vote for it with no slight misgivings, but shall do so because I believe that on balance, and, perhaps better said, because I hope, the treaty will be beneficial both to Japan and to the United States, and that it may contribute to the keeping of the peace, which certainly is the desire and hope of the peoples of the world. Actually, we have no desirable alternative.

I wish to take this occasion to congratulate the chairman of the Committee on Foreign Relations on his well-balanced, objective, and dispassionate presentation of the pros and cons of ratification, and of the complexities underlying the situation.

He has illuminated the problems involved and has truly informed us. He has in no sense minimized the uncertainties that lie ahead after ratification. His has been a statesmanlike performance.

Likewise, I wish to pay tribute to the senior Senator from Oregon [Mr. MORSE] for his penetrating discussion of the weaknesses and omissions of the treaty. The Senator from Oregon has likewise announced his support of ratification, but his criticism of the administration's foreign policy deserves wide reading. It is notable that again and again in the past Senator MORSE, a member of the Committee on Foreign Relations, has been a dissenter, at times a lone dissenter, at times supported by only two or three, from the policies recommended by the administration and adopted, often reluctantly, by the Senate. Time and again his analysis of the shortcomings of these policies has proved sound, and his prophetic judgments have been vindicated with the passage of time. So his views on the treaty and the circumstances and events surrounding it are entitled to the utmost respect.

I likewise wish to commend the value of the remarks expressing doubt and probable opposition to the treaty which have been raised by the Senator from Louisiana [Mr. LONG].

Nor in deciding to support ratification, am I unmindful of the moving plea against ratification found on pages 48, 49, and 50 of the hearings, signed by nearly 400 representatives of the clergy, from all parts of the Union, who illustrate in their objection to the treaty the great dilemma which arises from the conflicting desire for disarmament, a goal we must all seek, and the need for military sufficiency, which the realities of this contemporary world with its totalitarian aggressors requires.

There are strong bonds of amity between us and the great people who occupy the narrow chain of islands that constitute the homeland of Japan. It is clearly desirable to erase as far as we may the harsh memories of the bitter struggle in which our two nations engaged, with the sacrifices of so many young lives, which have left a legacy of mourning in countless homes, both in Japan and in the United States.

It is clearly desirable to erase as far as we can the bitter fruits of what President Roosevelt labeled "a day of infamy," when, under the misleadership of a fanatic military clique, Japan precipitated the unprovoked attack without warning on Pearl Harbor.

It is desirable for us to remember always that the people of a nation are not necessarily responsible for the acts of their governmental leaders. They are,

as often as not, the victims. While we like to believe, and do believe, that even, in a democracy like ours where the people rule, and are hence presumed responsible for our Government's acts, in a system that whatever its faults we still consider the best yet devised by man, yet the acts of our Government may be unwise and productive of disaster. Much that has happened to us recently falls into this category.

So, we should try to dissociate ourselves from holding the people of Japan responsible for the actions of their warlords in 1941, just as we should clearly distinguish between the people of Russia and the actions of their rulers in the Kremlin, and no doubt also between the people of Red China and the leaders Mao Tse-tung and Chou En-lai.

Mr. President, the Japanese are a noble people, with a high culture, a great history, and with unique qualities of an outstanding order. They fought with great bravery in a war into which they were pushed. They have returned to the difficult struggles of peace, after a crushing defeat, with courage and determination. They are a hard-working, industrious people with exceptional standards of morality. They are an artistic people, a courteous people, a friendly people. Whatever we may do to get to know them better, to achieve a better understanding by us of them and by them of us, will be in the best possible cause.

Incidentally, I am glad to report in this connection that an entirely new and unprecedented industrial and trade relationship is in the making between the State of Alaska and Japan. Japanese and American capital have combined to establish a new and important industry in Sitka, a pulpmill which utilizes the hitherto unused virgin timber resources of southeastern Alaska.

The mill will be dedicated with appropriate ceremonies in a few days, on June 29. I wish I could be there. However, I consider it of sufficient importance to warrant my sending a member of my staff to represent me and convey my good wishes.

From Wrangell and other southeastern Alaskan communities, spruce, hemlock, and cedar timber is being directly exported to Japan, which is so short of its own forestry resources.

Alaskan iron ore, chromite, and oil, all needed in Japan, are in prospect as exports, from Alaska to Japan. Conversely, we hope to see the direct importation from Japan, on its steamers, of the superlative arts and crafts of Japan, and of its many manufactured products in the perfecting of which the Japanese have made such great progress in recent years, and whose export is necessary to sustain a stable economy in those crowded islands of Nippon.

Some grave problems, particularly in the field of fisheries, remain as yet unresolved between Alaska and Japan but we hope that by an attitude of mutual understanding, forbearance, reasonable compromise, and give and take, we may resolve some of these thorny differences.

The able Ambassador of Japan, Mr. Koichiro Asakai, will visit Alaska this summer. We have gotten to know him well here in Washington and both like and admire him. I bespeak for him a warm and hospitable welcome.

Whether the treaty will serve the purposes which its Government sponsors in Japan and the United States hope for is by no means certain. As the New York Times in its leading editorial today said, "the ultimate fate of the security treaty and our bases in Japan must depend on the will of the Japanese people as expressed in new elections which now seem inevitable. Bases in a hostile country are of little value. The great majority of the Japanese people has thus far been realistic enough to support their alliance with the United States. This choice will now be put to the test again. The United States could well contribute to a positive result by ratifying the pact as quickly as possible."

Mr. President, I agree with that conclusion. I ask unanimous consent that the full text of the Times editorial be printed in the RECORD at this point in my remarks.

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

[From the New York Times, Tuesday, June 21, 1960]

WHITHER JAPAN?

The course of events in Japan in recent weeks has demonstrated clearly that two vital issues are at stake. One is Japan's position as a key bastion in the defense structure of the free world, now represented by the mutual security pact and the American bases in Japan. The other is the fate of Japan's new democracy.

The Communist objective is obviously to knock Japan out of the defense structure, as Premier Khrushchev seeks to knock out Germany, to neutralize both and thus pave the way to further Communist gains. To this end they have mobilized in Japan what they could not mobilize in Germany—namely, a Communist "Fifth Column." They have also sought to exploit a postwar jumble of emotions which Japan has been unable to resolve and in which neutralism and pacifism blend with pro-communism to produce an anti-American reaction.

In this situation the ultimate fate of the security treaty and our bases in Japan must depend on the will of the Japanese people as expressed in new elections which now seem inevitable. Bases in a hostile country are of little value. The great majority of the Japanese people has thus far been realistic enough to support their alliance with the United States. This choice will now be put to the test again. The United States could well contribute to a positive result by ratifying the pact as quickly as possible.

That the leftwing riots, of which more seem likely to follow, are jeopardizing Japan's democracy is self-evident. Japanese Communists have been able to get control of large student and labor organizations and to form them into political fighting groups for their own ends. The Japanese Government has thus far lacked power to deal with the rioters effectively before the rioting begins. This may change after the elections. But if it does not, one result seems inevitable. The leftwing "storm troopers" will stimulate the formation of rightwing "storm troopers" by rightist organizations already on the scene, and Japanese democracy could well be crushed between the forces of communism and fascism, as democracy was crushed in the Weimar Germany. Only the Japanese Government and the Japanese people can ward off this danger.

The debate on the treaty and the events which have preceded and accompanied its ratification in Japan, and which continue, have been the subject of pertinent and illuminating comment, not only on the floor of the Senate today, but by some of the country's leading columnists.

It should be a part of our duty to inform the American people, as fully as possible, of what is implied in the action the Senate will shortly take. It is regrettable that these comments by the most respected and responsible of our commentators inevitably find so much to criticize in the policies of this administration.

I call attention particularly to the article written by Walter Lippmann, already referred to by other Senators in the course of the debate. Mr. Lippmann makes clear that the "Trouble in Japan," which is the title of his widely syndicated column published in this morning's Washington Post, is that the administration's policies have played no small part in that trouble.

Mr. Lippmann begins his article by saying:

The cancellation of the President's visit to Japan, and his embarrassing experience in Okinawa, stem from the refusal in Washington to look squarely at the U-2 affair and its significance.

The capture of the U-2 and the way the incident was handled in Washington compromised gravely the whole circle of American bases from Norway through Turkey and Pakistan to Okinawa and Japan. When we confessed, and indeed boasted, that for 4 years we had been using these bases for a secret and illegal operation against the Soviet Union, our allies were morally and legally defenseless against the threats of the Soviet Union. A small and exposed nation is bound to take such threats seriously and although the threats may have been blunted they were not removed by the President's renunciation of aerial espionage. Thus the effect of the U-2 was to undermine our whole system of encircling bases. For it focused attention upon the fact that the bases had been secretly used for an operation which exposed the country containing the base to grave risk.

It was in this atmosphere that the Kishi government felt compelled to secure the ratification of the treaty. This naturally led to the rioting. Nevertheless, it seems to me inevitable that we should ratify the treaty.

I ask unanimous consent that the article by Mr. Lippmann be printed at this point in my remarks.

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

TROUBLE IN JAPAN

(By Walter Lippmann)

The cancellation of the President's visit to Japan, and his embarrassing experience in Okinawa, stem from the refusal in Washington to look squarely at the U-2 affair and its significance.

The capture of the U-2 and the way the incident was handled in Washington compromised gravely the whole circle of American bases from Norway through Turkey and Pakistan to Okinawa and Japan. When we confessed, and indeed boasted, that for 4 years we had been using these bases for a secret and illegal operation against the Soviet Union, our allies were morally and le-

gally defenseless against the threats of the Soviet Union. A small and exposed nation is bound to take such threats seriously, and although the threats may have been blunted they were not removed by the President's renunciation of aerial espionage. Thus the effect of the U-2 was to undermine our whole system of encircling bases. For it focused attention upon the fact that the bases had been secretly used for an operation which exposed the country containing the base to grave risk.

In the very days when the U-2 had become the occasion for Mr. Khushchev's actions in Paris, the Kishi government was trying to have the new Japanese-American treaty ratified by parliament. This treaty grants to us the base right in Japan for at least 11 years. A less auspicious moment for railroading the treaty through the parliament can be hardly imagined than was the moment in which the summit conference collapsed. But Mr. Kishi, who was fighting not only for the treaties but for his own political life, did railroad the treaty through the parliament in the face of a very large volume of public disapproval, by no means confined to the Communists.

The President was then called upon to decide whether instead of traveling to Tokyo from Moscow, as originally planned, he would go to Tokyo anyway and would arrive there on the day when Mr. Kishi's coup for the treaty was consummated. The President decided to go to Tokyo, to go despite the fact that the U-2 and the collapse at the summit had aroused great popular fears about the American base. The President chose to go despite the fact that after his quarrel with Mr. Khrushchev, his visit to Japan had ceased to be conciliatory and had become defiant. He chose to go despite the fact that the timing of the visit enabled Mr. Kishi to exploit for his own political purposes the President of the United States.

This was a wrong decision. After the collapse of the summit the right decision would have been to cancel all visits, and to remain in Washington on the grounds that the world situation required the full attention of the President for the purpose of strengthening the national position. This would have been an answer to Mr. Khrushchev's vituperations. It would have done much to restore the shaken confidence of our allies. And it would have spared the President the humiliation in the Far East which has been inflicted upon him and his Office.

It can be said that the wrong decision was taken without any strong protest and criticism in Congress or in the press. That is true. The opposition had been virtually silenced when the Republicans and Senator JOHNSON cried out that it was unpatriotic to inquire seriously into the causes of the U-2 disaster.

So the President and his advisers had a free hand to take the decision about the Far East. Unfortunately for them and for the country, they showed the same kind of bad judgment which had caused them to fumble the U-2 affair. In both cases they ignored the well-known conventions and the old wisdom of the art of diplomacy. In both cases they judged the immediate situation not objectively but wishfully.

Thus, in the affair of the U-2 they abandoned the ancient convention which is that a government never avows responsibility for espionage, much less attempts to justify it. In the affair of the Tokyo visit they ignored the conventions which protect a state visit. One of these conventions is that a visit by the head of a state is a visit to the whole nation and not to a political head of the government which happens to be in office. A state visit, therefore, should never be made to a country which is divided within itself on an issue in which the visiting head of state has a special interest. The very reasons which have been advanced on behalf of the visit are compelling arguments against it—that the treaty would fail if the President decided not to come to Tokyo and that Kishi would fall. This was a misuse of the institution of the state visit, and if the President and his advisers had known or had remembered the old rules of the diplomatic game, we would all be much better off today.

Furthermore, in their judgment of the immediate situation in the Far East and especially in Japan, they grossly underestimated the impact on Asian popular opinion of the U-2 and the renewed quarrel with Moscow. There is no use deluding ourselves, as Mr. Hagerty does, that the opposition to the treaty and to the President's visit was confined to a small minority of Communists incited and paid for by Peiping and Moscow. The preponderant opinion of any Asian country within the military reach of Russia and China is bound to be neutralist. When we urge them to be anti-neutralist, they respond by being anti-American, and it is a great error to act as if an anti-neutralist policy can rally popular support. In Tokyo mighty little has been heard recently from the alleged majority who are supposed to be for the treaty.

The treaty has nevertheless been ratified. But we must realize that we are not at the end of the story. It is a question whether the treaty can now be made to work against a mounting agitation. In fact, we have to ask ourselves whether a much greater disaster to our position in the Far East can be averted unless there is, as powerful Japanese newspapers are already demanding, a renegotiation of the treaty, and with it a reformulation of our Far Eastern policy.

Mr. GRUENING. Mr. President, a similar column, written by another distinguished columnist, Marquis Childs, entitled "The Asian Volcano Ready To Erupt," also published in today's Washington Post, expresses his forebodings. He begins by saying:

The sounds out of Asia are like the rumblings of a volcano about to erupt. The subterranean roar, breaking out into the open in Korea and Japan, is a deepseated symptom that American policymakers have in recent years either ignored or have failed to face up to.

They have believed that by backing "strong" men and providing military assistance for military pacts the line could be held. What is happening today, belies this comfortable assumption.

The easy explanation is communism—the Communists have been at it again. Certainly communism is the trigger. But an explosion could not be set off if in the mass there were not the potentialities for an outburst.

Mr. Childs concludes with the wise advice:

There are two ways to react to what is happening. One is to learn from it and to try to formulate new and more realistic policies to be carried out by those who understand what recent events mean. The other way is to belabor the Communist scapegoat, to go on ignoring the present trend away from the West—and to be shocked and surprised when the volcano erupts again.

I ask unanimous consent that the article by Mr. Childs be printed at this point in my remarks.

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

THE ASIAN VOLCANO READY TO ERUPT

(By Marquis Childs)

The sounds out of Asia are like the rumblings of a volcano about to erupt. The subterranean roar, breaking out into the open in Korea and Japan, is a deepseated symptom that American policymakers have in recent years either ignored or have failed to face up to.

They have believed that by backing "strong" men and providing military assistance for military pacts the line could be held. What is happening today belies this comfortable assumption.

The easy explanation is communism—the Communists have been at it again. Certainly communism is the trigger. But an explosion could not be set off if in the mass there were not the potentialities for an outburst.

In the view of this observer, America's China policy, ignoring the existence of 600 million people and hoping that something would turn up, preferably that long-promised internal revolution, is at the root of the trouble. The effect of the Chinese revolution throughout Asia has been incalculable. The material achievements of the Red regime, trumpeted by a powerful and uncreasing propaganda, have had a far-reaching influence.

Those achievements seem to the West to have come at an appalling cost in human values, reducing human beings to ants or bees entirely at the mercy of an all-powerful dictatorship. But in Asia, where all but a tiny fraction of the people live close to the hunger line and where "freedom" is only the vaguest word, this has nothing like the same impact. The mass of Asians see the highways, schools, research centers, modern weapons achieved by an Asian people who breathe defiance at the West.

The surprises for policymakers in Washington, such as the uprising that drove Syngman Rhee from Korea, are far from ended. Knowledgable analysts in the top echelon of Government believe that something like this may happen in the not too distant future in Vietnam. Or, at any rate, the potential is there to be fired by a Communist fuse.

It is a familiar situation. The head of the Government, President Ngo Dinh Diem, is a man of integrity and courage dedicated to a free Vietnam oriented toward the West. But recent reports indicate that grafting by officials of his National Revolutionary Party is reaching an intolerable stage. In some areas the Government exercises authority during the day and the Communists take over at night, as in the last phase of the French Indo-China war.

What is disturbing is to hear from State Department officials something like the following: Yes, there is graft. Perhaps it is not as bad as some sources represent it to be. Anyway, in the Orient you have to accept a degree of graft as a matter of course.

This was exactly what was being said by apologists for Chiang Kai-shek before the Communists triumphed in 1949 and drove Chiang and a remnant of his force to Formosa. Certainly in China the graft had reached an intolerable level, with members of Chiang's family amassing enormous fortunes as a ruinous inflation ran riot and contributed to the ultimate tragedy.

Graft in the Philippines is reported to be at such an oppressive level that some sources advised the President against visiting Manila lest he seem to sanction what is going on. Richard Dudman of the St. Louis Post-Dispatch staff, traveling with the President, reports that leaders of the opposition Liberal Party were kept away from Eisenhower, although the likelihood is that they will come to power in elections next year on a wave of discontent.

That illustrates one handicap of the personal diplomacy of these Presidential tours. The visiting American President sees only those sitting currently in the seats of power and he hears only their formal protestations of friendship at big, showy ceremonial functions.

There are two ways to react to what is happening. One is to learn from it and to

try to formulate new and more realistic policies to be carried out by those who understand what recent events mean. The other way is to belabor the Communist scapegoat, to go on ignoring the present trend away from the West—and to be shocked and surprised when the volcano erupts again.

Mr. GRUENING. Mr. President, likewise, in another category, is a moving letter which was published in today's Washington Post and Times-Herald. The letter was written by a Japanese student who is in Washington studying medicine. He said:

I like your country very much. One of the many reasons why I came all the way from Japan to study medicine in your country is because I wanted to have many good friends in this lovely country.

Then he discussed the history of the war, the peace treaty, and the renunciation of war by Japan. He ends with a conclusion adverse to the treaty, but which is revealing, because it supports the favorable sentiment in Japan, which is pacifistic, not communistic, but which is the natural reaction to recent history. He says:

America as a great country once taught Japan how to adopt a democratic constitution in her country. I do not believe that the same America teaches the same Japan now how to destroy it.

I ask unanimous consent that the letter be printed at this point in my remarks.

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

BEHIND THE PROTESTS

I am a Japanese student visiting your lovely country in order to study at Howard University Medical School in Washington. I like your country very much. One of the many reasons why I came all the way from Japan to study medicine in your country is because I wanted to have many good friends in this lovely country.

I like America as well as my own country. Therefore, the major concern between the two countries is also my personal concern. For this reason, I am forced to mention my opinion about the United States-Japan military treaty, which is now going to create misunderstanding between the people of the two nations.

According to the news, it is said that the demonstration in Tokyo against the United States-Japan military treaty was the biggest and the toughest one that Mr. Hagerty had ever encountered in this life.

"More than 150,000 Japanese marched through Tokyo's broad downtown avenues for 10 hours Saturday * * *. Marching sometimes 30 abreast, columns—including workers, actors, artists, teachers, farmers, Communists, Socialists, and fanatical university students—paraded riotously. Buddhist priests, hymn-singing Christians and hundreds of women joined in." (Quotation from Washington Post, June 12.)

Reading this, it was hard for me to believe the demonstration was done only by a small group of pro-Communists. My strong feeling is that the demonstration was done by a majority of Japanese including all kinds of people. It was nationwide in scale. It may be difficult for most Americans to know the reason why such a demonstration of great scale was held.

I will try to explain that reason. The demonstration is in its essence nothing but the protest against the United States-Japan military treaty which was signed recently between the two Governments. The main reason why the Japanese people protest so seriously against this treaty is because it is against the Japanese Constitution for her to have such a treaty.

Some of the readers may not know this fact, but Japan adopted the new Constitution after the end of World War II. The most conspicuous feature of this new Constitution is the absolute and unconditional renunciation of war as a sovereign right of a nation, thereby outlawing the use of threat as well as of force itself as a means of settling international dispute.

Therefore, it is a matter of common sense for the Japanese people to demand their Government as well as American Government to cancel such a treaty. But their demand was refused with the reason that it does not represent the opinions of the majority Japanese.

However, since this demand does represent the opinions of the majority Japanese, such a large number of Japanese of all kinds are still seriously protesting against the United States-Japan military treaty. It is true that there is a small group of Communists who are participating in the protest. However, all the protestants are not the Communists. On the contrary, the majority of the participants in this movement are the pacifists. They are the ones who love peace. Because of this love for peace they are united with each other.

With this understanding, the only way for both American and Japanese Governments to solve this problem is to cancel their military treaty. Japan is determined to exist as a peace-loving country. Let her grow in that line. For Japan to have any kind of military treaty with any nation is against her Constitution. To respect Constitution is the vital importance for any democratic government to be survived.

America as a great country once taught Japan how to adopt a democratic constitution in her country. I do not believe that the same America teaches the same Japan now how to destroy it.

MITSUNOBU TOYAMA.

WASHINGTON.

Mr. GRUENING. Mr. President, we hope this treaty will not destroy Japan or destroy our friendly relations with Japan. We hope, on the contrary, that it will strengthen both nations and their relations. As the treaty is now written, I think we have no alternative. Let us hope for the best. Let us support the treaty with as large a vote as the conscience of the Senate will permit.

Mr. KEATING. Mr. President, the treaty of mutual cooperation and security with Japan now before the Senate for ratification is a truly historic document. Its importance is, of course, underscored by developments in recent days.

This agreement should mark a great step forward in the development of a strong alliance between the people of Japan and America. It is a milestone of cooperation between two sovereign, democratic nations. It represents a partnership between two countries which share a common interest in securing a free and peaceful world.

In replacing the 1951 treaty between Japan and the United States, the new treaty grants recognition to the changes which have taken place in the last 9 years regarding the relative position of the two nations involved. This is a treaty to which Japan has agreed as a free and equal partner, not one which was imposed upon her.

The agreement now before us eliminates many of the onerous burdens of the 1951 treaty. It removes the present authority of the United States to intervene in the internal affairs of Japan. Further, it deprives us of a right which the old treaty granted us; namely, the right to use our bases in Japan for purposes other than the defense of Japan against attack, without engaging in prior consultation. Now we can only use these bases for the defense of Japan, unless the Japanese Government agrees with us as to some further or other use.

This marks another concession to the Japanese, stemming from the change in the relationship between the two countries since 1951.

Surely the new treaty must be recognized as a symbol of the progress Japan has made in recent years. Why, then, has there been so much opposition to the treaty on the part of Japanese demonstrators in recent weeks? While it is clear that there is some sincere opposition from Japanese liberals of a neutralist bent who fear that the treaty may drag Japan into a military conflict of which she wants no part, it is highly likely that the impetus for the demonstrations has come from the Communists and Communist sympathizers who have used the treaty as a pretext with which to seriously threaten the democratic processes of Japan.

It is, of course, a bitter paradox that the Japanese should represent their pacifist sentiments by means of violent rioting and the establishment of conditions making impossible a good-will visit, a mission of peace, by the respected leader of another nation. That these demonstrators, a violent, extra-legal minority, were able to frustrate the will of the majority of the Japanese people and create a situation in which the safety of the President of the United States could not be guaranteed is truly unfortunate, more so for Japan than for us.

The participants in the riots were mainly hard-core radicals. The attack was led by the tough mainstream extreme wing of the student federation, many of whose leaders were expelled even from the Communist Party of Japan because of their violent activities and views. This group, combined with the party-line Communists representatives, and supported by Communist funds, have provided the spearhead of the demonstrations.

The constant agitation of the radio propaganda of Communist China and the maneuvering of the Soviet Union—such as the note sent to Japan attempting to intimidate the Japanese Government into abandoning its pro-Western orientation by warning them of the serious consequences of the Japanese-American treaty—have both worked relentlessly to arouse the radical elements in Japan to violent action. The obvious aim of such propaganda is the creation of a situation of chaos and anarchy, the sort of conditions under which Communists function most effectively.

All three of these factors—the highly organized way the riots were carried out, the extremist and Communist nature of the participants, and the constant agitation by the Soviets and

Chinese Communists—indicate that the riots were anything but spontaneous or representative of the will of any great number of Japanese.

It is hard to understand, however, why the demonstrations of a Communist-led minority were allowed to reach such proportions that they could not be controlled. In a genuine attempt not to repress dissent and to keep state police powers under restraint, the Government did not move against a clear threat to its authority until it was too late.

The situation is forebodingly reminiscent of the one in the 1930's, when the first attempt at democracy in Japan failed. A small and determined minority undertook a deliberate policy of assassination, in order to make democratic government impossible, and to hand over power to right-wing militarists. Today, a left-wing group is using violence and threats to destroy the government of the people. It would be tragic for Japan and for the world if the Communists were to succeed with this kind of tactic.

The future course of the Kishi government will not be easy. Members of Zengakuran, the radical student federation, greeted the postponement of the visit with cries of "We have won! We have won!" Even now, they are holding a huge victory parade. The next step in their campaign against democracy, so they have announced, will be to overthrow the Kishi government, obstruct the implementation of the Japanese-American security pact, and break off Japan's links with the free world.

The Kishi government will have to stand more firmly against that kind of mob rule. Many reports indicate that the majority of the Japanese people are ashamed of the radicals' action. Even more important, Japanese moderates are beginning to fear, for the first time, the force of a Communist conspiracy that could put their country into so shameful a position. There is still hope that the rioting may have the result of awakening the rest of the country to a more positive stand for democracy.

Mr. President, what can the United States do to repair the damage that has been caused to United States-Japanese relations? Mainly, of course, the task is up to Japan; and it is up to the Japanese moderates to support the Government they have freely elected. But we can help the forces of democracy in Japan survive. An immediate and unanimous ratification of the Japanese-American security pact will show that we, at least, are not to be intimidated by Communist machinations. We must continue to support, as fully as we can, the Kishi government or whatever government represents the free choice of the Japanese electorate. The present situation reveals only too clearly that freedom is in danger in Japan. It is a time for more, not less, United States support of the forces of democracy everywhere in the world.

With respect to the present treaty, we must be concerned with the effect it will have both on the Far Eastern defenses of the free world against the Communists and on relations between the United States and Japan. In these two vital areas, the treaty offers a noteworthy contribution. By granting us bases in Japan for at least 10 more years, and by strengthening the ties between the United States and Japan, as a result of our working together for mutual defense and our recognition of the equal status of the Japanese, the new treaty performs a vital function.

For these reasons, the treaty deserves support and ratification by the Senate.

We can hope, and not wholly without substance, that in the Japanese elections which appear likely to come in the not too distant future, the people of Japan will assert their respect for democracy, by vetoing the demands of the extremists. It would not be surprising to find that, in the long run, the violence and even the success of extremist action so far will undermine the extremist position, by making all the more clear the need for real democracy, and the threat posed to it, and by serving as a rallying point for the mobilization of other groups to political action. The victory of the extremists may well be their undoing. They may have won the battle, but they may well lose the war.

Mr. President, I hope the treaty will receive speedy and, as I have said hopefully, unanimous approval by the Senate.

At this time I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

---

## WIRETAP EVIDENCE

As in legislative session,

Mr. McCLELLAN. Mr. President, on May 23 of this year I again brought to the Senate's attention the grave and crippling effect that recent court decisions and present Federal law are having on the administration of criminal justice in several States. I speak of those cases in the United States Court of Appeals for the Second Circuit holding that the introduction of wiretap evidence by State officials in State courts constitutes a violation of section 605 of the Federal Communications Act of 1934. These decisions, of course, are following the precedent laid down by the U.S. Supreme Court in *United States* v. *Benanti* (355 U.S. 96). In that case the Supreme Court held that wiretap evidence obtained by State officials under authority of State law was inadmissible in Federal courts. That decision was based, not on constitutional questions, but solely on the Court's interpretation of congressional intent in the enactment of section 605 of the Federal Communications Act.

I have always maintained that in the enactment of section 605 Congress never intended to obstruct or restrict State and local law enforcement agencies in their efforts to enforce criminal statutes, or prosecute and convict those guilty of crime. Therefore, on January 16, 1958, shortly after the Benanti case was decided, I introduced S. 3013, 85th Congress, 2d session. This bill would have amended section 605 of the Federal Communications Act of 1934 to authorize wiretaps by State officials and the use of evidence so obtained in State criminal proceedings when done in compliance with State law and under authority and direction of a State court order. I regret, however, that the 85th Congress adjourned before this bill could be fully considered and enacted.

On April 6 of this year the distinguished junior Senator from New York [Mr. KEATING], whose State law enforcement agencies have been most seriously handicapped by the Benanti case and the court of appeals' decisions following it, introduced S. 3340. With certain minor changes, the bill of the Senator from New York follows the language of S. 3013 except that it would amend title 18 of the United States Code, rather than the Federal Communications Act of 1934.

When I introduced S. 3013 in the 85th Congress, and also in my remarks on the Senate floor on May 23 of this year in support of S. 3340, I stated that the detection, investigation, and prosecution of crime, particularly organized crime, had been seriously handicapped and weakened by the Supreme Court's decision. I further stated that Congress should enact remedial legislation without delay. Failure to do so will only aggravate and compound the intolerable situation that has followed in the wake of the Benanti decision.

Subsequent to my statement on the Senate floor of May 23, I have received several communications from State officials which very vividly serve to confirm the validity and importance of my remarks.

One very pressing appeal comes in the form of a letter of May 31 and telegram of yesterday from Hon. Edward S. Silver, the district attorney for Kings County, N.Y. Mr. Silver is also president of the National District Attorneys' Association and chairman of the executive committee of the New York District Attorneys' Association. He declares that unless Congress enacts S. 3340 or some comparable measure, he personally will be forced to dismiss at least 200 criminal cases now pending in his district.

Mr. President, if he is forced to do this, due to the failure of Congress to act, it will serve as a windfall of immeasurable benefit to organized crime.

Mr. President, I ask unanimous consent to have printed as a part of my remarks at this point in the RECORD the letter from District Attorney Silver, to which I have just referred, together with the telegram I received from him on yesterday.

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

BROOKLYN, N.Y., *May 31, 1960.*

HON. JOHN L. MCCLELLAN,
*Chairman, Subcommittee on Investigations, Senate Office Building, Washington, D.C.*

DEAR SENATOR: Both in my capacity as district attorney of Kings County (Brooklyn) and as president of the National District Attorneys' Association, I want to express my deep thanks to you for your remarks in the Senate on wiretapping.

Unless, as you put it, Congress does something about it at this session, organized crime will have a field day and the law-enforcing agencies will be shackled from doing its job.

In my county, I have at least 200 cases that I'll have to dismiss unless Congress does something with these bills. I know that similar situations exist in other counties in our State. Just as important, we will have to discontinue many important investigations that are now in progress and disregard others that we would inaugurate if we were not hamstrung by Benanti.

Only recently from the Halls of the Senate came the statement that racketeering and organized crime is on the increase. There can be no question about that. At the same time, Congress has done nothing to give the law-enforcing agencies the tools with which to fight this very racketeering and organized crime with which they are so concerned.

I am mindful that you and some of your colleagues introduced in the 85th Congress a bill (S. 3013) which would have extricated law-enforcement agencies from the decision of the Supreme Court in the Benanti case handed down in December 1957.

In this Congress, Senator KEATING and Congressman CELLER have introduced companion bills (S. 3340 and H.R. 11589) which would accomplish the same result, but nothing has been done to move these bills along.

The National District Attorneys' Association in convention assembled on March 19 of this year, in Miami Beach, unanimously passed a resolution urging Congress to do something about this desperate situation.

Last year, I personally saw Senator O'MAHONEY and talked to him about the matter and I was encouraged by his point of view. Unfortunately, as you know, illness has prevented him from an active part in this work.

Our own Senator KEATING has been most helpful but he needs the help of his brothers if he is to accomplish anything.

I have been advised that Senator EASTLAND, chairman of the Senate Judiciary Committee, is favorably disposed toward S. 3340.

I can think of no one who knows more about organized crime and racketeering in our country than you do. I beseech you, on the part of law and order, to do all humanly possible to get these bills out of committee and passed by Congress.

It is unfortunate that this situation has been muddled by persons honestly concerned with civil liberties. Frankly, this situation is in no way involved with civil liberties. Under the laws as we have them in New York State, a district attorney must state under oath giving facts showing that the person whose wire he desires to intercept is engaged in criminal activities and he has reasonable grounds to believe that the interception of his telephone will produce evidence of his nefarious activities. It is only then that we can get a court order to intercept a telephone wire of one engaged in crime.

For 20 years, the 62 district attorneys in New York State have operated under our law and have never abused this privilege which is given to us by our State constitution and by our enabling statutes.

It might be of interest to you to know that the district attorneys in New York State have introduced more legislation to protect defendants' rights than the Civil Liberties Union or any bar associations. I can send you the details if you wish. We are jealous of our liberties as American citizens and all the imaginary ills that are raised are fully answered by 20 long years of experience in this State.

Again, let me say thanks to you for what you have done. I hope that with your interest and effort we can get something accomplished in this Congress on this most important problem to law enforcement.

With esteem and warm regards,

Respectfully,

EDWARD S. SILVER,
*District Attorney, Kings County.*

---

BROOKLYN, N.Y.

Hon. JOHN L. MCCLELLAN,
*Chairman, Subcommittee on Investigations, Senate Office Building, Washington, D.C.:*

Failure of Congress to act on wiretapping bill, S. 3340, creating grave crisis to law enforcement. Please refer my letter to you May 31, 1960. Unless action taken promptly I personally will have to dismiss at least 200 cases, as will district attorneys throughout this State. Vital investigation against racketeering and organized crime will also have to be discontinued. Recent Senate statement bewails fact racketeering and organized crime on increase. Failure to give this vital tool to those States that need it will be responsibility of Congress. No question that failure to act is green light to crime.

Respectfully submit this requires emergency action.

EDWARD S. SILVER,
*District Attorney, Kings County; President, National District Attorneys Association; Chairman, Executive Committee, New York State District Attorneys Association.*

Mr. McCLELLAN. Mr. President, another such appeal comes in a letter from the district attorney for the county of New York, the Honorable Frank Hogan. Mr. Hogan states that he will be unable to proceed with the prosecution of seven defendants involved in a multi-million-dollar narcotics business unless their telephone conversations, legally intercepted under New York law, can be used in the trial of the cases. He also states that a number of other investigations now in progress, and cases of utmost importance to his district, will also have to be abandoned unless S. 3340 is enacted during this session.

I ask unanimous consent that the letter from District Attorney Hogan be printed at this point in the RECORD as a part of my remarks.

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

FRANK S. HOGAN,
DISTRICT ATTORNEY,
*New York, N.Y., May 27, 1960.*

Hon. JOHN MCCLELLAN,
*U.S. Senator from Arkansas,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR MCCLELLAN: I have read and reread your urgent remarks, made this past Monday on the floor of the U.S. Senate, concerning the need for Federal legislation in the field of telephonic interception. I am certain that those of us throughout this Nation who are directly charged with responsibility for law enforcement are encouraged by the logic and reason and by the strength of your statement. We are deeply indebted to you. I wish there were some way that we might help you to impress upon your colleagues in the Congress the desperate plight in which law enforcement finds itself.

At present, some of the most significant work of my office is dangerously hampered by the cloud under which heretofore legal interception of telephone conversations has existed since the December 1957 opinion of the U.S. Supreme Court in *United States* v. *Benanti* (355 U.S. 96). The situation, as you noted in the Senate, has not since improved, and it is clear that we cannot look to our courts for improvement. Last month it deteriorated further with the decision of our Federal circuit court in the Pugach and O'Rourke cases.

We have now a number of vital investigations and cases pending with respect to which we cannot proceed further in light of these recent cases. These specifically include some important matters in the labor-management field in which you and your committee have so effectively functioned. There is another matter that may be of particular interest to your colleagues and their home communities in which our inability to proceed—and the reasons therefor—are already a matter of public record. In January of this year, after a lengthy investigation, we arrested seven defendants for their participation in a multi-million-dollar heroin business that they had been conducting in New York for some years. They all pleaded not guilty, and are presently out on bail, awaiting a trial date. That, however, may never be reached because the case against them is untriable if our legal interceptions of telephone conversations cannot be used in our State courts.

I am ready to review with you in detail other matters that have been halted because they also involve court ordered legal interception of telephone conversations, and which cannot be reactivated until the Congress acts to remove from the law an interpretation that the Congress never intended it to have.

In 1955, more than 2 years before Benanti, the chairman of the House Judiciary Committee stated, at a time when his committee was considering amendments to the Federal Communications Act:

"I think the general idea of this committee is that we would not interfere with the practices, the legal practices that obtained in the various States. So you can set your mind at rest as far as New York is concerned: that is New York's problem, and I don't think we would attempt to make the Federal statute, and I don't know that we could, paramount, if there are any restrictions inconsistent with the New York statute, and I am sure the New York State statute would prevail, insofar as New York is concerned."

I know that you have always believed and have repeatedly stated that section 605 was never intended to bar the States from authorizing wiretapping as a proper exercise of the State police power. In early 1958, when, joined with many of your colleagues of the Senate's Committee on Improper Activities in the Labor or Management Field, you introduced Senate 3013, you stated:

"When the select committee launched its investigation into the labor situation in the New York area, it did so, unaware of the extent racketeers had penetrated the Teamsters Union and certain other branches of organized labor in the nation's largest city. The committee and, I believe, the public was shocked at its revelations.

"What was portrayed was a picture of ruthless gangsters led by Johnny Dio and Anthony Ducks Corallo joining in an alliance with Jimmy Hoffa to seize control of the transportation industry in the Nation's largest and richest city. The control of this strategic economic area by unscrupulous gangsters presented, and continues to present, a threat to the economic security of this country. For the past 23 years, since the enactment of section 605, there was no question of the right of State authorities to authorize wiretapping to obtain evidence of serious crimes. This conspiracy would not have been presented in such clarity without the use of intercepted telephonic messages which were made available to this committee through permission of the New York State

Supreme Court and the offices of the New York County district attorney."

Recently, in hearings conducted in this city by our New York State Commission of Investigation, I took the liberty of quoting at length from your statement. Our commission, after listening to extensive testimony concerning the need for the legal interception of telephone conversations, went on record urging congressional action to permit the States to continue that reasonable exercise of their police power that Congress did not intend to ban.

If there is any way that I can bring to the attention of your colleagues in the Congress the host of instances in which important criminal conduct could not have been brought to the bar of justice were it not for court authorized interception of telephone conversations, I should be pleased to have such opportunity. With ever increasing public concern about organized crime, and with mounting crime rates, I find it difficult to believe our Congress can any longer fail to recognize this emergency, and can permit law enforcement to remain stripped of this important weapon.

Again my thanks to you for your great energies and understanding on behalf of fair and proper law enforcement, and my hopes that you will let me know how I may be of assistance.

Sincerely,

FRANK S. HOGAN,
*District Attorney, County of New York.*

Mr. McCLELLAN. Similar and equally urgent letters come from the Honorable Manuel W. Levine, district attorney of Nassau County, N.Y.; Mr. Stephen P. Kennedy, police commissioner of the city of New York; and Mr. Miles J. Lane, chairman of the New York State Commission of Investigation.

Mr. President, I ask unanimous consent that these communications be printed in the RECORD at this point, and I most respectfully urge immediate action by the Congress in response to and in accordance with the appeals of these dedicated State officials.

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

CITY OF NEW YORK,
*June 2, 1960.*

Hon. JOHN L. MCCLELLAN,
*U.S. Senate,*
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR MCCLELLAN: Jerry Adlerman, general counsel of the United States Senate Permanent Subcommittee on Investigations, over which you preside, was kind enough to send to me a copy of your statement placed in the CONGRESSIONAL RECORD on May 23, urging action in this session of the Senate on Senator KEATING's bill S. 3340, which would authorize law-enforcement agencies of the States to intercept telephonic communications pursuant to court order.

As stated by you, court-authorized interception by law-enforcement officers is an indispensable weapon in combating the machinations of the overlords of the underworld. All law enforcement applauds your efforts to make this weapon available to them in order to better safeguard the interests of the people.

I expect to be in Washington on or about June 8 and would greatly appreciate the opportunity to stop in at your office, if you are free, to further discuss the importance of this problem.

Faithfully yours,

STEPHEN P. KENNEDY,
*Police Commissioner.*

NASSAU COUNTY,
*Mineola, N.Y., May 25, 1960.*

Senator JOHN L. MCCLELLAN,
*U.S. Senate, Committee on Government Operations, Senate Permanent Subcommittee on Investigations, Washington, D.C.*

DEAR SENATOR MCCLELLAN: I am in receipt, from Jerome S. Adlerman, of the copies of the press release of your statement on the floor of the Senate on May 23, 1960, for which I thank you.

If you don't mind my saying so, I found the contents to be a concise, accurate, and intelligent summary of the facts and also the problems confronting all law-enforcement agencies. It is most heartwarming to have your support on this very important problem of wiretaps.

Yours very truly,

MANUEL W. LEVINE,
*District Attorney.*

---

STATE OF NEW YORK,
COMMISSION OF INVESTIGATION,
*June 7, 1960.*

Hon. JOHN L. MCCLELLAN,
*U.S. Senator from Arkansas,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR MCCLELLAN: On April 5 and 6 of this year, this commission held a public hearing concerning wiretapping in New York State. The purpose of the hearing was to inform the public of the serious law-enforcement problem that has arisen by virtue of recent court rulings relating to the effect of the provisions of section 605 of the Federal Communications Act on the admissibility in New York State criminal trials of evidence obtained through New York State court-authorized wiretaps.

The following prominent law-enforcement officials and other distinguished persons interested in this problem attended and presented their views at the hearing:

Frank S. Hogan, district attorney of New York County.

Edward S. Silver, district attorney of Kings County; president, National District Attorneys' Association.

Raymond C. Baratta, district attorney of Dutchess County; president, New York State District Attorneys' Association.

Joseph F. Gagliardi, district attorney of Westchester County.

Manuel W. Levine, district attorney of Nassau County.

Harry L. Rosenthal, district attorney of Monroe County.

Daniel Gutman, dean of New York Law School.

Anthony P. Savarese, Jr., chairman of the New York State Joint Legislature Committee on Privacy of Communications and Licensure of Private Investigators.

Stephen P. Kennedy, police commissioner of the city of New York.

Francis S. McGarvey, superintendent of the State Police of New York State.

Manuel Lee Robbins, counsel, Grand Jury Association of New York County.

Ferdinand Pecora, attorney and former justice of the New York Supreme Court.

Testimony received at the hearing was overwhelmingly to the effect that the administration of criminal justice in New York State is gravely affected by the recent court decisions and present Federal law. District attorneys from different parts of this State testified that investigations of great public importance, especially those dealing with organized crime in the fields of narcotics and official corruption, have been halted or seriously restricted. Whatever the problems of law enforcement in other States, it is undeniable that the authorities in New York State are confronted by a deeply serious crisis in their fight against organized crime in New York.

During our hearing, we were pleased to receive telegrams from Senator KENNETH B. KEATING and Congressman EMANUEL CELLER advising us that, jointly, they had introduced a bill in the Congress of the United States which would amend section 605 of the Federal Communications Act by exempting from its sanctions those States that provide for wiretapping by court order. Senator JACOB K. JAVITS also sent us a telegram assuring us that he will give every consideration to Federal legislation on this subject in the light of the requirements of New York. We are informed that the Senate bill, S. 3340, is presently pending in the Judiciary Committee.

The need for this remedial legislation is urgent. We respectfully request that immediate consideration be given to Senator KEATING's bill, as aforementioned, and that it be voted out of committee for action by the Senate during this session.

Your cooperation will be deeply appreciated.

Very truly yours,

MYLES J. LANE,
*Chairman.*

Mr. McCLELLAN. While the Supreme Court has placed the burdensome millstone of the Benanti case upon our law-enforcement agencies and courts of justice, it is now the responsibility of Congress to act to remedy this deplorable situation that favors the hoodlums, thugs, criminals, and underworld elements in our society, to the hurt and irreparable injury of law and order and human decency.

I shall, at the next meeting of the Senate Judiciary Committee, join with the distinguished author of the bill to which I have referred, S. 3340, in insisting that the committee report that bill favorably, in the hope that we can get it passed before this Congress adjourns. So long as we do nothing about this situation we are providing a virtual haven of protection for criminals which was never intended by the law the Congress passed.

Mr. President, if it is not a violation of the Constitution to go before a court of law and to make a showing that a crime has been committed and that the fruits of the crime, the stolen property, are in concealment in a home or in a place of business, in order to secure a search warrant to find the stolen and concealed property—if that is constitutional and is an essential instrumentality in our laws for the enforcement of law and order, against larceny and other crimes—then, Mr. President, it is my thought that comparable procedures should be established and made legal for the interception of telephone messages and communications which are made in pursuance of criminal activity. Unless we take such action, in line with the bill introduced by the distinguished Senator from New York, the enforcement of law in this country will seriously be impaired, and a burden will be placed upon law-enforcement agencies and upon the courts, which will simply be unable to discharge their responsibilities.

The only profit which will flow from the whole procedure will flow to the underworld characters and to those elements which have no respect for law and order and for decent society.

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

Mr. McCLELLAN. I am happy to yield to my distinguished friend from New York.

Mr. KEATING. Mr. President, I am very grateful that the distinguished Senator from Arkansas has again brought to the attention of the Senate, as he did a short time ago, the imperative need for legislation along the lines of the bill which I have introduced. It is a very limited bill. It provides that when a State requires a court order in order to obtain a wiretap, after the court order has been obtained the evidence shall be admissible in the court despite the provisions of the Federal Communications Act.

The district attorneys of New York State are greatly exercised over this problem. Mr. Hogan, of New York County; Mr. Silver, of Kings County; Mr. Kennedy, the police commissioner; and the district attorneys of several of the other counties, as well as a number of other law enforcement officials of the State of New York, came to Washington, D.C., to talk with the New York congressional delegation about this matter.

The New York law permitting wiretapping by the district attorneys requires four things. First, they must sign an affidavit in which it is stated under oath that they have reason to believe they can get evidence of a crime. Second, they must set forth sufficient facts to justify the conclusion. Third, in applying for a court order they must subject themselves to examination by the court. Fourth, they must submit proof of reasonable cause if they wish an extension of the order, which is limited to 60 days.

The court, in the decision to which the distinguished Senator has referred, in the opinion of one or two of the judges, virtually invited the U.S. attorney to bring a criminal prosecution against the State district attorney if any effort were made to introduce wiretap evidence in court. There are literally hundreds of cases which it will not be possible to have prosecuted, some of them involving very serious crimes, unless some relief is obtained in this field, because, in the light of the decision rendered, the district attorneys are naturally very reluctant to proceed further. If the Congress adjourns without taking any action in this field we shall be directly responsible for jeopardizing several hundred criminal prosecutions in the State of New York alone. I do not know how many are involved in other States. We also shall succeed in exposing to criminal prosecution under the Federal law a number of State district attorneys who have done nothing more than to carry out the provisions of the New York State wiretapping statute.

Mr. President, the modern criminal has at his disposal means of communication and transportation which were completely unknown in an earlier period. The telephone, for example, provides him with an avenue of communication which is swift and comprehensive. Under present Federal law, as it has been interpreted, telephone communications are, in effect, privileged. One can go into court and obtain a court order to search a man's home or, indeed, to search his pants pocket. There seems to be no reason for saying that one should not be able to obtain a court order to tap a wire and to place the evidence taken before the court.

Mr. President, the Department of Justice in very strong language—in unusual language—has not only approved of the proposed legislation but states, "For these reasons the Department of Justice strongly recommends its enactment."

As my friend the Senator from Arkansas knows, it is not very frequent that one gets a letter from the Attorney General with the wording "strongly recommends" in it.

I am very grateful that the powerful support of the distinguished Senator from Arkansas has been brought to bear upon this problem. In behalf of all the district attorneys of the State of New York, who, as I say, are greatly exercised over this problem, I express to the Senator my gratitude for the interest he has taken in this problem. I shall certainly join the Senator at the next meeting of the Committee on the Judiciary in an effort to have reported this very limited bill.

It is probable that a more comprehensive bill should be enacted into law. I have introduced bills for many years on this subject. I introduced one in the House, to do two things: First, to tighten up on the "snoopers" who use wiretapping for improper purposes—business snooping upon labor, labor snooping upon business, husbands snooping upon wives, wives snooping upon husbands, and that sort of thing; and second, to permit law-enforcement officials operating under the provisions of State law to use this weapon, and to prevent the telephone from being a privileged sanctuary for the criminal.

I realize that the broader proposal probably requires more debate. It is a controversial subject. The very narrow bill, which the Attorney General has so vigorously supported, which is so strongly supported by the distinguished Senator from Arkansas, I hope will become law before the present session of Congress is over.

---

## SUPPLEMENTAL DEPARTMENT OF LABOR APPROPRIATION, 1960

Mr. HAYDEN. Mr. President, as in legislative session, I ask unanimous consent that the Presiding Officer lay before the Senate, House Joint Resolution 765, making a supplemental appropriation for the Department of Labor for the fiscal year ending June 30, 1960, and for other purposes, just received from the House of Representatives.

The PRESIDING OFFICER laid before the Senate the joint resolution (H.J. Res. 765) making a supplemental appropriation for the Department of Labor for the fiscal year ending June 30, 1960, and for other purposes, which was read twice by its title.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Joint Resolution 765.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HAYDEN. Mr. President, this joint resolution passed the House of Representatives today. It appropriates $6 million for unemployment compensation for veterans and Federal employees. The $6 million recommended in the resolution represents a more recent and accurate estimate of actual requirements. These funds are required to prevent the stoppage of payments to unemployed workers the latter part of this month.

This is a statutory obligation of the United States and these payments must be made.

I have conferred with members of the Committee on Appropriations on this matter and we are all agreed that the joint resolution should be passed.

Mr. President, I move that the joint resolution be passed.

Mr. DIRKSEN. Mr. President, will the distinguished chairman of the Committee on Appropriations yield?

Mr. HAYDEN. I yield.

Mr. DIRKSEN. I presume these items are lifted out of the supplemental bill because of their urgent nature and brought in as separate items in a special supplemental appropriation bill.

Mr. HAYDEN. That is undoubtedly why the House took the action it did.

Mr. President, I ask unanimous consent to have printed in the RECORD the justification submitted by the Department of Labor, as well as a memorandum prepared in the committee and the House report.

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

SUPPLEMENTAL DEPARTMENT OF LABOR APPROPRIATION, 1960 (REPT. NO. 1919)

The Committee on Appropriations to which was referred the House Joint Resolution No. 765, making a supplemental appropriation for the Department of Labor for the fiscal year ending June 30, 1960, and for other purposes, reports the same to the House without amendment and with the recommendation that the joint resolution be passed.

The President submitted a supplemental budget estimate of $8 million for unemployment compensation for veterans and Federal employees for the fiscal year 1960 in House Document No. 384. The $6 million recommended in the resolution is based on more recent and accurate estimates of actual requirements.

This appropriation item finances payments to unemployed veterans and Federal employees which are made through State agencies as authorized by title XV of the Social Security Act. When the departmental witnesses testified on the 1961 budget in January it was expected that $5 million of the $125 million appropriation for the current fiscal year would not be needed. The situation has recently changed drastically for the surplus has been used and this special enactment is required to prevent the stoppage of payments to unemployed workers the latter part of this month.

MEMORANDUM ON HOUSE JOINT RESOLUTION 765, MAKING A SUPPLEMENTAL APPROPRIATION FOR THE DEPARTMENT OF LABOR FOR FISCAL YEAR ENDING JUNE 30, 1960

The budget estimate for this item "unemployment compensation for veterans and Federal employees" was $8 million. The House has allowed $6 million, a reduction of $2 million, suggested by the Department of Labor.

The Department advises that this allowance will be adequate, and furnish the attached table, based on more recent data than that furnished the House committee. It will be noted that they anticipate an actual need for benefit payment of $2,906,499, and contemplate a need for $1 million in the "pipeline," or $3,906,499. The House allowance is then some $2 million more than actually required, but the funds will remain available for fiscal year 1961, the appropriation for which in the regular bill is $5 million under the estimate.

SCHEDULE ON SUPPLEMENTAL APPROPRIATIONS AND REVISED ESTIMATES

Appropriation title: Unemployment Compensation for Veterans and Federal Employees.

Agency: Department of Labor, Bureau of Employment Security, date, Apr. 27, 1960.

| | |
|---|---|
| 1. Present appropriation or estimate | $125,000,000 |
| 2. Additional amounts available: Recovery of prior year obligations | +6,530,246 |
| 3. Total amount available for obligation 1960 | 131,530,246 |
| 4. Obligations: | |
| 1st 10 months | 113,193,415 |
| Estimate for May | 10,543,330 |
| Estimate for June | 10,700,000 |
| Pipeline | 1,000,000 |
| 5. Total actual and estimated obligations | 135,436,745 |
| 6. Less total amount available | 131,530,246 |
| 7. Revised estimated supplemental required | [1] 3,906,499 |

[1] It is urgently suggested that the amount of the supplemental be not less than $6 million due to difficulty in being precise and due to fact that any unused balance will carry over to 1961.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 765) was ordered to a third reading, read the third time, and passed.

## MEDICAL CARE FOR THE AGED

Mr. HUMPHREY. Mr. President, the Governor of Minnesota, the Honorable Orville L. Freeman, recently delivered the keynote address at the second annual Institute on Aging at Gustavus Adolphus College in St. Peter, Minn.

In this outstanding speech, Governor Freeman discussed the urgent problem of financing medical care for our older citizens and called for a program using our tested social security system to provide medical care as a matter of right, and not as a result of a means test with its degrading effects on the self-respect and self-reliance of our senior citizens.

Mr. President, I ask unanimous consent that excerpts from Governor Freeman's speech relating to medical care for the aged be printed at this point in the CONGRESSIONAL RECORD.

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

FINANCING MEDICAL CARE—AN IMMEDIATE PROBLEM

There is one major problem in the field of aging that is today the subject of much discussion and controversy. Representatives of the Department of Health, Education, and Welfare have stated that the most important issue that will be before the White House Conference in Washington is that of financing medical care for the aging. This is an issue to which I have given long and careful study, and on which you will consider making recommendations.

You will, of course, make those recommendations as a result of careful study. But because I regard this issue as so important, because of its human and social significance, and because it is controversial, I am asking that you consider my recommendations on this subject as a part of your study. I present them to you in the hope that you will give them the same kind of serious consideration that I intend to give to your recommendations in the entire field.

The problem of financing health services for the aging has been an urgent problem for many years. Its urgency is increasing with each passing year because of several factors. (1) The numbers of people over 65 years of age are constantly increasing. (2) As medical science progresses the potential benefits from preventive measures, from medical care, from rehabilitation services—in fact, from all kinds of health services—are constantly increasing. (3) The costs of these services constantly increase because of the shift to chronic illnesses of long duration, the increase in disabling aftereffects, the need for steady use of costly drugs and medicine, and because of the value of long-term rehabilitation care and for medical social services. (4) These increases have not been matched by anywhere near a comparable increase in the financial ability of the aged. Census estimates indicate that 60 percent of aged individuals have annual incomes of less than $1,000, and that half of the families with aged heads have annual incomes of less than $2,600.

But you are all familiar with the general picture of the problem. At the time of life when incomes are substantially lowered, the costs of adequate health care and the need for that care are substantially increased.

No one with a sense of social responsibility denies that in this problem lies an urgent need that society must meet. Yet the subject is regarded as an extremely controversial one because of disagreement as to how it should be done.

I believe that this is the kind of controversy that must be faced. The human values involved demand that we take a stand. The health and happiness of millions of senior citizens preclude any further continuation of a wait-and-see, trial-and-error experimentation. In the interest of humanity, we ought to take a stand for action now.

A year and a half ago, I presented this problem to the House of Delegates of the A.M.A. when it met in Minnesota. At that time I appealed for the help of that organization in working out an adequate program.

The A.M.A. continues to express the hope that the so-called voluntary approach with some form of insurance could meet the need. Yet the highest current estimate of how many aged now have hospital insurance of all kinds is about 6 million, or 40 percent. And even this insurance does not begin to fulfill the health needs of those who are insured.

The most reliable projection, by the Department of Health, Education, and Welfare, of how many aged persons will be protected by any kind of voluntary insurance by 1965 indicates that by that date: 9 million can be expected to have some kind of insurance; 6 or 7 million will have no insurance protection; about 2 million will be on public assistance, and thus be eligible for some medical care through a means test.

The projections indicate that millions of older people will have no coverage or inadequate coverage, and that very few will have coverage that is sufficiently comprehensive to provide the health care they really need.

In considering this projection, it seems to me that two conclusions are inevitable.

First, that private insurance programs, through no fault of their own but rather because of the inherent nature of insurance, cannot meet the need. Premiums sufficient to pay for really adequate coverage for the aged, as a separate group, would be prohibitively high. Yet the principle of insurance is sound, and the actuarial burden can be carried if it can be applied universally and the costs paid over each person's years of employment.

The second conclusion follows: Such a program of universal application, to be paid over a long period, can be carried out most effectively through the OASDI system of the Federal Government.

A program thus developed under our social security system would provide our senior citizens with medical care as a matter of right, and not as the result of a means test, with its especially cruel effect on older people who particularly need a feeling of self-respect and self-reliance. It should further be extended to cover, as nearly as possible, all retired people. It should include preventive medicine and rehabilitation programs, hospital care and nursing home care, home health services, some assistance in paying for expensive drugs, and some provisions for continuous research and experimentation.

Such a program would make use of a social security system that has already proved its value in the field of retirement pensions. It would operate at administrative costs much lower than those of private insurance plans—the OASDI program now operated at less than 2 percent of its premium income. It would enable those covered to pay for their protection as they earn. And it would be no more compulsory than the national administration's present proposal, since the only compulsory part of either proposal is the taxation required to pay for them, and it is no more compulsory to tax payrolls than to tax incomes and other sources that make up the general revenue.

Before making a decision in favor of the financing of medical care for the aging through our social security system, it is essential to consider objections to such a proposal.

One objection I have heard is that, in Minnesota, the needy aged now have adequate medical care, paid for under our old-age assistance program. I believe that Minnesota does have one of the best programs for the care of the needy aged in the Nation. But this program is available only to those on old-age assistance, only to those who pass a means test, only to 1 out of 6 Minnesotans who are over 65 years of age.

What about the other five-sixths? What about those who are retired on very moderate pensions, for whom a serious illness is a major economic catastrophe? What about those increasing numbers of Minnesotans who are retired on pensions sufficient

to meet their needs only as long as they stay well? Let's note these Minnesota figures: In 1948 we had 53,000 people receiving old-age assistance, of whom 5,000 received it for medical care only; in 1959 we had 47,000 on old-age assistance, of whom 25,000 received it for medical care only; in 1948 this medical care cost us $3,300,000; in 1959 it cost us $18,-738,000.

What about those countless, and uncounted, senior citizens, retired on limited incomes, clinging to their self-respect and their feeling of independence, who fail to seek medical care early in the game when it might help them most, because they know their incomes will not cover such care? I know there are many of these, for many of them write to the Governor.

I believe that the facts and figures overrule the objection that people in Minnesota do not need the kind of financing of medical care for the aged that I have described.

Another objection I have heard is that, under such a social security program the very wealthy aged, who could well afford to pay, would also be covered. This objection is not hard to answer. In the first place, there aren't very many aged people who are that rich. In the second place, they would probably seek and get care far beyond the minimum that a program under social security would provide. And in the third place, this objection goes contrary to well-established American principles. The very rich can, and frequently do, send their children to our public schools, even though they could well afford to pay for private schools. They use our parks and playgrounds. It is the American way to provide and make available to all those services that are regarded as essential.

Now let's turn to an objection that seems to be the most fearful of all—the objection that such a program might be socialized medicine. What about this objection?

Well, what is socialized medicine? This term apparently means different things to different people.

One answer might be that socialized medicine is the providing of medical care through some branch of government. Yet that definition is inadequate for our purpose, because we all take it for granted that government should provide medical care in certain cases, as, for example, in tuberculosis and mental hospitals. We in the United States have asked for and have thoroughly accepted this principle for so long that I feel sure that the most ardent opponents of socialized medicine, by whatever definition, would not ask that government cease that function.

This confusion about the meaning of the term "socialized medicine" is most unfortunate. The term in itself often arouses violent and sometimes emotional disagreement among some who do not agree on what they are disagreeing about. Semantics then becomes almost as important as substance. We can lose sight of real problems and real issues in our confusion about the meaning of words. I often wonder whether a misunderstanding about the meanings of terms does not often create as much conflict and disagreement as is created by an actual difference in opinion and judgment. It would be tragic to permit such misunderstandings to delay our progress toward meeting real human need.

In the United States we have traditionally decided questions relating to what services government ought to provide on a pragmatic basis rather than on the basis of an ideology or an "ism." We ask, "Is it needed?" and "How can it be done best?" Let me illustrate briefly.

When Americans, more than a century ago, decided that education should be free, universal, and compulsory they made this decision without considering any "ism" or asking whether they should adopt socialized education. Government provided schools simply because that was the only way they could be made available to all.

When government provided hospital and medical care for the victims of long, expensive, chronic ailments, such as tuberculosis and mental illness, it did so for similar reasons. It was socially desirable that the people suffering from such ailments be given care and treatment. Very few could afford such long and expensive care. The people asked government to provide it, because that was the only way it could be made available.

The same principles hold true, I believe, in all other areas where government performs functions relating to medicine. Government provides a substantial share of the cost of educating doctors because it is socially desirable and necessary. Government carries out those public health functions that could be performed adequately in no other way.

In other words, government is not some outside power seeking to aggrandize itself by taking over more and more functions. On the contrary, government in a democracy, by the very definition of the term, is the institution through which the people seek to make sure certain needs are met that are not adequately met by other means.

It is this attitude toward government meeting the needs of the people that I believe has impelled such varying—and unsocialistic—sources as a lead article in the Harvard Business Review, an editorial in Business Week, and an editorial in Life magazine to support the principle of financing medical care for the aging through our social security system by means of payroll taxes.

It is with this attitude toward government that I hope that you will consider my recommendation of this same principle.

Certainly a society with the great resources we have in both material goods and scientific talent cannot leave the health and happiness of our senior citizens to chance. Certainly we must do all we can to make most effective use of the public expenditures that are necessary to insure that our older citizens will receive health care and services of the highest quality.

I believe that by financing such programs through social security, we can achieve not only the highest degree of fiscal responsibility but, even more important, the highest degree of social and moral responsibility.

## PUBLIC DEBT AND TAX RATE EXTENSION ACT OF 1960—SENATOR HUMPHREY'S VOTE ON H.R. 12381

Mr. HUMPHREY. Mr. President, yesterday I was necessarily absent from the Senate when action was taken on H.R. 12381. I wish the RECORD to show that had I been present when the committee amendment to eliminate the 10-percent tax on local telephone service was considered and voted upon, I would have voted "yea." My position on the amendment was inadvertently not included in yesterday's RECORD.

I also wish to have the RECORD show that had I been present and voting I would have voted "yea" on the amendment offered by the junior Senator from Wisconsin [Mr. PROXMIRE] to provide for withholding income tax on dividends and interest.

I wish to add that the Treasury has estimated that some $5 billion of income in the form of dividends and interest goes unreported in this country. Surely, since we have withholding of taxes on wages and salaries, the Government can design a program to withhold taxes on dividends and interest.

I believe this is the most flagrant loophole in the tax laws and ought to be closed and closed quickly. In so doing, the Federal can retrieve or collect substantial sums of income tax for the necessary activities of the Government without having to run the risk of deficit financing or to add additional excise taxes on consumer items, which taxes are within themselves regressive and, I believe, unfortunate for the economy.

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

Mr. HUMPHREY. I yield.

Mr. LONG of Louisiana. I regret, too, that the Senator was not present because in years gone by the Senator has voted for amendments to increase Federal funds for the needy.

Mr. HUMPHREY. Yes, indeed.

Mr. LONG of Louisiana. Those votes have oftentimes been close. I recall that one was decided on a tie vote. Unfortunately, the Vice President could not be present at the time to register his position, but because it was a tie vote the amendment failed to prevail. The Senator from Minnesota [Mr. HUMPHREY] was present on that occasion to vote in favor of that measure. Last night his vote would not have made too much difference because I believe the proposed amendment lost by a few votes more than one. However, I think the Senator would have voted to increase welfare payments for the 5-million-and-some-odd-thousand people in the land who are classified as needy.

Mr. HUMPHREY. As the Senator from Louisiana knows, I have been in favor of such an amendment and feel it is one that is really needed. I have always supported the Senator's activity in behalf of the amendment of which he speaks. It is one of the finest parts of his legislative record and I wish to compliment him for it.

## TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN THE UNITED STATES OF AMERICA AND JAPAN

The Senate resumed the consideration of Executive E, 86th Congress, 2d session, the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington on January 19, 1960.

Mr. HUMPHREY. Mr. President, there has been a long debate today on the Treaty of Mutual Cooperation and Security with Japan. I offer a few remarks relating to that treaty, expressing my concern about it, and at the same time attempting to point out what I believe to be some of the more rewarding aspects of the treaty.

First, we have gone through a rather difficult period in American-Japanese relations. I was one of the Senators who had grave doubts as to the wisdom of the President's proposed visit to Japan. I had these doubts because I felt that with riots taking place, the conditions of violence, in the streets of Tokyo indicated that a visit by the President could well result not only in embarrassment to the President as a person but also embarrassment and humiliation to the office of

the Presidency, even leading to a grave international incident.

I expressed those doubts and said that the President should not go to Japan unless the Japanese Government could give positive, absolute guarantees of security and safety. Then I said that I doubted that it could do so.

It was my view that the mobs or the crowds of people that were rioting and carrying on in the streets were larger than our Government had estimated. It was my view that the Kishi government either was not able or was not willing to take the measures that were necessary to control these riots; and, therefore, for the President of the United States to visit the capital of Japan under those circumstances would be unwise.

Also, as has been pointed out in the Senate, the proposed visit of the President was tied in with the stability of the current regime in Japan, the so-called Kishi administration. I doubted very much whether the President of the United States ought to become identified with any particular regime, but rather a visit by the head of state should be one to all the people of Japan and not to a current parliamentary majority.

As we found out later, the Government of Japan withdrew the invitation, and it did so for the reason that it was felt that the President's safety could not be guaranteed and that a visit might result in very embarrassing circumstances.

I might add that the State Department indicated at all times that the visit should take place. It was, apparently, poorly informed as to the conditions in Tokyo.

Today the headline in the Washington Evening Star is "Error on Japan Treaty Conceded by Herter." The story goes on to say that the Secretary of State admits that the State Department and the officials of our Government underestimated the attitude of the Japanese people, underestimated the size of the demonstrating groups, underestimated the degree of violence and turmoil that existed in Tokyo and other parts of Japan.

Many of us in the Senate receive letters from friends in Japan who are acknowledged students of Japanese affairs, and the letters I have reecived, almost without exception, told me that these were very perilous days in Japan and that a visit by the President could result only in further aggravation of the problems. That is all past now.

The next point that came up was whether we should ratify, and, if so when, the Treaty of Mutual Cooperation and Security with Japan which was negotiated this fall. The senior Senator from Minnesota was one of those who cautioned that we should proceed slowly and carefully. I said so in the committee and also said so over the television and radio and in public statements. I felt that the insistence of the State Department last week that we should proceed at once with the ratification of this treaty could result in very serious international problems. I believed that were we to ratify it immediately, as we were requested to do, the Government of the United States would be accused of having forced something upon the Japanese people prior to the final act of ratification by the Japanese Government.

Of course, as we know, that final act of ratification was the fact that the Japanese Diet was not dissolved, and the treaty went into effect on a date certain by the fact that the Government was still in power. So we have delayed.

I commend the majority leader and those responsible in the Senate for our leadership in having delayed the act of ratification. It was a wise decision and one that I supported and encouraged.

It would be unwise for the greatest power on the face of the earth, the United States of America, to act as if we had to take hasty action, by ratifying a treaty with a government that was unable to maintain law and order in its own country. The plea was made to us that ratification at once was important to stabilize the political situation of Japan. To me, this had no merit, since the treaty itself was a bone of contention in Japan.

I do not believe that ratification last week would have stabilized the situation. I believe it would have aggravated it. I am not at all sure that even now ratification of the treaty will tend to stabilize the political situation in Japan. In fact, there is reason to believe a further delay in ratification until after the Japanese elections would be advisable. The Senate would be well advised to act on this treaty in terms of what is in our best interest, not in terms of what the political interest is in Japan. We have a great many second guessers around here, Monday morning quarterbacks, who seem to be figuring out what is going to happen in Japanese politics.

The truth is that the demonstrations in Tokyo were not all anti-American nor were they just Communist demonstrations. The American President became involved in Japanese politics by the fact that the trip was being made at a time when the Kishi government was in serious trouble. This trouble was due in part to the manner in which it had gained ratification of the treaty in the lower house. The treaty was ratified at a time when certain deputies in the lower house of the Japanese Diet had walked out. This was considered to be a sort of tricky and slick way of getting ratification of an important document such as a treaty between two great countries. Then, too, the Kishi administration was under attack from the Socialists and others over fiscal, labor, and defense policies. The projected visit of President Eisenhower and the treaty were but added fuel to an already smoldering fire.

So we became involved in domestic Japanese politics. That is something we ought to get out of right away. The political situation in Japan is an uncertain one. I do not believe that the United States Government ought to aline itself with one poltical party or another. I believe that we should direct our efforts toward trying to have a treaty between the Japanese nation and the United States regardless of the kind of elected government is in power in Japan. I emphasize elected government, because I do not believe that the Communists are going to elect any government in Japan. If the Communists take over the government in Japan, it will not be through the process of election, but through the process of force and violence. The best we can do is encourage the strengthening of parliamentary institutions.

But, the proposed treaty is better than the current situation. The pending treaty is the result of the desire on the part of responsible persons in Japan to get away from the occupation status and get away from an earlier treaty that was consummated some years ago, when Japan was looked upon, in a sense, as a conquered nation. Japan today is one of the great nations of the world. She is without doubt one of the largest industrial nations of the world. We would therefore be very foolish if we did not take into consideration that, while Japan may not have a big army or military establishment, because it was limited by her Constitution, that Japan is a strong nation industrially. The strength of a nation is not in the power of its armed forces alone. The strength of a nation lies in its economy. Japan's economy is a vital sector in the economic life of the free world.

Therefore, when we look upon Japan as an ally, we should not see her merely in terms of her military forces. We must recognize her for the economic and social system she has developed. It has been said that Japan has no troops and no navy and no air force. This, in a sense, is true. It has what we might call police units. There has been a good deal of stretching of that provision in her Constitution prohibiting any military establishment. She is denied military forces but permitted to have substantial police or security forces.

But Japan today has one of the largest merchant marines in the world. Japan has one of the largest industrial complexes in the world. She has one of the largest and most able and skilled labor forces in the world. She has great managerial talent, and vast productive skill and capacity. This makes her a good ally—a strong nation.

I would hope that the treaty, not merely its military aspects, but those parts which encourage economic cooperation and economic consultation, will tend to strengthen the relationships between our two great countries.

In the discussion of this treaty, we have pointed to the minority in Japan, which caused the violence and the riots. We should also point to the majority in Japan, which has been hard at work doing its job of rebuilding the country and expanding the markets of the country with the rest of the nations of the world, and competing with other nations and, indeed, with our own country, and, making for Japan a solvent and productive economy.

After all, the Japanese people are an exceedingly capable and energetic people. It is to the advantage of the free world that the Japanese economy be a vital, viable, and productive economy.

If this treaty contributes to such a development then it makes a contribution to mutual security.

Mr. HUMPHREY. Mr. President, I call to the Senate's attention, while this is essentially a treaty of a military nature, it also provides for other forms of cooperation. It is my view that the cooperation which is underlined in the treaty does much to cement the relationships between Japan and the United States.

I should like to make one or two other observations, as we consider the articles in the treaty. I hope that the legislative history will be perfectly clear that there is considerable emphasis in the treaty on the Charter of the United Nations.

Take, for example, article I:

> The parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered and to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

Then the article goes on to state:

> The parties will endeavor in concert with other peace-loving countries to strengthen the United Nations so that its mission of maintaining international peace and security may be discharged more effectively.

Also, I call attention to article VII of the treaty:

> This treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security.

The treaty also provides, in article V, relating to the possibilities of armed attack:

> Each party recognizes that an armed attack against either party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes.
>
> Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations in accordance with the provisions of article 51 of the Charter. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

Article V coupled with article IV has special relevance to the possibility of trouble that may lie ahead. Article IV reads:

> The parties will consult together from time to time regarding the implementation of this treaty, and, at the request of either party, whenever the security of Japan or international peace and security in the Far East is threatened.

Mr. President, I have read these portions of the treaty because I want the record to be clear that the treaty is not written to bypass the Charter of the United Nations, but rather to implement it, and that our obligation is to the Charter of the United Nations, and so is that of Japan.

The purpose of the treaty is to strengthen the security articles of the Charter, those provisions of the Charter of the United Nations which provide for international peace and security, particularly in the Far East, and, indeed, all around the world. Article IV calls upon the parties to consult from time to time regarding the implementation of the treaty. I hope this article might also be interpreted to call upon the parties to consult from time to time as to what, if any, modifications may be needed in the treaty.

I am of the opinion that in the long run the treaty will require rather substantial modification, particularly as it relates to the presence of American nationals in Japan, and as to the presence of American bases in Japan, and the rights with respect to those bases.

Finally, it seems to me that the whole concept of our foreign policy in the Far East requires a very careful reexamination and, I should say, reorientation. There has been a tendency of late to build a foreign policy in the Far East upon the uncertain foundation of military alliances. Too little has been done in terms of regional economic development and of regional, cultural, and economic cooperation. All too little has been done in terms of consultation with our partners in the Far East.

I feel that the sentiments expressed by the Senator from Oregon [Mr. MORSE] relating to the use of the facilities of the United Nations, as well as consultation by the United States with our allies relating to the treaty in the Far East, is a very pertinent observation. The United States has sought to conduct foreign policy in the Far East as if it were a bilateral arrangement, with the exception, I should say, of the SEATO countries; and even in the Southeast Asia Treaty Organization, we emphasize the military over and above that of the economic, cultural, scientific, and educational.

I feel that military power in the Far East is only one of the many factors which must be considered for an effective foreign policy in that area of the world. I know that we must have close working relationships with Japan, which is a major industrial nation. I also know that if we are to have relationships with Japan, we must be willing to make concessions.

As was pointed out today by the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] and by the distinguished Senator from Montana [Mr. MANSFIELD], the assistant majority leader, the area of Japan is smaller than the State of Montana but, as was said by the Senator from Montana, it has a population of almost 90 million, and a population increase of from 1 to 2 million every year. Japan has limited natural resources. About 60 percent of its land is tillable or usable for agricultural purposes.

Yet Japan as a nation must survive. Its possibilities to survive lie in trade and production. They lie in the development of education, of skills, and of science. It is in these categories that the strength of Japan will be found. It seems to me that we in this country should recognize that in our foreign policy.

I do not want Japan to fall into the orbit of the Communist powers. If Japan were to be communized, to be taken over, or in any way to become what might be called effectively neutralized toward the Communist orbit, such a development would have a decided effect upon the power relationships in the world.

Japan is a vital link in the security system of the free world, if we look upon the security system as one which relates not only to military power, but also to economic, cultural, scientific, and political power. It is in that spirit that I believe this treaty performs a valuable service.

This treaty is a better one than the treaty which now is in force. This treaty provides opportunity for revision. It is of 10 years' duration—a limited period permitting changes.

If the Government of the United States will implement this treaty by regarding Japan as an equal and by giving Japan, as well as other countries, qualitative recognition, not just quantitative recognition, then, indeed, this treaty can serve a very useful purpose.

I believe it would be wrong to ignore the arguments made today by some of our colleagues who have said this treaty would have no effect if an unfriendly government were to develop in Japan. Accordingly, it is in our national interest to take such action as we can to encourage, at least, a responsible and friendly government in Japan. I believe one of the ways we can do so is to look upon Japan as a partner, not as a faraway place. We need to look upon Japan in the way that we look upon the Philippines or any other friendly country—as a friend and as a partner in fact. When I say a partner, I mean a partner in consultation and in economic, cultural, scientific, military, and political cooperation, a partner which at times will disagree with us, but at other times will agree with us.

I hope we shall use the treaty to strengthen the participation by the United States and by Japan in the United Nations, because I believe the United Nations to be peculiarly well adapted to dealing with some of the problems of the Far East; and I hope we shall look upon the United Nations and its related agencies as very significant parts of our foreign-policy machinery as well as our foreign-policy program, in dealing with the nations of the Far East and their problems.

I urge that we call upon Japan to take a responsible role in terms of foreign aid in the Far East. It seems to me the time has come for the United States to stop thinking it, alone, can pay all of the bills. We should call upon a prosperous Japan to make her contributions to economic recovery in the friendly and free nations of Asia, Africa, and the Middle East. We should also be calling upon Western Germany to be doing the same—both former enemies, both today our allies and friends. Both of them have made phenomenal economic recov-

ery. Both have received liberal economic aid from the United States. Now the time is at hand for the Western European nations and the nations of Asia which have the means to do so to take on their share of the responsibility and to do their part in giving economic assistance and technical assistance to the other nations of the world.

Therefore, Mr. President, this treaty can be a forward step in closer cooperation between the United States and Japan on matters even more significant than military matters. This treaty can be an indication, at least, to the people of Japan that we in the United States want a working relationship with them on many items on the international agenda.

I am of the opinion that Japan can offer us much guidance in the field of disarmament, for example; and we should be calling upon Japan to take the lead in the Far East in encouraging disarmament. We can call upon her to provide a good deal of active participation in giving technical assistance to the so-called emerging countries of Asia, Africa, and the Middle East; and we can call upon Japan to render aid in the field of science and education. Certainly we should do so. I believe it can best be done through the multilateral agencies we have developed thus far in the United Nations.

Today, one or more Senators have expressed concern over the fact that this treaty requires the United States to come to the defense of Japan, in the event she is attacked, but does not require corresponding action by Japan in the event the United States is attacked. Of course, the treaty simply faces one of the facts of life—namely, that if Japan is attacked, such an attack will vitally affect the security of the United States. If that would not be the case, we have no business having military commitments in the Far East. We have military commitments, for instance, with the Philippines, and within the week those commitments have been reaffirmed by the President of the United States; and we have military commitments by treaty with Nationalist China, on the Island of Formosa; and we have military commitments with South Korea. So it goes without saying that an attack upon Japan would be an attack upon the United States and her allies in Europe and in Asia.

Therefore, Mr. President, although the treaty does not, in a sense, require the Government of Japan to come to our aid immediately, in the event of an attack upon the United States—although, it does require immediate consultation and the following of the constitutional processes—the treaty does require assistance by the United States in the event of attack upon Japan. The reason for that is quite obvious. The Japanese Constitution contains a prohibition against large military establishments. That constitutional provision was established with our insistence and the desire of the people of Japan.

I repeat that I believe that Japan's best contributions to freedom and security in the world today can be made in areas equally significant to the military.

However, I feel that the United States of America, by reason of her long-term commitments in one country after another around the world, particularly in the Far East, has a unique responsibility as regards Japan.

Mr. President, although there may be weaknesses in the treaty—and some of them have been referred to this afternoon—and although the treaty has limitations, and although the treaty might never become operative if an unfriendly government were to take over in Japan, certainly this treaty is at least an expression by the Government of the United States that it would like to normalize the relationships between the United States and Japan; and the treaty provides means for further discussions and further modifications of the diplomatic and political and economic and other relationships between the United States and Japan. The treaty also provides for economic and diplomatic consultations and for activities within the framework of the United Nations; and the treaty brings Japan in as a partner in the system of alliances and security arrangements on the part of the United States and her allies.

Therefore, Mr. President, I shall vote for ratification of the treaty, even though I was one of those who counseled against hasty action. I counseled against hasty action because I thought it would inject the United States, at that moment in Japanese history, into Japanese domestic politics, to the detriment of stable government in Japan.

I hope that now the people of Japan will look upon the treaty as a further opportunity to have more friendly relationships with the United States of America; and I hope that both the Government of Japan and the Government of the United States will look upon the treaty as a means of strengthening the cooperation of these two great nations within the framework of the United Nations.

If that is the spirit in which the treaty is ratified, and if the President of the United States—whoever he may be—will look upon the treaty as a further step in the normalization of relationships between these two great powers, then, indeed, this treaty will have contributed to peace and security in the world.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me?

Mr. HUMPHREY. I yield.

Mr. JOHNSON of Texas. I wonder if we could enter into a unanimous-consent agreement that after the morning hour tomorrow we have not to exceed 30 minutes of debate, to be divided equally and controlled by the majority and minority leaders, and then proceed to a yea-and-nay vote on the treaty. If we have 30 minutes of debate I will yield to the Senator from Louisiana [Mr. LONG] the time that he desires to speak on the treaty, and if anyone else desires time on either side of the question we will yield to him also.

Mr. HUMPHREY. Mr. President, I shall have to object, because tomorrow I intend to have a few words to say about Mr. NIXON's farm speech in North Dakota. We were here late last night.

Mr. LONG of Louisiana. Mr. President, will the Senator withhold his objection?

Mr. JOHNSON of Texas. Does the Senator wish to make another speech?

Mr. HUMPHREY. I am going to have something to say tomorrow about Mr. NIXON's farm speech in North Dakota. I believe we can finish consideration of the treaty tonight. The Senator from Minnesota will be through in a few minutes.

Mr. JOHNSON of Texas. My request would not bar the Senator from Minnesota from making a speech about Mr. NIXON. It would provide an opportunity for us to vote on the treaty after 30 minutes of debate. In that way Senators would know when we would vote. Several of them wish to leave. We could set the time when we would vote on the treaty. If the Senator wishes to set a specific time when he wishes to make his speech, we can arrange that. If he wishes to make his speech before consideration of the treaty tomorrow, we will hold up the treaty. If he wants to make it after the treaty, we will do that. All we are trying to do is to set a specific time for a yea-and-nay vote on the treaty.

Mr. LONG of Louisiana. I hope the Senator from Minnesota will agree to some arrangement of that sort, because I, for example, wish to make a speech against the treaty. I do not know whether that will provoke further debate. However, if the Senator wishes to make his speech tomorrow, I suggest that he make it either before or after the vote on the treaty. My suggestion would be that the vote on the treaty come first and then that the Senator from Minnesota be recognized to make his speech. In that way he will have a good attendance in the Senate.

Mr. HUMPHREY. That is agreeable to me.

Mr. JOHNSON of Texas. He may speak before or after action on the treaty.

Mr. HUMPHREY. Immediately after the treaty is disposed of will be the best arrangement.

Mr. JOHNSON of Texas. Mr. President, I renew my unanimous consent request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. HUMPHREY. What is the request?

Mr. JOHNSON of Texas. That there be 30 minutes of debate, 15 minutes on each side, after the morning hour, and then that the Senate proceed to vote on the treaty.

Mr. HUMPHREY. And that immediately after the treaty the Senator from Minnesota will be recognized.

Mr. JOHNSON of Texas. If the Senator so desires.

Mr. HUMPHREY. Yes.

Mr. JOHNSON of Texas. Very well.

Mr. HUMPHREY. I thank the Senator from Texas.

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

Mr. JAVITS. Mr. President, will the Senator yield, to permit me to ask the distinguished majority leader a question concerning the appropriation bills which were supposed to be scheduled for action today?

Mr. HUMPHREY. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, may we hear from the Senator from Texas concerning his plans for the consideration of the appropriation bills which were due to be taken up tonight?

Mr. JOHNSON of Texas. That will depend entirely on the speeches to be made by Senators. It is not planned to transact any business following the speeches. There will be nothing but speeches this evening. We will get down to voting tomorrow; and after we vote on the treaty, it is proposed to take up either the Independent Offices or the General Government Matters Appropriation bill.

Mr. JAVITS. I thank the Senator from Minnesota and the Senator from Texas.

Mr. JOHNSON of Texas. So far as the leadership is aware, there will be no votes this evening. The Senate will convene at 12 o'clock noon tomorrow. There will be a morning hour. Following the morning hour there will be 15 minutes to a side on the treaty. Then the vote on the treaty will take place.

Following the vote on the treaty, the Senator from Minnesota will be recognized. How much time will the Senator from Minnesota desire?

Mr. HUMPHREY. I have not the slightest idea.

Mr. DIRKSEN. Mr. President, put my name on the list, too. I do not have the slightest idea of how much time I may use, when I follow the Senator from Minnesota.

Mr. HUMPHREY. What the Senator from Illinois will probably say afterward is "Amen."

Mr. DIRKSEN. That is what the Senator from Minnesota thinks.

Mr. JOHNSON of Texas. Mr. President, we will have for consideration two appropriation bills which must also go to conference.

Mr. HUMPHREY. My speech will not be too long; it will take about a half hour.

Mr. JOHNSON of Texas. Mr. President, I modify my request to include one-half hour for the Senator from Minnesota [Mr. HUMPHREY], following the vote on the treaty.

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

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

*Ordered*, That, effective on Wednesday, June, 22, 1960, at the conclusion of the routine morning business, during the further consideration of the Treaty of Mutual Cooperation and Security Between the United States of America and Japan (Ex. E of 86th Cong., 2d sess.), all debate shall be limited to 30 minutes to be equally divided and controlled by the majority and minority leaders: *Provided further*, That after the vote on the treaty, the Senator from Minnesota [Mr. HUMPHREY] shall be recognized for 30 minutes to address the Senate.

Mr. JOHNSON of Texas. Mr. President, I desire to inform the Senate that immediately following the speech by the Senator from Minnesota an appropriation bill will be taken up.

Mr. DIRKSEN. Mr. President, I shall offer an amendment in order to secure time for my speech.

## LEGISLATIVE SESSION

Mr. McCARTHY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

## PETITION OF MINNEAPOLIS LODGE 260, BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a letter which I have received from Minneapolis Lodge 260 of the Brotherhood of Railway and Steamship Clerks in opposition to Senate bill 3548 relating to union bargaining, be printed at this point in the RECORD and appropriately referred.

There being no objection, the letter was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

JUNE 6, 1960.

HUBERT H. HUMPHREY,
*Washington, D.C.*

DEAR SENATOR: Senator Dirksen, of Illinois, on May 13, 1960, introduced S. 3548 which would amend the Railway Labor Act, the Norris-La Guardia Act, and National Labor Relations Act, making it impossible for labor unions to lawfully bargain or strike over demands involving the stabilization of employment.

The members of Minneapolis Lodge 260, urge you to oppose this bill, S. 3548.

Yours truly,

H. E. DURAND,
*Secretary Treasurer.*

## ADDITIONAL REPORTS OF COMMITTEES

The following additional reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 77. A bill to establish the Chesapeake & Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes (Rept. No. 1632).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 2709. A bill directing the Secretary of the Interior to convey to the city of Flandreau, S. Dak., any interest remaining in the United States to certain property which it conveyed to such city by the act of August 21, 1916 (39 Stat. 524) (Rept. No. 1633);

S. 2914. A bill to authorize the purchase and exchange of land and interests therein on the Blue Ridge and Natchez Trace Parkways (Rept. No. 1634);

S. 3264. A bill to abolish the Arlington Memorial Amphitheater Commission (Rept. No. 1635);

S. 3399. A bill to authorize the exchange of certain property within Shenandoah National Park, in the State of Virginia, and for other purposes (Rept. No. 1636); and

H.R. 8740. An act to provide for the leasing of oil and gas interests in certain lands owned by the United States in the State of Texas (Rept. No. 1637).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 8226. An act to add certain lands to Castillo de San Marcos National Monument in the State of Florida (Rept. No. 1638).

By Mr. MOSS, from the Committee on Interior and Insular Affairs, with amendments:

S. 2757. A bill to supplement the act of June 14, 1926, as amended, to permit any State to acquire certain public lands for recreational use (Rept. No. 1630); and

H.R. 6597. An act to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes (Rept. No. 1629).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 3122. An act directing the Secretary of the Interior to issue a homestead patent to the heirs of Frank L. Wilhelm (Rept. No. 1627).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, without amendment:

S. 3267. A bill to amend the act of October 17, 1940, relating to the disposition of certain public lands in Alaska (Rept. No. 1628).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 11953. An act to provide for the assessing of Indian trust lands and restricted fee patent Indian lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through drainage and diking district formed under the laws of the State of Washington (Rept. No. 1640).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 9142. An act to provide for payment for lands heretofore conveyed to the United States as a basis for lieu selections from the public domain, and for other purposes (Rept. No. 1639).

By Mr. BIBLE, from the Committee on the District of Columbia, with amendments:

S. 3193. A bill to aid in the development of a unified and integrated system of transportation for the National Capital region; to create a temporary National Capital Transportation Agency; to authorize creation of a National Capital Transportation Corporation; to authorize negotiation to create an interstate transportation agency; and for other purposes (Rept. No. 1631).

By Mr. FREAR, from the Committee on the District of Columbia, without amendment:

S. 3415. A bill to exempt from taxation certain property of the American Association of University Women, Educational Foundation, Inc., in the District of Columbia (Rept. No. 1641).

By Mr. FREAR, from the Committee on the District of Columbia, with an amendment:

S. 3258. A bill to amend the District of Columbia Alcoholic Beverage Control Act (Rept. No. 1643).

By Mr. FREAR, from the Committee on the District of Columbia, with amendments:

S. 3195. A bill to exempt from taxation certain property of the Army Distaff Foundation (Rept. No. 1642).

## ADDITIONAL BILL INTRODUCED

Mr. KENNEDY, by unanimous consent, introduced a bill (S. 3712) relating to the effective date of the qualification of the Pipe and Refrigeration Fitters Local 537 pension fund as a qualified trust under section 401(a) of the Internal Revenue Code of 1954, which was read twice by its title and referred to the Committee on Finance.

---

## PROPOSED AMENDMENTS OR NEW AGREEMENTS, FOR COOPERATION WITH OTHER NATIONS IN THE PEACEFUL USES OF ATOMIC ENERGY

Mr. PASTORE. Mr. President, pursuant to the requirements of section 123c of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has recently forwarded to the Joint Committee on Atomic Energy a number of proposed amendments, or new agreements, for cooperation with other nations in the peaceful uses of atomic energy.

As chairman of the Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy, and in accordance with past practices, I request unanimous consent to have printed in the CONGRESSIONAL RECORD, at a conclusion of my brief remarks, copies of representative amendments, and new agreements, preceded by a brief summary prepared by the Atomic Energy Commission, for the purpose of informing all Members of the Senate, the Congress, and the public, of the provisions of these amendments and agreements.

The Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy has scheduled a hearing for tomorrow, June 22, 1960, at 10 a.m., to consider the provisions of these amendments and agreements, as well as certain other matters. The subcommittee, and the full Joint Committee, may subsequently consider the possibility of waiving the remainder of the 30-day review period by the Joint Committee, pursuant to section 123c of the Atomic Energy Act of 1954, as amended.

All of these amendments or agreements, Mr. President, are for the peaceful uses of atomic energy. Seven of the amendments are primarily to extend for 2 or 3 years the bilateral agreement, and to provide an opportunity for transfer of the administration of safeguards to the International Atomic Energy Agency, and for future cooperation through the Agency.

Two other amendments authorize transfer of highly enriched materials for use in research or test reactors. The agreement with Canada provides for a cooperative program in the development of heavy water moderated reactors, for the mutual benefit of both nations.

The new agreement with Euratom authorizes supply of certain nuclear materials for the Euratom research program.

Mr. President, all of these amendments and agreements are demonstrations of U.S. leadership and dedication to the development of the peaceful uses of atomic energy in close cooperation with other nations of the world. They contain the usual guarantees and safeguards against diversion of the materials from peaceful to military purposes.

I send to the desk, Mr. President, the following, and request unanimous consent that they be reprinted in the CONGRESSIONAL RECORD at this point for the information of all Members of the Senate, the Congress, and the public:

First, a letter dated June 20, 1960, to James T. Ramey, executive director, Joint Committee on Atomic Energy, from Mr. John A. Hall, for the General Manager of AEC, with appendixes A and B, summarizing the amendments to the agreements with various countries, and with Euratom;

Second, a copy of amendment to agreement for cooperation with Argentina—similar to that with Brazil, China, Greece, Israel, and Portugal—together with supporting correspondence;

Third, an amendment to agreement with New Zealand—similar to that with Thailand—and supporting correspondence;

Fourth, an amendment to cooperation with Canada, and supporting correspondence;

Fifth, an amendment to agreement for cooperation with Switzerland, and supporting correspondence; and

Sixth, an additional agreement for cooperation with Euratom, and supporting correspondence.

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

U.S. ATOMIC ENERGY COMMISSION,
*June 20, 1960.*

Mr. JAMES T. RAMEY,
*Executive Director, Joint Committee on Atomic Energy, Congress of the United States, Washington, D.C.*

DEAR MR. RAMEY: In response to your request of June 13, 1960, there is attached as appendix A brief summaries of the amendments to the Agreements for Cooperation with Argentina, Brazil, Canada, China, Greece, Israel, New Zealand, the Philippines, Portugal, Switzerland, and Thailand, and of the agreement with Indonesia. Attached as appendix B is a detailed discussion of the provisions of the additional agreement for cooperation with Euratom, supplementing that information provided in Chairman McCone's letter of June 11, 1960, to Senator ANDERSON.

If there is any further information you require, we should be glad to hear from you.

Sincerely yours,

JOHN A. HALL
(For General Manager).

---

### APPENDIX A

SUMMARY OF AMENDMENTS TO THE AGREEMENTS FOR COOPERATION WITH ARGENTINA, BRAZIL, CANADA, CHINA, GREECE, ISRAEL, NEW ZEALAND, THE PHILIPPINES, SWITZERLAND, AND THAILAND

#### ARGENTINA, BRAZIL, CHINA, GREECE, ISRAEL, AND PORTUGAL

Each of these amendments provides for a 2-year extension of the agreement with the respective country. The purpose of entering into 2-year extensions is to provide continuity in the bilateral arrangements in connection with fuel and equipment that has been or is expected shortly to be transferred, and, at the same time, provide an opportunity for the development of arrangements for the administration of safeguards by the International Atomic Energy Agency and for future cooperation through the Agency. The following standard articles are also being incorporated into those agreements which do not presently contain such provisions, as indicated:

(1) IAEA article: Affirmation of the parties to avail themselves, as soon as practicable, of the facilities and services of the IAEA (Argentina, Brazil, China, Greece, and Portugal).

(2) Disclaimer article: Provides for a disclaimer of responsibility under which neither party warrants the accuracy, completeness, or suitability of information or data exchanged for any particular use or application (Argentina and Greece).

(3) Hold harmless article: Provides for a hold harmless provision indemnifying and saving harmless the United States from any and all liability arising from the lease of source material, special nuclear material or other reactor materials (Argentina and Greece).

#### NEW ZEALAND AND THAILAND

The existing agreements provide for the lease of six kilograms of material enriched up to 20 percent in the isotope $U^{235}$, plus pipeline quantities, for fueling research reactors.

The amendments change the above provisions by providing for the sale or lease, as may be agreed, of a net amount of 10 kilograms of material enriched up to 20 percent in the isotope $U^{235}$ for use in research reactors, materials testing reactors, and reactor experiments. At its discretion, the Commission may make all or a portion of this material available as material enriched up to 90 percent for use in the foregoing facilities, each capable of operating with a fuel load not to exceed 8 kilograms of contained $U^{235}$. New Zealand and Thailand requested this provision in connection with research reactors they are planning to construct. The amendments also add a provision permitting the transfer of special nuclear materials, on an "as may be agreed" basis, for use in defined research projects other than fueling reactors or reactor experiments. In view of these provisions, there have been included in the amendments standard comprehensive controls and safeguards and a comprehensive IAEA article in which the parties affirm their common interest in the IAEA and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the agreement. The amendment with Thailand also extends that agreement for a 2-year period.

#### PHILIPPINES

This amendment provides, at the request of the Philippines, for a 3, rather than 2 years, extension, to cover, if possible, the life of the first-core loading of their research reactor, and its return to the United States. The amendment also adds a standard provision to permit the tranfer of specified gram quantities of special nuclear materials for research purposes, and contains "hold harmless" and "disclaimer" provisions as well as an IAEA article.

#### INDONESIA

The agreement with Indonesia is, in all but one respect, the standard type of research bilateral providing for the lease of 6 kilograms of uranium enriched up to 20 percent in the isotope $U^{235}$, plus pipeline quantities, for use as fuel in research reactors. It differs from the standard research agreement only in that it is limited, at Indonesia's request, to cooperation with respect to a single specified project; namely, a research and training project for nuclear science and engineering at the Bandung Institute of Technology.

#### CANADA

The Joint Committee is aware of the cooperative program entered into with Canada on heavy water moderated reactors. The

main purpose of the amendment is to permit full implementation of this program.

The existing agreement would expire on July 31, 1965. The amendment extends the agreement for a period of 20 years from the date the amendment enters into force. This period is in line with the terms of our power agreements with Italy and Japan and the joint program under our agreement with Euratom.

The amendment also permits enriched uranium and heavy water for power reactor programs to be provided by lease, or, subject to required governmental authorizations, loan. The present agreement permits sale only of these items.

Certain changes are also made in the patent provisions to permit wider freedom of governmental action with regard to licensing. The existing agreement provides that, as to inventions based on information communicated under the agreement, the licenses are for "governmental purposes and for purposes of mutual defense" and that the license shall be "for its governmental purposes." The amendment removes the above restrictions and provides instead for licenses, with the right to sublicense, for all purposes. The amendment also provides that additional patent arrangements may be made with respect to inventions or discoveries made or conceived in circumstances other than those specifically provided for in the agreement.

SWITZERLAND

Under the terms of the existing agreement, reactor fuel is available to Switzerland on a sale basis only and highly enriched uranium fuel is limited to use in a materials testing reactor capable of operating with a fuel load not to exceed six kilograms of contained $U^{235}$ in uranium. The amendment will permit the Commission also to lease reactor fuel to Switzerland and to supply highly enriched uranium for use in research reactors and reactor experiments, as well as materials testing reactors, each capable of operating with a fuel load not to exceed eight kilograms of contained $U^{235}$ in uranium. The amendment also provides that our usual language relieving the Government of the United States of liability arising out of or in connection with special nuclear material, source material, or other reactor material leased to Switzerland shall be contained in all contracts for the lease of such materials. This minor deviation from the usual practice of making the "hold harmless" provision directly operative within the agreement itself was requested by the Swiss in order to avoid submittal of the amendment to the Swiss Parliament, with consequent delay.

---

APPENDIX B

DISCUSSION OF THE PROVISIONS OF THE ADDITIONAL AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES AND EURATOM

The additional agreement for cooperation between the United States and Euratom is designed to meet the urgent need on the part of Euratom and one of its member states for assurances, required before the next session of Congress, of the supply of certain nuclear materials for their research programs. If the assurances that are provided by the additional agreement are not forthcoming during this period, it is possible that some of the research projects for which the materials are designated may have to be deferred. It should also be noted that the principal need is that of a member state, Italy, which has chosen to seek these materials through Euratom as an indication of support for this organization.

Only materials for which assurances are urgently needed are provided for in the additional agreement. The specific quantities of materials to be made available by sale or lease, as may be agreed, and the research projects for which they are intended are:

1. One hundred kilograms of uranium, enriched up to 90 percent in the isotope $U^{235}$ for use in an Italian organic reactor experiment: The Italian National Committee for Nuclear Research (CNRN) is anxious to proceed with the design and construction of this experiment, which is to be completed by 1962. It wishes to use highly enriched $U^{235}$ in the first core (similar to that of the OMRE) of this facility so as to accelerate the attainment of meaningful data for the organic system.

2. Two hundred kilograms of uranium, enriched up to 90 percent in the isotope $U^{235}$, and 30 kilograms of $U^{233}$ contained in unseparated, irradiated, uranium-thorium fuel elements for use in an experimental reprocessing plant and associated fuel fabrication facility. The CNRN plans to start up an experimental plant for reprocessing irradiated uranium-thorium fuel elements from the Elk River reactor during the first half of 1964. Allis-Chalmers will participate in this project, which the Commission's Division of Reactor Development has strongly endorsed.

3. Forty kilograms of uranium, enriched up to 90 percent in the isotope $U^{235}$ for critical experiments related to Euratoms' heavy-water moderated, organic-cooled reactor prototype, ORGEL. This project is the principal element in Euratom's joint research program with Canada on heavy water reactors. Although critical experiments have been performed in a French reactor, with fuel configurations already available, it is desired to further experiment with elements which more closely approximate those planned for the ORGEL project. The material requested would be used to fabricate these special critical assembly test elements.

The additional agreement also contains a research materials article (article II) under which limited quantities of special nuclear material may be supplied for small-scale research uses, as may be agreed. Pertinent articles of the existing Joint Program Agreement, including those on safeguards, have been incorporated in the Additional Agreement by reference.

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C.*

Hon CLINTON P. ANDERSON,
*Chairman, Joint Committee on Atomic Energy, Congress of the United States.*

DEAR SENATOR ANDERSON: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. An executed amendment to the agreement for cooperation between the Government of the United States of America and the Government of the Argentine Republic concerning civil uses of atomic energy;

2. A letter from the Commission to the President recommending approval of the amendment; and

3. A letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, approving the amendment, and authorizing its execution.

Article IV of the proposed amendment provides for a two-year extension of the present agreement. It is hoped that the proposed two-year extension will permit the Government of the United States of America and the Government of the Argentine Republic sufficient time in which to reach agreement with the International Atomic Energy Agency for Agency administration of safeguards for the reactor and fuel transferred, or to be transferred, and to arrange for further cooperation through the Agency.

Article I of the amendment contains a disclaimer of responsibility clause under which neither party warrants the accuracy, completeness or suitability of information or data exchanged for any particular use or application.

Article II of the amendment contains a hold harmless clause indemnifying and saving harmless the United States from any and all liability arising from the lease of the fuel to the Government of the Argentine Republic.

In article III of the amendment the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the Agreement for Cooperation in view of the establishment of the Agency.

The amendment will enter into force when the two Governments have exchanged notifications that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

_____ _____,
*Chairman.*

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C., June 4, 1960.*

THE PRESIDENT,
*The White House.*

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Argentine Republic Concerning Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendations.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would extend and modify the Agreement for Cooperation signed by the Government of the United States of America and the Government of the Argentine Republic on July 29, 1955. That agreement will expire on July 28, 1960, unless extended by amendment. Major features of the amendment are summarized below.

Article IV of the proposed amendment provides for a 2-year extension of the present agreement. It is hoped that the proposed 2-year extension will permit the Government of the United States of America and the Government of the Argentine Republic sufficient time in which to reach agreement with the International Atomic Energy Agency for Agency administration of safeguards for the reactor and fuel transferred, or to be transferred, and to arrange for further cooperation through the Agency.

Article I of the amendment contains a disclaimer of responsibility clause under which neither party warrants the accuracy, completeness or suitability of information or data exchanged for any particular use or application.

Article II of the amendment contains a hold-harmless clause indemnifying and saving harmless the United States from any and all liability arising from the lease of the fuel to the Government of the Argentine Republic.

In article III of the amendment the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the agreement for cooperation in view of the establishment of the Agency.

Following your determination, approval, and authorization, the amendment will be

formally executed by the appropriate authorities of the Government of the United States of America and the Government of the Argentine Republic. In compliance with section 123c of the Atomic Energy Act of 1954, as amended, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully,

JOHN A. MCCONE, *Chairman.*

---

THE WHITE HOUSE,
*Washington, June 9, 1960.*

The Honorable JOHN A. MCCONE,
*Chairman, Atomic Energy Commission,*
*Washington, D.C.*

DEAR MR. MCCONE: Under the date of June 4, 1960, the Atomic Energy Commission recommended that I approve the proposed amendment to agreement for cooperation between the Government of the United States of America and the Government of the Argentine Republic concerning civil uses of atomic energy, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would extend and modify the agreement for cooperation signed by the Government of the United States of America and the Government of the Argentine Republic on July 29, 1955. The agreement will expire on July 28, 1960, unless extended by amendment.

Article IV of the proposed amendment provides for a 2-year extension of the present agreement. It is hoped that the proposed 2-year extension will permit the Government of the United States of America and the Government of the Argentine Republic sufficient time in which to reach agreement with the International Atomic Energy Agency for Agency administration of safeguards for the reactor and fuel transferred, or to be transferred, and to arrange for further cooperation through the Agency.

Article I of the amendment contains a disclaimer of responsibility clause under which neither party warrants the accuracy, completeness or suitability of information or data exchanged for any particular use or application.

Article II of the amendment contains a hold harmless clause indemnifying and saving harmless the United States from any and all liability arising from the lease of the fuel to the Government of the Argentine Republic.

In article III of the amendment the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the agreement for cooperation in view of the establishment of the Agency.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States, and

2. Approve the proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Argentine Republic enclosed with your letter of June 4, 1960, and

3. Authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE ARGENTINE REPUBLIC CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Argentine Republic,

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Argentine Republic Concerning Civil Uses of Atomic Energy signed at Washington July 29, 1955 (hereinafter referred to as the "Agreement for Cooperation"),

Agree as follows:

ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the limitations of Article V, the Parties hereto will exchange information in the following fields:

"1. Design, construction and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data or any kind whatsoever, including design drawings and specifications, exchanged under this Agreement shall be the responsibility of the Party which receives and uses such information or data, and it is understood that the other cooperating Party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

The following new paragraph is added to Article VI of the Agreement for Cooperation:

"D. Some atomic energy materials which the Commission may provide in accordance with this Agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Argentine Republic the Government of the Argentine Republic shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any source or special nuclear materials or other reactor materials which the Commission may, pursuant to this Agreement, lease to the Government of the Argentine Republic or to any private individual or private organization under its jurisdiction, the Government of the Argentine Republic shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear materials or other reactor materials after delivery by the Commission to the Government of the Argentine Republic or to any authorized private individual or private organization under its jurisdiction."

ARTICLE III

The following new article is added directly after Article VII of the Agreement for Cooperation:

"ARTICLE VII BIS

"The Government of the United States of America and the Government of the Argentine Republic affirm their common interest in making mutually satisfactory arrangements to avail themselves, as soon as practicable, of the facilities and services of the International Atomic Energy Agency and to this end the Parties will consult with each other from time to time to determine in what respects, if any, they desire to modify the provisions of this Agreement for Cooperation."

ARTICLE IV

Article VIII of the Agreement for Cooperation is amended by deleting the date "July 28, 1960" and substituting in lieu thereof the date "July 28, 1962".

ARTICLE V

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as hereby amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this 11th day of June 1960.

For the Government of the United States of America:

R.R.R.—ROY R. RUBOTTOM, Jr.,
*Assistant Secretary, Inter-American Affairs, Department of State.*

J.A.M.—JOHN A. MCCONE,
*Chairman, Atomic Energy Commission.*

For the Government of the Argentine Republic:

E.D.C.—EMILIO DONATO DEL CARREL,
*Ambassador of Argentina, Washington, D.C.*

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C.*

Hon. CLINTON P. ANDERSON,
*Chairman, Joint Committee on Atomic Energy, Congress of the United States.*

DEAR SENATOR ANDERSON: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter:

1. An executed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of New Zealand Concerning Civil Uses of Atomic Energy;

2. A letter from the Commission to the President recommending approval of the amendment; and

3. A letter from the President to the Commission containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security, approving the amendment, and authorizing its execution.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State, pursuant to the Atomic Energy Act of 1954, as amended, would modify the agreement for cooperation signed by the Government of the United States and the Government of New Zealand on June 13, 1956. Major features of the amendment are summarized below.

The existing agreement provides that the Commission will lease to the Government of New Zealand, as fuel for research reactors, up to six kilograms of contained $U^{235}$ in uranium enriched up to a maximum of 20 percent $U^{235}$, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous use of the reactor involved. Article I of the amendment provides that the Commission may sell or lease, as may be agreed, a net amount of 10 kilograms of uranium enriched up to 20 percent in the isotope $U^{235}$, except as noted below, for use in research reactors, materials testing reactors, and reactor experiments. The Commission, at its discretion, may make all or a portion of the 10 kilograms available as material enriched up to 90 percent for use in the foregoing facilities, each capable of operating with a fuel load not to exceed 8 kilograms of contained $U^{235}$ in uranium. In addition, article I provides that when any source or special nuclear material received from the

United States requires reprocessing, such reprocessing will be performed either in Commission facilities, or in facilities acceptable to the Commission.

The quantity of uranium enriched in the istotope $U^{235}$ transferred to the Government of New Zealand for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel is radioactively cooling or in transit, or, subject to Commission approval, is being reprocessed in New Zealand.

Article II of the amendment permits the transfer of quantities of special nuclear materials, including $U^{235}$, $U^{233}$, and plutonium, on an as may be agreed basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors and reactor experiments.

Article III of the amendment incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article IV of the amendment the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the agreement for cooperation in view of the establishment of the agency.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled.

Sincerely,

——— ———,
*Chairman.*

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C., June 4, 1960.*

THE PRESIDENT,
*The White House.*

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of New Zealand Concerning Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would modify the Agreement for Cooperation signed by the Government of the United States and the Government of New Zealand on June 13, 1956. Major features of the amendment are summarized below.

The existing agreement provides that the Commission will lease to the Government of New Zealand, as fuel for research reactors, up to 6 kilograms of contained $U^{235}$ in uranium enriched up to a maximum of 20 percent $U^{235}$, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous use of the reactor involved. Article I of the amendment provides that the Commission may sell or lease, as may be agreed, a net amount of 10 kilograms of uranium enriched up to 20 percent in the isotope $U^{235}$, except as noted below, for use in research reactors, materials, testing reactors, and reactor experiments. The Commission, at its discretion, may make all or a portion of the 10 kilograms available as material enriched up to 90 percent for use in the foregoing facilities, each capable of operating with a fuel load not to exceed 8 kilograms of contained $U^{235}$ in uranium. In addition, article I provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission.

The quantity of uranium enriched in the isotope $U^{235}$ transferred to the Government of New Zealand for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel is radioactively cooling or in transit, or, subject to Commission approval, is being reprocessed in New Zealand.

Article II of the amendment permits the transfer of quantities of special nuclear materials, including $U^{235}$, $U^{233}$, and plutonium, on an as-may-be-agreed basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors and reactor experiments.

Article III of the amendment incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article IV of the amendment the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provision of the agreements for cooperation in view of the establishment of the Agency.

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of New Zealand and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

JOHN A. MCCONE,
*Chairman.*

---

THE WHITE HOUSE,
*Washington, D.C., June 9, 1960.*

Hon. JOHN A. MCCONE,
*Chairman, Atomic Energy Commission,*
*Washington, D.C.*

DEAR MR. MCCONE: Under date of June 4, 1960, you informed me that the Atomic Energy Commission has recommended that I approve the proposed "Amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of New Zealand Concerning Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The amendment would modify the agreement for cooperation signed by the Government of the United States and the Government of New Zealand on June 13, 1956.

Among other things, the amendment provides that the Commission may sell or lease, as may be agreed, a net amount of 10 kilograms of uranium enriched up to 20 percent in the isotope $U^{235}$, except as noted below, for use in research reactors, materials-testing reactors, and reactor experiments. The Commission, at its discretion, may make all or a portion of the 10 kilograms available as material enriched up to 90 percent for use in the foregoing facilities, each capable of operating with a fuel load not to exceed 8 kilograms of contained $U^{235}$ in uranium. It is also provided that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission.

The quantity of uranium enriched in the isotope $U^{235}$ transferred to the Government of New Zealand for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel is radioactively cooling or in transit, or, subject to Commission approval, is being reprocessed in New Zealand.

The amendment further permits the transfer of quantities of special nuclear materials, including $U^{235}$, $U^{233}$, and plutonium, on and as-may-be-agreed basis, for defined research projects related to the peaceful uses of atomic energy other than fueling reactors and reactor experiments.

The amendment also contains several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes. Finally, the amendment contains a provision whereby the parties affirm their common interest in the International Atomic Energy Agency and agree to consult with each other to determine in what respects, if any, they desire to modify the provisions of the agreement for cooperation in view of the establishment of the Agency.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States,

2. Approve the proposed Amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of New Zealand enclosed with your letter of June 4, 1960, and

3. Authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

---

AMENDMENT TO THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF NEW ZEALAND CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of New Zealand,

Desiring to amend the Agreement for Cooperation between the Government of the United States of America and the Government of New Zealand Concerning Civil Uses of Atomic Energy, signed at Washington on June 13, 1956 (hereafter referred to as the "Agreement for Cooperation"),

Agree as follows:

ARTICLE I

Article IV of the Agreement for Cooperation is amended to read as follows:

"1. The Commission will sell or lease, as may be agreed, to the Government of New Zealand, uranium enriched up to twenty per cent (20 percent) in the isotope U-235, except as otherwise provided in paragraph 3 of this Article, in such quantities as may be agreed, in accordance with the terms, conditions, and delivery schedules set forth in contracts, for fueling defined research reactors, materials testing reactors, and reactor experiments which the Government of New Zealand, in consultation with the Commis-

sion, decides to construct or authorize private organizations to construct and which are constructed in New Zealand and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased under this Article during the period of this Agreement shall not at any time exceed ten (10) kilograms of the isotope U-235 contained in such uranium. This net amount shall be the gross quantity of such contained U-235 in uranium sold or leased to the Government of New Zealand during the period of this Agreement less the quantity of such contained U-235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this Agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"2. Within the limitations contained in paragraph 1 of this Article, the quantity of uranium enriched in the isotope U-235 transferred by the Commission under this Article and in the custody of the Government of New Zealand shall not at any time be in excess of the quantity necessary for the full loading of each defined reactor project which the Government of New Zealand or persons under its jurisdiction construct and fuel with uranium received from the United States of America, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments while replaced fuel is radioactively cooling, is in transit, or, subject to the provisions of paragraph 5 of this Article, is being reprocessed in New Zealand, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

"3. The Commission may, upon request and in its discretion, make all or a portion of the foregoing special nuclear material available as uranium enriched up to ninety per cent (90%) in the isotope U-235 for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed eight (8) kilograms of the isotope U-235 contained in such uranium.

"4. It is understood and agreed that although the Government of New Zealand may distribute uranium enriched in the isotope U-235 to authorized users in New Zealand, the Government of New Zealand will retain title to any uranium enriched in the isotope U-235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U-235.

"5. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"6. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of New Zealand and after reprocessing as provided in paragraph 5 of this Article, shall be returned to the Government of New Zealand, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with appropriate credit to the Government of New Zealand, any such special nuclear material which is in excess of the needs of New Zealand for such material in its program for the peaceful uses of atomic energy.

"7. With respect to any special nuclear material not subject to the option referred to in paragraph 6 of this Article and produced in reactors fueled with material obtained from the United States of America which is in excess of the need of New Zealand for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

"8. Some atomic energy materials which the Commission may provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of New Zealand the Government of New Zealand shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any source or special nuclear material or other reactor material which the Commission may, pursuant to this agreement, lease to the Government of New Zealand or to any private individual or private organization under its jurisdiction, the Government of New Zealand shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear material or other reactor material after delivery by the Commission to the Government of New Zealand or to any authorized private individual or private organization under its jurisdiction."

ARTICLE II

Article V of the Agreement for Cooperation is amended to read as follows:

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy and under the limitations set forth in Article II, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of New Zealand by the Commission for research purposes other than fueling reactors and reactor experiments in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially."

ARTICLE III

Article VIII of the Agreement for Cooperation is amended to read as follows:

"1. The Government of the United States of America and the Government of New Zealand emphasize their common interest in assuring that any material, equipment, or device made available to the Government of New Zealand pursuant to this Agreement shall be used solely for civil purposes.

"2. Except to the extent that the safeguards provided for in this Agreement are supplanted, as provided in Article X bis, by safeguards of the International Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this Agreement, shall have the following rights:

"A. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any—

(i) reactor and

(ii) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards,

which are to be made available to the Government of New Zealand or persons under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission;

"B. With respect to any source or special nuclear material made available to the Government of New Zealand or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or devices so made available:

(i) source material, special nuclear material, moderator material, or other material designated by the Commission,

(ii) reactors,

(iii) any other equipment or device designated by the Commission as an item to be made available on the condition that the provision of this subparagraph 2B will apply, (a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such material; and (b) to require that any such material in the custody of the Government of New Zealand or any person under its jurisdiction be subject to all of the safeguards provided for in this Article and the guaranties set forth in Article IX;

"C. To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph 2B of this Article which is not currently utilized for civil purposes in New Zealand and which is not purchased or retained by the Government of the United States of America pursuant to Article IV, paragraph 6 and paragraph 7(a) of this Agreement, transferred pursuant to Article IV, paragraph 7(b) of this Agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the Parties;

"D. To designate, after consultation with the Government of New Zealand, personnel who, accompanied, if either Party so requests, by personnel designated by the Government of New Zealand, shall have access in New Zealand to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph 2B of this Article to determine whether there is compliance with this Agreement and to make such independent measurements as may be deemed necessary;

"E. In the event of non-compliance with the provisions of this Article, or the guaranties set forth in Article IX, and the failure of the Government of New Zealand to carry out the provisions of this Article within a reasonable time, to suspend or terminate this Agreement and require the return of any materials, equipment, and devices referred to in subparagraph 2B of this Article;

"F. To consult with the Government of New Zealand in the matter of health and safety.

"3. The Government of New Zealand undertakes to facilitate the application of the safeguards provided for in this Article."

ARTICLE IV

The following new Article is added directly after Article X of the Agreement for Cooperation:

"ARTICLE X bis

"The Government of the United States of America and the Government of New Zealand affirm their common interest in the International Atomic Energy Agency and to this end:

"(a) The Parties will consult with each other, upon the request of either Party, to determine in what respects, if any, they desire to modify the provisions of this Agreement. In particular, the Parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the Agency of those conditions, controls, and safeguards, including those relating to health and safety standards, required by the Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the Agency.

"(b) In the event the Parties do not reach a mutually satisfactory agreement following the consultation provided for in subparagraph (a) of this Article, either Party may by notification terminate this Agreement. In the event this Agreement is so terminated, the Government of New Zealand shall return to the Commission all source and special nuclear materials received pursuant to this Agreement and in its possession or in the possession of persons under its jurisdiction."

ARTICLE V

This Amendment shall enter into force on the day on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation.

In Witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this eleventh day of June, 1960.

For the Government of the United States of America:

JOHN M. STEEVES,
*Deputy Assistant Secretary, Far Eastern Affairs, Department of State.*

JOHN A. MCCONE,
*Chairman, Atomic Energy Commission.*

For the Government of New Zealand:

G. D. L. WHITE,
*Charge d'Affaires ad interim, Embassy of New Zealand, Washington, D.C.*

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C.*

Hon. CLINTON P. ANDERSON,
*Chairman, Joint Committee on Atomic Energy, Congress of the United States.*

DEAR SENATOR ANDERSON: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. An executed amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Canada;

2. A letter from the Commission to the President recommending approval of the amendment; and

3. A letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, approving the amendment, and authorizing its execution.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise in certain respects the agreement for cooperation between the United States and Canada signed at Washington on June 15, 1955, as amended by the agreement signed at Washington on June 26, 1956, and as modified by the agreement signed at Washington on May 22, 1959. The proposed revisions are required in order to permit full implementation of an expanded program of cooperation with Canada in the development of heavy-water-moderated power reactors. The desirability of amending the agreement for cooperation accordingly was previously brought to the attention of the joint committee in my letter of April 4, 1960, with which there was transmitted a proposed memorandum of understanding on the heavy water reactor program.

Article I of the amendment provides that the agreement for cooperation, as amended, shall remain in force for a period of 20 years from the date the amendment enters into force.

Under the existing agreement (article VI A) it is possible for the United States to supply enriched uranium for use as fuel in Canada's power reactor program on a sale basis only. Article II of the amendment modifies article VI A of the agreement in order to permit enriched uranium to be supplied also by lease or loan. Corollary changes are made elsewhere in article VI A as appropriate.

Similarly, article III of the amendment modifies article VI C of the agreement to provide that heavy water may henceforth be supplied to Canada on a lease or loan basis instead of sale only.

When required to permit the loan of enriched uranium or heavy water, appropriate congressional authorization will, of course, be sought.

Article IV of the amendment makes certain revisions in the patent provisions of the agreement. The existing agreement provides that as to inventions based on information communicated under the agreement the licenses are for "governmental purposes and for purposes of mutual defense" (paragraph A(1) of article IX) and that the license shall be "for its governmental purposes" (paragraph A(2) of article IX). To permit complete freedom of governmental action in this area, however, article IV of the amendment removes the above restrictions and provides instead for licenses, with the right to sublicense, for all purposes. At present, the agreement (paragraph A of article IX) refers only to "invention or discovery employing information which has been communicated" and does not, therefore, cover inventions made by exchanged personnel. In view thereof, a new provision (article IV, paragraph C, of the amendment) is added to the agreement.

The amendment will enter into force when the Government of the United States has notified the Government of Canada that the statutory and constitutional requirements of the United States for entry into force of the amendment have been fulfilled.

Sincerely yours,

——— ———,
*Chairman.*

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C.*

The PRESIDENT,
*The White House.*

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Canada," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would revise in certain respects the agreement for cooperation between the United States and Canada signed at Washington on June 15, 1955, as amended by the agreement signed at Washington on June 26, 1956, and as modified by the agreement signed at Washington on May 22, 1959. The proposed revisions are required in order to permit full implementation of an expanded program of cooperation with Canada in the development of heavy water moderated power reactors.

Article I of the amendment provides that the agreement for cooperation, as amended, shall remain in force for a period of 20 years from the date the amendment enters into force.

Under the existing agreement (art. VI A) it is possible for the United States to supply enriched uranium for use as fuel in Canada's power reactor program on a sale basis only. Article II of the amendment modifies article VI A of the agreement in order to permit enriched uranium to be supplied also by lease or loan. Corollary changes are made elsewhere in article VI A as appropriate.

Similarly, article III of the amendment modifies article VI C of the agreement to provide that heavy water may henceforth be supplied to Canada on a lease or loan basis instead of sale only.

Article IV of the amendment makes certain revisions in the patent provisions of the agreement. The existing agreement provides that as to inventions based on information communicated under the agreement the licenses are for "governmental purposes and for purposes of mutual defense" (par. A(1) of art. IX) and that the license shall be for "its governmental purposes" (par. A(2) of art. IX). To permit complete freedom of governmental action in this area, however, article IV of the amendment removes the above restrictions and provides instead for licenses, with the right to sublicense, for all purposes. At present, the agreement (par. A of art. IX) refers only to "invention or discovery employing information which has been communicated" and does not, therefore, cover inventions made by exchanged personnel. In view thereof, a new provision (art. IV, par. C, of the amendment) is added to the agreement.

Following your determination, approval, and authorization, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of Canada. In compliance with section 123c of the Atomic Energy Act of 1954, as amended, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully,

JOHN A. MCCONE,
*Chairman.*

---

THE WHITE HOUSE,
*Washington, June 11, 1960.*

The Honorable JOHN A. MCCONE,
*Chairman, Atomic Energy Commission, Washington, D.C.*

DEAR MR. MCCONE: Under date of June 4, 1960, the Atomic Energy Commission recommended that I approve the proposed "Amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Canada," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The amendment would modify the Agreement for Cooperation between the United States and Canada signed at Washington on June 15, 1955, as amended by the agreement signed at Washington on June 26, 1956, and as modified by the agreement signed at Washington on May 22, 1959.

The amendment has as its purpose the modification of the Agreement for Cooperation in order to permit full implementation of an expanded program of cooperation with Canada in the development of heavy-water-moderated power reactors.

Article I of the amendment provides that the Agreement for Cooperation, as amended, shall remain in force for a period of 20 years from the effective date of the amendment.

Under article II of the amendment, the Agreement for Cooperation is modified to permit the United States to provide enriched uranium for use as fuel in Canada's power reactor program on a lease or loan basis, in addition to sale as at present. Similarly, article III of the amendment makes it possible to supply heavy water to Canada by lease or loan in addition to sale.

Article IV of the amendment makes certain revisions in the patent provisions of the agreement. The existing agreement provides that as to inventions based on information communicated under the agreement the licenses are for "governmental purposes and for purposes of mutual defense" (par. A(1) of art. IX) and that the license shall be "for its governmental purposes" (par. A(2) of art. IX).

To permit complete freedom of governmental action in this area, however, article IV of the amendment removes the above restrictions and provides instead for licenses, with the right to sublicense, for all purposes. At present, the agreement (par. A of art. IX) refers only to "invention or discovery employing information which has been communicated" and does not, therefore, cover inventions made by exchanged personnel. In view thereof, a new provision (art. IV, par. C, of the amendment) is added to the agreement.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Canada enclosed with your letter of June 4, 1960; and

3. Authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

---

AMENDMENT TO AGREEMENT FOR COOPERATION CONCERNING CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CANADA

The Government of the United States of America and the Government of Canada,

Desiring to amend the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Canada signed at Washington on June 15, 1955 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreement signed at Washington on June 26, 1956, and as modified by the Agreement signed at Washington on May 22, 1959,

Agree as follows:

ARTICLE I

Notwithstanding the provisions of Article I of the Agreement for Cooperation, that Agreement, as amended, shall remain in force for a period of twenty years from the date this Amendment enters into force.

ARTICLE II

Article VI A of the Agreement for Cooperation is amended as follows:

1. In the first sentence a comma is inserted after the word "sell" and the phrase "lease, or, subject to required governmental authorizations, loan" is inserted directly thereafter.

2. In the second sentence a comma is inserted after the word "sell" and the phrase "lease, or loan" is inserted directly thereafter.

3. In the second paragraph the word "purchased" is deleted and the word "received" is substituted in lieu thereof.

ARTICLE III

The second sentence of Article VI C of the Agreement for Cooperation is amended by deleting the phrase "sell to Atomic Energy of Canada Limited," and substituting in lieu thereof the phrase "transfer to Atomic Energy of Canada Limited, by sale, lease, or, subject to required governmental authorizations, loan,".

ARTICLE IV

1. Subparagraph (1) of Article IX A of the Agreement for Cooperation is amended by inserting a comma after the word "license" and by deleting the phrase "for its own governmental purposes and for purposes of mutual defense" and substituting in lieu thereof the phrase "with the right to grant sublicenses, for all purposes".

2. The first sentence of subparagraph (2) of Article IX A of the Agreement for Cooperation is amended to read as follows:

"(2) As to its right, title, and interest in and to any such invention, discovery, patent application, or patent in its own or third countries will, upon request of the other party, grant to the other party a royalty-free, nonexclusive, irrevocable license, with the right to grant sublicenses, for all purposes in all such countries."

3. The following new paragraph is added to Article IX:

"C. With respect to inventions or discoveries made or conceived in circumstances other than those provided for in paragraph A of this Article, it is agreed that additional mutual specific patent arrangements may be made."

ARTICLE V

This Amendment shall enter into force on the date of receipt by the Government of Canada of a notification from the Government of the United States of America that all statutory and constitutional requirements of the Government of the United States of America for the entry into force of such amendments have been complied with, and it shall remain in force for the period of the Agreement for Cooperation, as amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this eleventh day of June 1960.

For the Government of the United States of America:

FOY D. KOHLER,
*Assistant Secretary, European Affairs, Department of State.*

JOHN A. MCCONE,
*Chairman, Atomic Energy Commission.*

For the Government of Canada:

A. D. P. HEENEY,
*Ambassador of Canada, Washington, D.C.*

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C.*

Hon. CLINTON P. ANDERSON,
*Chairman, Joint Committee on Atomic Energy, Congress of the United States.*

DEAR SENATOR ANDERSON: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. An executed amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Switzerland;

2. A letter from the Commission to the President recommending approval of the amendment; and

3. A letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, approving the amendment, and authorizing its execution.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would modify the Agreement for Cooperation Between the United States and Switzerland signed at Washington on June 21, 1956, as amended by the agreement signed at Washington on April 24, 1959.

Under the terms of the existing agreement, reactor fuel is available to Switzerland on a sale basis only and highly enriched fuel is limited to use in a materials testing reactor. The objectives of the amendment are to modify the agreement so as to permit lease, as well as sale, of reactor fuel, as may be agreed, and in addition to permit the transfer of uranium enriched up to 90 percent $U^{235}$ for use in research reactors. These changes will make it possible for the Swiss to effect certain bilateral transactions with the United States for which the time requirements are too pressing to make feasible the utilization of the services of the International Atomic Energy Agency.

Because the supply of fuel for reactor experiments is provided for under the revised fuel article of the agreement (art. II of the amendment), article I of the amendment excludes fuel for reactor experiments from being supplied under the terms of the research materials article of the agreement (art. IV A of the agreement as previously amended).

Article II of the amendment substitutes for the existing fuel article of the agreement, a revised fuel article incorporating current standard provisions. The substantive effects of that change are that (1) fuel for reactors and reactor experiments may be supplied by lease as well as sale, as may be agreed, and (2) uranium enriched up to 90 percent $U^{235}$ may be supplied for use in research reactors and reactor experiments, in addition to materials testing reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained $U^{235}$.

Article II also provides that all contracts for the lease of special nuclear material, source material or reactor material pursuant to the agreement shall include a provision that the Government of Switzerland shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever rising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear material or other reactor material after delivery by the Commission to the Government of Switzerland or to any authorized private individual or private organization under its jurisdiction. This differs slightly from the usual practice of making the "hold harmless" provision directly operative in the Agreement for Cooperation itself. This minor deviation was requested by the Swiss in order to avoid submittal of the amendment to the Swiss Parliament, with consequent delay.

To reflect the fact that special nuclear material may, under the proposed amendment, be transferred to Switzerland by lease as well as sale article III of the amendment modifies accordingly to provision in the agreement (art. XII, subpar. A(3)) concerning the right of the United States to require the deposit in storage facilities designated by the Atomic Energy Commission of

any special nuclear material not utilized or otherwise disposed of pursuant to the terms of the agreement.

The amendment will enter into force when the two governments have exchanged notifications that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

——— ———,
*Chairman.*

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C., June 8, 1960.*

The PRESIDENT,
*The White House.*

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Switzerland," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendation.

The amendment, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would modify the Agreement for Cooperation between the United States and Switzerland signed at Washington on June 21, 1956, as amended by the agreement signed at Washington, April 24, 1959.

Under the terms of the existing agreement, reactor fuel is available to Switzerland on a sale basis only and highly enriched fuel is limited to use in a materials testing reactor. The objectives of the amendment are to modify the agreement so as to permit lease, as well as sale, of reactor fuel, as may be agreed, and in addition to permit the transfer of uranium enriched up to 90 percent $U^{235}$ for use in research reactors. These changes will make it possible for the Swiss to effect certain bilateral transactions with the United States for which the time requirements are too pressing to make feasible the utilization of the services of the International Atomic Energy Agency.

Because the supply of fuel for reactor experiments is provided for under the revised fuel article of the agreement (art. II of the amendment), article I of the amendment excludes fuel for reactor experiments from being supplied under the terms of the research materials article of the agreement (art. IV A of the agreement as previously amended).

Article II of the amendment substitutes for the existing fuel article of the agreement a revised fuel article incorporating current standard provisions. The substantive effects of that change are that (1) fuel for reactors and reactor experiments may be supplied by lease as well as sale, as may be agreed, and (2) uranium enriched up to 90 percent $U^{235}$ may be supplied for use in research reactors and reactor experiments, in addition to materials testing reactors, each capable of operating with a fuel load not to exceed eight (8) kilograms of contained $U^{235}$. Article II also provides that all contracts for the lease of special nuclear material, source material or reactor material pursuant to the agreement shall include a provision relieving the Government of the United States of liability arising out of or in connection with the material after delivery.

To reflect the fact that special nuclear material may, under the proposed amendment, be transferred to Switzerland by lease as well as sale article III of the amendment modifies accordingly the provision in the agreement (art. XII, subpar. A(3)) concerning the right of the United States to require the deposit in storage facilities designated by the Atomic Energy Commission of any special nuclear material not utilized or otherwise disposed of pursuant to the terms of the agreement.

Following your determination, approval, and authorization, the amendment will be formally executed by the appropriate authorities of the Government of the United States of America and the Government of Switzerland. In compliance with section 123c of the Atomic Energy Act of 1954, as amended, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully,

JOHN A. MCCONE,
*Chairman.*

THE WHITE HOUSE,
*Washington, June 11, 1960.*

The Honorable JOHN A. MCCONE,
*Chairman, Atomic Energy Commission,*
*Washington, D.C.*

DEAR MR. MCCONE: Under the date of June 8, 1960, the Atomic Energy Commission recommended that I approve the proposed "Amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Switzerland," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The amendment would modify the Agreement for Cooperation between the United States and Switzerland signed at Washington on June 21, 1956, as amended by the agreement signed at Washington on April 24, 1959.

The objectives of the amendment are to modify the agreement so as to permit lease, as well as sale, of reactor fuel, as may be agreed, and in addition to permit the transfer of uranium enriched up to 90 percent $U^{235}$ for use in research reactors.

Because the supply of fuel for reactor experiments is provided for under the revised fuel article of the agreement (art. II of the amendment), article I of the amendment excludes fuel for reactor experiments from being supplied under the terms of the research materials article of the agreement (art. IV A of the agreement as previously amended).

Article II of the amendment substitutes for the existing fuel article of the agreement a revised fuel article incorporating current standard provisions. The substantive effects of that change are that (1) fuel for reactors and reactor experiments may be supplied by lease as well as sale, as may be agreed, and (2) uranium enriched up to 90 percent $U^{235}$ may be supplied for use in research reactors and reactor experiments, in addition to materials testing reactors, each capable of operating with a fuel load not to exceed 8 kilograms of contained $U^{235}$. Article II also provides that all contracts for the lease of special nuclear material, source material, or reactor material pursuant to the agreement shall include a provision relieving the U.S. Government of liability arising out of or in connection with the material after delivery.

To reflect the fact that special nuclear material may, under the proposed amendment, be transferred to Switzerland by lease as well as sale article III of the amendment modified accordingly the provision in the agreement (art. XII, subpar. A(3)) concerning the right of the United States to require the deposit in storage facilities designated by the Atomic Energy Commission of any special nuclear material not utilized or otherwise disposed of pursuant to the terms of the agreement.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

1. Determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States;

2. Approve the proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Switzerland enclosed with your letter of June 8, 1960, and

3. Authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the U.S. Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION CONCERNING CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF SWITZERLAND

The Government of the United States of America and the Government of Switzerland;

Desiring to amend the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Switzerland signed at Washington on June 21, 1956 (hereinafter referred to as the "Agreement for Cooperation"), as amended by the Agreement signed at Washington on April 24, 1959;

Agree as follows:

ARTICLE I

Article IV, paragraph A, of the Agreement for Cooperation, as amended, is amended by inserting after the phrase "other than fueling reactors" the phrase "and reactor experiments".

ARTICLE II

Article VII of the Agreement for Cooperation is amended to read as follows:

"A. The Commission will sell or lease, as may be agreed, to the Government of Switzerland, uranium enriched up to twenty percent (20%) in the isotope U-235, except as otherwise provided in paragraph C of this Article, in such quantities as may be agreed, in accordance with the terms, conditions, and delivery schedules set forth in contracts, for fueling defined research, experimental power, demonstration power and power reactors, materials testing reactors, and reactor experiments which the Government of Switzerland, in consultation with the Commission, decides to construct or authorize private organizations to construct and which are constructed in Switzerland and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased under this Article during the period of this Agreement shall not at any time exceed five hundred (500) kilograms of the isotope U-235 contained in such uranium. This net amount shall be the gross quantity of such contained U-235 in uranium sold or leased to the Government of Switzerland during the period of this Agreement less the quantity of such contained U-235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this Agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"B. Within the limitations contained in paragraph A of this Article, the quantity of uranium enriched in the isotope U-235 transferred by the Commission under this Article and in the custody of the Government of Switzerland shall not at any time be in excess of the quantity necessary for the full loading of each defined reactor project which the Government of Switzerland or persons under its jurisdiction construct and fuel with uranium received from the United States of America, as provided here-

in, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactors or reactor experiments while replaced fuel is radioactively cooling, as in transit, or, subject to the provisions of paragraph E of this Article, is being reprocessed in Switzerland, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

"C. The Commission may, upon request and in its discretion, make all or a portion of the foregoing special nuclear material available as uranium enriched up to ninety per cent (90%) in the isotope U-235 for use in research reactors, materials testing reactors, and reactor experiments, each capable of operating with a fuel load not to exceed eight (8) kilograms of the isotope U-235 contained in such uranium.

"D. It is understood and agreed that although the Government of Switzerland may distribute uranium enriched in the isotope U-235 to authorized users in Switzerland, the Government of Switzerland will retain title to any uranium enriched in the isotope U-235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U-235.

"E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilites acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel shall not be altered after its removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"F. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of Switzerland and after reprocessing as provided in paragraph E of this Article, shall be returned to the Government of Switzerland, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with appropriate credit to the Government of Switzerland, any such special nuclear material which is in excess of the needs of Switzerland for such material in its program for the peaceful uses of atomic energy.

"G. With respect to any special nuclear material not subject to the option referred to in paragraph F of this Article and produced in reactors fueled with material obtained from the United States of America which is in excess of the need of Switzerland for such material in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agrement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

"H. Some atomic energy materials which the Commission may provide in accordance with this Agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Switzerland, the Government of Switzerland shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. All contracts whereby the Commission may, pursuant to this Agreement, lease source or special nuclear material or other reactor material to the Government of Switzerland, or to any private individual or private organization under its jurisdiction, shall contain a provision that the Government of Switzerland shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear material or other reactor material after delivery by the Commission to the Government of Switzerland or to any authorized private individual or private organization under its jurisdiction."

ARTICLE III

Article XII, subparagraph A(3), of the Agreement for Cooperation is amended to read as follows:

"(3) To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph A(2) of this Article which is not currently utilized for civil purposes in Switzerland and which is not purchased or retained by the Government of the United States of America pursuant to Article VII, paragraph F and paragraph G (a) of this Agreement, transferred pursuant to Article VII, paragraph G(b) of this Agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the Parties;"

ARTICLE IV

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, in the English and French languages, this eleventh day of June, 1960.

For the Government of the United States of America:

FOY D. KOHLER,
*Assistant Secretary, European Affairs, Department of State.*

JOHN A. MCCONE,
*Chairman, Atomic Energy Commission.*

For the Government of Switzerland:

ERNESTO THALMANN,
*Minister, Embassy of Switzerland, Washington, D.C.*

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C., June 11, 1960.*

Hon. CLINTON P. ANDERSON,
*Chairman, Joint Committee on Atomic Energy, Congress of the United States.*

DEAR SENATOR ANDERSON: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

(a) An Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (Euratom) Concerning Civil Uses of Atomic Energy;

(b) A letter from the Commission to the President recommending approval of the additional agreement; and

(c) A letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, approving the additional agreement, and authorizing its execution.

The proposed additional agreement, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would permit Euratom to receive uranium-235, uranium-233 (in irradiated fuel elements) and plutonium for uses outside our present joint program. This agreement is required to provide assurances of material availability to Euratom, which must be obtained before the next session of Congress if certain projects are to proceed in the Community without undue delay. The undertakings under the agreement are subject to appropriate statutory steps. It will be necessary, pursuant to the requirements of section 54 of the Atomic Energy Act of 1954, as amended, to obtain statutory authorization to distribute special nuclear material under this proposed agreement. Such authorization is now being sought through a requested amendment to section 5 of the Euratom Cooperation Act of 1958.

The additional agreement permits the transfer of the following:

(a) 100 kilograms of enriched uranium up to 90 percent in the isotope uranium 235 for an organic-moderated reactor experiment to be built by the Italian Government;

(b) 40 kilograms of enriched uranium up to 90 percent in the isotope uranium 235 for an organic-cooled, heavy water-moderated reactor experiment to be built by Euratom;

(c) 200 kilograms of enriched uranium up to 90 percent in the isotope uranium 235 and 30 kilograms of uranium 233 contained in irradiated fuel elements (from a reactor constructed in the United States under the Commission's power demonstration program) for feed material to a uranium-thorium processing plant to be built by the Italian Government;

(d) Limited quantities of special nuclear material to be supplied for small-scale research uses as may be agreed.

The additional agreement will enter into force when the two Governments have exchanged notifications that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

JOHN A. MCCONE,
*Chairman.*

---

U.S. ATOMIC ENERGY COMMISSION,
*Washington, D.C., June 10, 1960.*

The PRESIDENT,
*The White House.*

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community Concerning Civil Uses of Atomic Energy," determine that it will not constitute an unreasonable risk to the common defense and security and authorize its execution. The Department of State supports the Commission's recommendations.

The proposed additional agreement, which has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, would permit Euratom to receive uranium 235, uranium 233 (in irradiated fuel elements) and plutonium, for uses outside our present joint program. The undertakings under the agreement are subject to appropriate statutory steps. This agreement is required to provide assurances of material availability to Euratom, which must be obtained before the next session of Congress if certain projects are to proceed in the Community without undue delay.

The additional agreement permits the transfer of the following:

(a) 100 kilograms of highly enriched uranium for an organic-moderated reactor

experiment to be built by the Italian Government;

(b) 40 kilograms of highly enriched uranium for an organic-cooled, heavy water-moderated reactor experiment to be built by Euratom;

(c) 200 kilograms of highly enriched uranium and 30 kilograms of uranium 233 contained in irradiated fuel elements (from a reactor constructed in the United States under the Commission's power demonstration program) for feed material to uranium-thorium processing plants to be built by the Italian Government;

(d) Limited quantities of special nuclear material to be supplied for small-scale research uses as may be agreed.

Following your determination, approval and authorization, the additional agreement will be formally executed by the appropriate authorities of the Government of the United States of America and the European Atomic Energy Community (Euratom). In compliance with section 123c of the Atomic Energy Act of 1954 as amended, the proposed agreement will then be placed before the Joint Committee on Atomic Energy.

Respectfully,

JOHN F. FLOBERG,
*Acting Chairman.*

---

THE WHITE HOUSE,
*Washington, D.C., June 11, 1960.*

Hon. JOHN A. MCCONE,
*Chairman, Atomic Energy Commission, Washington, D.C.*

DEAR MR. MCCONE: Under date of June 10, 1960, you informed me that the Atomic Energy Commission and the Department of State had recommended that I approve the proposed "Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (Euratom) Concerning Civil Uses of Atomic Energy," and authorize its execution.

The proposed agreement will provide assurances of material availability to Euratom, which must be obtained before the next session of Congress if certain projects are to proceed in the Community without undue delay. The undertakings under the agreement are subject to appropriate statutory steps.

The additional agreement permits the transfer of the following:

(a) One hundred kilograms of highly enriched uranium for an organic-moderated reactor experiment to be built by the Italian Government;

(b) Forty kilograms of highly enriched uranium for an organic-cooled, heavy water-moderated reactor experiment to be built by Euratom;

(c) Two hundred kilograms of highly enriched uranium and 30 kilograms of uranium-233 contained in irradiated fuel elements (from a reactor constructed in the United States under the Commission's power demonstration program) for feed material to uranium-thorium processing plants to be built by the Italian Government;

(d) Limited quantities of special nuclear material to be supplied for small-scale research uses as may be agreed.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

(a) Determine that the performance of the proposed additional agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States;

(b) Approve the proposed additional agreement for cooperation between the Government of the United States and the European Atomic Energy Community (Euratom), enclosed with your letter of June 10, 1960;

(c) Authorize the execution of the proposed additional agreement for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

---

ADDITIONAL AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES OF AMERICA AND THE EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM) CONCERNING PEACEFUL USES OF ATOMIC ENERGY

Whereas the Government of the United States of America and the European Atomic Energy Community (Euratom) signed an Agreement for Cooperation on November 8, 1958, Concerning Peaceful Uses of Atomic Energy, as a basis for cooperation in programs for the advancement of peaceful applications of atomic energy,

Whereas such Agreement contemplates that from time to time the Parties may enter into further Agreements for Cooperation in the peaceful aspects of atomic energy,

Whereas current programs within the Community require additional quantities of special nuclear material that are not provided for by existing Agreements for Cooperation,

Whereas the Government of the United States of America has indicated its readiness to supply these supplementary requirements for special nuclear materials,

The Parties have agreed as follows:

ARTICLE I

A. 1. The United States will sell or lease, as the Parties may agree, to the Community for use in an organic-moderated reactor experiment, an organic-cooled, heavy water-moderated reactor experiment, and an experimental plant for the chemical processing or fabrication of special nuclear materials:

(a) up to a net amount of 140 kilograms of U-235 contained in uranium;

(b) up to a net amount of 30 kilograms of the isotope U-233 and 200 kilograms of the isotope U-235 contained in unseparated, irradiated, fuel elements, the transfer of such U-233 and U-235 being subject to the availability of appropriate elements.

2. The net amount of each of the types of special nuclear materials specified above shall be its gross quantity, sold or leased to the Community, less the recoverable quantity thereof which has been resold or otherwise returned to the Government of the United States of America or transferred to any other nation or international organization with the approval of the Government of the United States of America. The net amount of uranium 235 transferred under this Article will be charged against the net amount of 30,000 kilograms of uranium 235 to be delivered under Article III of the Agreement for Cooperation signed on November 8, 1958 between the Parties.

B. The uranium supplied hereunder may be enriched up to ninety per cent (90%) by weight in the isotope U-235.

C. Contracts for the sale or lease of special nuclear material by the United States Commission to the Community will specify the maximum quantities to be supplied, composition of material, charges for material, delivery schedules and other necessary terms and conditions. It is understood and agreed that title to leased special nuclear material shall remain in the United States of America as Lessor of such materials, it being represented by the Community that retention of such title by the United States of America is not inconsistent with the Treaty establishing the European Atomic Energy Community. It is further understood and agreed that subject to the retention of such title by the United States of America, and not in derogation of it, the Community shall have power and authority, pursuant to the Treaty establishing the European Atomic Energy Community, over special nuclear material leased by the United States Commission to the Community while such material is in the Community, and that the Community may exercise and enforce rights, powers, and authority conferred upon the Community by the Treaty, and particularly Chapter VIII thereof, against Member States, enterprises and persons within the Community, provided, however, that such rights, powers, and authority of the Community shall not be asserted against or in any way infringe upon the right, title and interest of the Government of the United States of America or of the United States Commission as Lessor of such materials.

D. It is agreed that the Community may distribute to authorized users in the Community special nuclear material which it purchases hereunder; the Community will retain, pursuant to the Treaty establishing the European Atomic Energy Community, title to any special nuclear material which is purchased from the United States Commission. Title to special nuclear materials produced in any part of fuel sold or leased hereunder to the Community shall be in the Community.

E. 1. The United States Commission agrees to accept from the Community irradiated fuel elements containing special nuclear material sold or leased to the Community by the Commission hereunder and will either process such material or will make financial and material settlements therefor, on terms and conditions to be agreed. The provision of such chemical processing services to the Community will be at the same charges as are provided by the United States Commission to its domestic licensees at the time of delivery of such material to the United States Commission.

2. At such time as the United States Commission determines that chemical processing services for fuels from the Community are commercially available, it may, upon no less than twelve months' notice to the Community, discontinue furnishing such services.

F. With respect to any special nuclear material produced in any part of fuel sold or leased hereunder which is in excess of the need of the Community for such material for the peaceful uses of atomic energy, the International Atomic Energy Agency is granted the right of first option to purchase such material at the United States announced fuel value price in effect at the time of purchase. However, if the Agency's option is not exercised within a reasonable period of time, the United States shall have and is hereby granted an option to purchase such material at the United States announced fuel value price in effect at the time of purchase.

G. With respect to special nuclear materials produced in any part of fuel sold or leased hereunder which is sent to the United States for reprocessing or other treatment, the United States shall acquire title without compensation and shall after such processing or treatment return equal quantities of materials to the Community, less process losses, at which time title to such materials shall be reinvested in the Community without compensation, unless the Government of the United States of America exercises the option provided for in paragraph F of this Article.

H. 1. Some atomic energy materials which the Community may request the Commission to provide in accordance with the Agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Community, the Community shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials which the United States Commission may, pursuant to this Agreement, lease to the Community, the Community shall indem-

nify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production, fabrication, ownership, lease, possession and use of such special nuclear materials after delivery by the Commission to the Community.

2. The Parties recognize that certain nuclear liability which could arise out of the implementation of this Agreement is expected to be covered by the proposed Convention of the Organization for European Economic Cooperation on Liability in the Nuclear Field and a proposed supplementary Convention, to which the Member States of the Community would be Parties, as well as by corresponding legislation existing in the Member States.

ARTICLE II

Materials of interest in connection with defined research uses other than those concerned with the fueling of reactors and reactor experiments, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially.

ARTICLE III

A. Subject to the provisions of this Agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in the United States and in the Member States of the Community, the Parties shall assist each other in the achievement of the use of atomic energy for peaceful purposes.

B. Unclassified information will be exchanged between the Parties with respect to the application of atomic energy to peaceful uses.

C. Restricted Data shall not be communicated under this Agreement, and no materials or equipment and devices shall be transferred, and no services shall be furnished, under this Agreement, if the transfer of any such material or equipment and devices or the furnishing of any such service involves the communication of Restricted Data.

D. The communication of information received from any third party under terms preventing such communication shall be excluded from the scope of this Agreement.

ARTICLE IV

The Government of the United States of America and the Community reaffirm their common interest in fostering the peaceful applications of atomic energy through the International Atomic Energy Agency and intend that the results of the cooperation envisaged by this Agreement will benefit the Agency and the nations participating in it.

ARTICLE V

The provisions of Articles IV, V, VI D, XI, XII, XV and Annex B of the Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community signed at Brussels on November 8, 1958 also shall apply to this Agreement and are hereby incorporated in this Agreement by reference with the same force and effect as if set forth herein verbatim.

ARTICLE VI

A. This Agreement shall enter into force on the first day on which each Party shall have received from the other Party written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Agreement and shall remain in force for a period of ten (10) years.

B. The Parties agree that their undertakings under this Agreement are subject to appropriate statutory steps, including authorization by competent bodies of the Government of the United States of America and the Community, and the provisions of applicable laws, regulations and license requirements in effect in the United States, in the Community and within the Member States.

In witness whereof, the undersigned representatives duly authorized have signed this Agreement.

Done at Washington and New York in duplicate, this eleventh day of June, 1960.

For the Government of the United States of America:

FOY D. KOHLER,
*Assistant Secretary for European Affairs, Department of State.*

JOHN A. MCCONE,
*Chairman, Atomic Energy Commission.*

For the European Atomic Energy Community (EURATOM):

HEINZ L. KREKLER,
*Euratom Commissioner.*

EMANUEL M. J. A. SASSEN,
*Euratom Commissioner.*

## ADJOURNMENT

Mr. MCCARTHY. Mr. President, I move that the Senate now adjourn until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 9 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 22, 1960, at 12 o'clock meridian.

## CONFIRMATIONS

Executive nominations confirmed by the Senate June 21, 1960:

POSTMASTERS

ALABAMA

Elizabeth R. Bosarge, Bellamy.
C. Burley Finch, Detroit.

ALASKA

Roberta L. Chronister, Whittier.

ARIZONA

Billie Jean Irwin, Superior.

ARKANSAS

Herman A. Tuck, Fayetteville.
Gus L. Sanders, Springdale.

CALIFORNIA

Ava V. Page, Atwood.
Laurence D. King, Del Mar.
Hazel L. Gill, Seven Oaks.

COLORADO

Ertis D. Shelton, Pritchett.
Joe Snepenger, U.S. Air Force Academy.

FLORIDA

Edythe C. Smith, Canal Point.
John B. Dixon, Center Hill.

GEORGIA

Larree Johnston, Cartersville.
Henry R. Bennett, Darien.
Melvin L. Burke, Millen.

IDAHO

Levin H. Benson, Cobalt.
Jesse L. Dobbs, Kuna.

ILLINOIS

Edna M. Parker, Cedarville.
Harry R. Johnson, Madison.

IOWA

Russell R. McLarty, Kingsley.
Lewis F. Paisley, Sherrill.

KANSAS

Ted W. Kyle, Erie.
William C. Rice, Larned.
Donald L. Long, Sylvia.

KENTUCKY

Fletcher F. James, Mammoth Cave.
Manie B. Greene, Park City.

LOUISIANA

Ruth F. Cuevas, Belle Chasse.
Louis H. Turner III, Watson.

MAINE

Pauline L. Sawyer, Cambridge.
Eugene P. Duran, East Corinth.

MARYLAND

G. Carlton Powell, Berlin.
Charles D. Biser, Cascade.

MASSACHUSETTS

John A. Champ, Rockland.
Arthur F. King, Sharon.

MICHIGAN

Charles H. Hill, Ontonagon.
Irene J. Awrey, Oxford.

MINNESOTA

Harry E. Maki, Menahga.
Henry J. Maertens, Wabasso.

MISSISSIPPI

Ellen G. Feigler, Dublin.
Robert E. Payne, Lauderdale.

MONTANA

Lavina I. Powell, Richland.

NEBRASKA

Marvin J. Capoun, Dwight.
James L. Pool, Madison.
C. Clifford Dame, Tekamah.
John R. Baumert, Walthill.

NEW HAMPSHIRE

Thomas M. Murphy, Belmont.

NEW JERSEY

Calvin R. Patterson, Neptune.
A. Robert Deter, Woodbridge.

NEW MEXICO

Donald A. McGhee, Lordsburg.
Clarence L. Healey, Raton.

NEW YORK

Millard H. Bury, Callicoon Center.
Robert S. Freeman, Constableville.
James R. Fuller, Fleischmanns.
Donna A. Dort, Kennedy.

NORTH CAROLINA

Carl C. Denton, Morganton.

NORTH DAKOTA

Leland L. Ribb, Donnybrook.
Lester H. Paulson, La Moure.
Albert E. Storhoff, Nome.

OHIO

Warren J. Gardner, Montpelier.
Matthew E. Gibson, New Philadelphia.

OKLAHOMA

Jimmie L. White, Langston.
E. Blake Grennell, Okeene.

OREGON

Lola F. Barclay, Crabtree.
William H. Fair, Stayton.

PENNSYLVANIA

Donold R. Springer, Hunkers.
George K. Bilger, Kreamer.
Dorothy S. Hull, Rutledge.
Norman W. Abbott, Sugargrove.

SOUTH CAROLINA

Jones R. Copeland, Campobello.

SOUTH DAKOTA

Robert E. Weber, Emery.
Clarence L. Grohnke, Warner.

TENNESSEE

John W. Simonton, Brighton.

TEXAS

Dorsey G. Robinson, Jr., Big Sandy.
Whittaker D. Bains, Jr., Brookshire.
Arlene M. Morris, Colorado City.
Marie D. Long, Mirando City.

VERMONT

William H. Jenks, Danville.
Paul T. Williams, East Corinth.

VIRGINIA

Lucille B. Lakes, Cloverdale.
James M. Rodgers, Shipman.

WASHINGTON

Cloyce G. Johnson, Dayton.
E. Beth Williams, Hadlock.
Gordon W. Rux, Lake Stevens.
Elma M. Sarchet, Lamont.

WEST VIRGINIA

Ernest M. Townsend, Madison.

WISCONSIN

James M. Rumpf, Cambridge.
Elmer E. Lidicker, Jefferson.

U.S. 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:

*To be lieutenant general*

Maj. Gen. Lionel Charles McGarr, O17225, U.S. Army.

U.S. NAVY

Adm. Herbert G. Hopwood, U.S. Navy, to have the grade of admiral on the retired list pursuant to title 10, United States Code, section 5233.

Vice Adm. Ralph E. Wilson, U.S. Navy, to have the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5223.

Vice Adm. William L. Rees, U.S. Navy, to have the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

Having designated, under the provisions of title 10, United States Code, section 5231, the following-named officers for commands and other duties determined by the President to be within the contemplation of said section, I nominate them for appointment to the grade indicated while so serving:

*To be admiral*

Vice Adm. John H. Sides, U.S. Navy.

*To be vice admirals*

Rear Adm. Frank O'Bierne, U.S. Navy.
Rear Adm. Laurence H. Frost, U.S. Navy.
Rear Adm. Howard A. Yeager, U.S. Navy.

APPOINTMENTS IN THE REGULAR ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3306, and 3307.

*To be major generals*

Maj. Gen. Edwin Hugh John Carns O17560, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Elliot Theimer O17566, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Paul Lamar Freeman, Jr., O17704, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. David Haytor Buchanan O17746, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert William Porter, Jr., O18048, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Andrew Pick O'Meara O18062, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Alva Revista Fitch O18113, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Sidney Clay Wooten O18126, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ned Dalton Moore O18212, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Thomas Alphonsus Lane O17075, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Lyle Edward Seeman O17082, Army of the United States (brigadier general U.S. Army).

Maj. Gen. Nelson Marquis Lynde, Jr. O17730, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Arnold Carter O18023, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Philip Campbell Wehle O18067, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Knight Waters O18481, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edwin John Messinger O18503, Army of the United States (brigadier general, U.S. Army).

*To be brigadier generals*

Maj. Gen. Roy Tripp Evans, Jr., O19140, Army of the United States (colonel, U.S. Army).

Maj. Gen. Harold Keith Johnson O19187, Army of the United States (colonel, U.S. Army).

Brig. Gen. Jean Evans Engler O19198, Army of the United States (colonel, U.S. Army).

Maj. Gen. Frederick William Gibb O19222, Army of the United States (colonel, U.S. Army).

Maj. Gen. Ben Harrell O19276, Army of the United States (colonel, U.S. Army).

Maj. Gen. William Wilson Quinn O19283, Army of the United States (colonel, U.S. Army).

*To be brigadier general, Medical Corps*

Brig. Gen. Joseph Hamilton McNinch O18645, Medical Corps (colonel, Medical Corps, U.S. Army).

IN THE REGULAR ARMY

The nominations of Lester W. Abrams et al. for promotion in the Regular Army, said nominations having been received on May 27, 1960.

IN THE REGULAR ARMY

The nomination of Sarah Evelyn Perkins for promotion in the Regular Army, said nomination having been received on June 6, 1960.

IN THE REGULAR AIR FORCE

The nominations of Johnny M. Barton et al. for promotion in the Regular Air Force, said nomination having been received on June 3, 1960.

# HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 21, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Luke 18: 8: *When the Son of Man cometh, shall He find faith on the earth?*

Eternal and ever-blessed God who art always drawing us to Thyself and seeking to show us what life really means, when touched by the wonder and glory of Thy presence, may there be no reluctance in our response and obedience to Thy divine love.

Inspire us daily to manifest the strength and blessedness of our faith to all who are sorely troubled and wistfully searching for the right and satisfying answer to mankind's many problems with their tragic social, racial, and economic setting.

Grant that in a time when men and nations are being brought so near to one another, as neighbors, by the findings of science and invention, we may all be more docile and determined to learn the fine art of living together in a neighborly and brotherly spirit.

Hear us in the name of the Prince of Peace. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday 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 the following resolution:

SENATE RESOLUTION 339

*Resolved,* That the Senate has heard with profound sorrow the announcement of the death of Hon. Douglas H. Elliott, late a Representative from the State of Pennsylvania.

*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, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

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. 12232. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1961, and for other purposes.

The message also 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. STENNIS, Mr. CHAVEZ, Mr. HAYDEN, Mr. JOHNSON of Texas, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. ALLOTT 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. 12381. An act to increase for one-year period the public debt limit set forth in section 21 of the Second Liberty Bond Act and to extend for one year the existing corporate normal tax rate and certain excise-tax rates.

The message also 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. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

## DEPARTMENT OF LABOR SUPPLEMENTAL APPROPRIATION BILL

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 765) making a supplemental ap-

propriation for the Department of Labor for the fiscal year ending June 30, 1960, and for other purposes.

The Clerk read the title of the bill.

Mr. THOMAS. Mr. Speaker, there is no objection to this resolution on either side. It simply authorizes an appropriation of $6 million deficiency for the remainder of the year to take care of unemployed veterans and Federal workers.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the joint resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Labor for the fiscal year ending June 30, 1960, namely:

DEPARTMENT OF LABOR

*Bureau of Employment Security*

Unemployment Compensation for Veterans and Federal Employees

For an additional amount for "Unemployment compensation for veterans and Federal employees", $6,000,000.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## A MOST APPROPRIATE AND TIMELY APPOINTMENT

Mr. PORTER. 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 Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, last Thursday the White House announced the appointment of my widely known and very active fellow townsman, the senior Senator from Oregon, WAYNE MORSE, as a member of the American delegation to the General Assembly of the United Nations.

This is a most appropriate and timely appointment. It is appropriate because the senior Senator from Oregon has long been a vigorous supporter of the United Nations and because his outstanding forensic and legal abilities will now be put directly to use in the interests of world peace in this most vital of all assemblies.

It is a timely appointment because, in this day of incredibly powerful weapons and in the wake of the abortive summit meeting and our disappointments in Japan, the United Nations increasingly is recognized by men of good will in every nation as the institution on which our survival depends.

Senator MORSE has often stated that he agreed with the late Senator Arthur Vandenberg, of Michigan, that the only hope of permanent peace in the world depends upon all nations of the world setting up a system of international justice through law for the settlement of any dispute that threatens the peace.

The reputation of the senior Senator from Oregon as a fighting and resourceful liberal is known around the world. His colleagues in the General Assembly this fall in New York will greet him with interest and respect.

## CONTRACT AWARD TO FOOD MACHINERY & CHEMICAL CORP.

Mr. GUBSER. 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 California?

There was no objection.

Mr. GUBSER. Mr. Speaker, several days ago the gentleman from Ohio [Mr. VANIK] charged on this floor that the bidding procedure for the procurement of the M–113 armored personnel carrier was rigged so as to insure that this award went to the Food Machinery & Chemical Corp., in San Jose. We argued this point for several hours on this floor. This morning the award was made to Food Machinery & Chemical Corp. About 15 minutes ago I called Assistant Secretary of the Army, Courtney Johnson, who authorized me to quote him as follows:

If all applicable evaluation factors had been applied against the Food Machinery & Chemical bid and none had been applied against the lowest bidder in the Cleveland Arsenal, Food Machinery's bid would still have been low.

In other words, if no charge or Government-owned facilities were assessed against a bidder using the Cleveland Arsenal, if they used the facilities absolutely free of charge, and if Food Machinery had been forced to pay these charges then they still would have had the lowest bid.

Thus Mr. VANIK's charges and his request for an investigation by the Hébert subcommittee have been knocked into a cocked hat.

## RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H.J. Res. 688) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 3, after line 24, insert:

"SEC. 13. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Ernest Lee (Lee Ming-Sing) shall be held and considered to be the minor natural-born alien child of Watson G. Thoms, a citizen of the United States."

Page 3, line 25, strike out "13" and insert "14".

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

## PUBLIC WORKS AUTHORIZATION BILL

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7634) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DAVIS of Tennessee, BLATNIK, JONES of Alabama, BALDWIN, and CRAMER.

## PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

## F. P. TOWER AND OTHERS

The Clerk called the bill (H.R. 1526) for the relief of F. P. Tower, Lillie B. Lewis, Manuel Branco, John Santos Carinhas, Joaquin Gomez Carinhas, and Manuel Jesus Carinhas.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. P. Tower, Port Isabel, Texas, the sum of $3,180.10; Lillie B. Lewis, Brunswick, Georgia, the sum of $3,691.24; Manuel Branco, Port Isabel, Texas, the sum of $4,958.53; John Santos Carinhas, Patterson, Louisiana, the sum of $5,168.06; and Joaquin Gomez Carinhas and Manuel Jesus Carinhas, doing business as Independent Fish Company, Brownsville, Texas, the sum of $3,992.93. The payment of such sums shall be in full settlement of all claims against the United States for the failure of the Government of the United States to recover from the Government of the United Mexican States compensation for seizing outside the territorial waters of the United Mexican States, as recognized by the United States, five American shrimp trawlers owned by F. P. Tower, Lillie B. Lewis, Manuel Branco, John Santos Carinhas, Joaquin Gomez Carinhas, and Manuel Jesus Carinhas, detaining such trawlers, fining such owners, and confiscating the cargoes, and for loss of probable catches because of such seizure and detention: *Provided,* That no part of the amount appropriated in this Act for the payment of any one claim 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 such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike "$3,180.10" and insert "$578.35".

Page 1, line 7, strike "$3,691.24;" and insert "$578.35; the Estate of".

Page 1, line 8, strike "$4,958.53" and insert "$578.35".

Page 2, line 1, strike "$5,168.06" and insert "$578.35".

Page 2, lines 3 and 4, strike "$3,992.93. The payment of such sums shall be" and insert "$578.35".

Page 2, line 7, strike "seizing" and insert "fines imposed on the individuals and the decedent named in this Act by the Government of the United Mexican States and paid by them as the owners of five American shrimp trawlers seized by Mexican authorities."

Page 2, lines 9 through 14, strike ", five American shrimp trawlers owned by F. P. Tower, Lillie B. Lewis, Manuel Branco, John Santos Carinhas, Joaquin Gomez Carinhas, and Manuel Jesus Carinhas, detaining such trawlers, fining such owners, and confiscating the cargoes, and for loss of probable catches because of such seizure and detention."

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.

The title was amended so as to read: "A bill for the relief of F. P. Tower, Lillie B. Lewis, the Estate of Manuel Branco, John Santos Carinhas, Joaquin Gomez Carinhas, and Manuel Jesus Carinhas."

A motion to reconsider was laid on the table.

## HEDWIG DORA

The Clerk called the bill (H.R. 6338) for the relief of Miss Hedwig Dora.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Alien Property Custodian be, and is hereby, authorized and directed to return all funds vested by the Office of Alien Property through order numbered 9325, July 8, 1947, belonging to Miss Hedwig Dora, who suffered greviously at the hands of the enemy while she was supporting the cause of the United States: *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 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.

## TOMMY TADAYOSHI SHUTO (TADAYOSHI TAKEDA)

The Clerk called the bill (S. 2384) for the relief of Tommy Tadayoshi Shuto (Tadayoshi Takeda).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, 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.

With the following committee amendment:

Strike out all after the enacting clause in sert the following: "That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Tommy Tadayoshi Shuto (Tadayoshi Takeda). From and after the date of the enactment of this Act, the said Tommy Tadayoshi Shuto (Tadayoshi Takeda) 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 committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## ALESSANDRO MARAESSA

The Clerk called the bill (H.R. 1422) for the relief of Alessandro Maraessa.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Alessandro Maraessa may be issued a visa and 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 had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## FRANCESCO CAROZZA

The Clerk called the bill (H.R. 1643) for the relief of Francesco Carozza.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Francesco Carozza may be issued a visa and 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 had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## HUBERT O. BECKLES

The Clerk called the bill (H.R. 7551) for the relief of Hubert O. Beckles.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Hubert O. Beckles 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 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.

## STATUS OF CERTAIN ALIENS

The Clerk called the concurrent resolution (H. Con. Res. 660) relating to the status of certain aliens.

There being no objection, the Clerk read the concurrent resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring),* That the Congress favors the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 4 of the Displaced Persons Act of 1948, as amended (62 Stat. 101; 64 Stat. 219):

A-6236179 Sciama, Alberto, also known as Alberto Vita Sciama.

A-7210380 Wei, Edith Hou.

SEC. 2. The Congress approves the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-8117815 Assing, Carlton also known as Yin Ket Wong.

A-10145339 Chang, Chin also known as Chang, Gene.

A-10491831 Cheng, Chan also known as Quan Hong.

A-8031577 Kuldkepp, Oscar.

A-9547460 Lee, Fou Yuch.

A-7274366 Lee, Irving Tack-Shing or Tack Shing Lee.

A-7274430 Lee, Vivien Wei-Ning or Wei-Ning Lee.

A-10237562 Linker, Jonas Beno.

A-10237561 Linker, Estera Idesa.

A-10136001 Podlacki, Jozef.

A-9771465 Wing, Koon.

With the following committee amendment:

On page 1, after line 10, add four new lines to read as follows:

"A-6355520, Charia, Steven J.

"A-6355517, Charia, Nevenka.

"A-6348962, Charia, Tania Mira.

"A-6384962, Charia, Igor Ivan."

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## MILTON S. KOBLITZ

The Clerk called the bill (H.R. 4835) for the relief of Milton S. Koblitz.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Milton S. Koblitz, Los Angeles, California, the sum of $500. The payment of such sum shall be in full settlement of all claims of Milton S. Koblitz against the United States for refund of the amount a departure bond deposited by him on behalf of the alien Moisha Alzara. Such bond was declared breached, and the amount thereof forfeited, because of the failure of the alien Moisha Alzara to depart from the United States on December 1, 1955: *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 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.

## VLADISLAV FOTICH

The Clerk called the bill (H.R. 7877) for the relief of Vladislav Fotich.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the limitations of time contained in section 33 of the Trading With the Enemy Act with respect to the filing of claims and the institution of suits for the return of property or interests therein pursuant to that section, Vladislav Fotich, a citizen of Yugoslavia who was precluded by illness and absence from the United States from making timely assertion of claim, may, within six months after the date of enactment of this Act, file a claim or institute suit for the return, pursuant to section 32 of such Act, of (a) twelve shares of securities of the International Nickel Company of Canada, Limited (certificate numbered MB 289246, registered in the name of Egger and Company) which in 1951 were vested in the Alien Property Custodian for the benefit of the United States by vesting order numbered 17940, or (in the event of their liquidation) the proceeds thereof, and (b) all revenue received by the Attorney General from such securities. Any claim filed or suit instituted pursuant to this Act shall be received, considered and determined as if such claim or suit had been filed within the time prescribed in section 33 of such Act. Any return made pursuant to authority conferred by this Act shall be subject to the provisions of section 20 of the Trading With the Enemy Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## RALPH W. ANDERSON

The Clerk called the bill (H.R. 8989) for the relief of Ralph W. Anderson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Ralph W. Anderson, lieutenant colonel, United States Army, is hereby relieved of all liability for repayment to the United States of the sum of $1,550.25, representing overpayments of longevity pay paid to him as the result of his claiming membership in the Enlisted Reserve Corps of the Army for the period July 16, 1938, to August 1, 1940, which period was disallowed by the Army after the said Ralph W. Anderson had been paid on the basis of such period for over fifteen years, the said Ralph W. Anderson having believed such period was a matter of record in the official files of the United States Army.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Ralph W. Anderson, the sum of any amount received or withheld from him on account of the overpayment referred to in the first section of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## MAJ. EDMUND T. COPPINGER

The Clerk called the bill (H.R. 9432) for the relief of Maj. Edmund T. Coppinger.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the Act entitled "An Act providing for the barring of claims against the United States", approved October 9, 1940 (31 U.S.C. 71a), are hereby waived in favor of Major Edmund T. Coppinger, of Harrisburg, Pennsylvania, with respect to his claim for lump sum payment under section 2 of the Act of June 16, 1936, as amended (10 U.S.C., 1952 edition, sec. 300a), if such claim is filed with the General Accounting Office within the one-year period which begins on the date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## BROOKLYN STEEL WAREHOUSE CO.

The Clerk called the bill (H.R. 9958) for the relief of Brooklyn Steel Warehouse Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,458.19 to the Brooklyn Steel Warehouse Company of Brooklyn, New York, in full settlement of all claims against the United States. Such sum represents storage charges on certain equipment owned by the United States and leased to the Premier Textile Machinery Company of Brooklyn, New York, in July 1952: *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 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.

## ISAMI NOZUKA

The Clerk called the bill (H.R. 10431) for the relief of Isami Nozuka (also known as Isami Notsuka).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the limitations of time contained in section 33 of the Trading With the Enemy Act, as amended, with respect to the filing of claims and the institution of suits for the return of property or any interest therein pursuant to section 9 or section 32 of such Act, Isami Nozuka (also known as Isami Notsuka), a citizen of the United States, may file a claim or institute a suit for the return of his property vested by the Attorney General under Vesting Order Numbered 16184, dated December 5, 1950, which order described such property as follows:

"That certain debt or other obligation of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, account numbered 2199, entitled 'Isami Nozuka', maintained at the branch office of the aforesaid bank located at 147 North Wilson Way, Stockton, California, and any and all rights to demand, enforce, and collect the same".

Any such claim or suit for the return of such property shall be received, considered, and determined as if such claim or suit had been filed within the time limitations prescribed in section 33 of such Act, if such claim or suit is filed within the six-month period beginning on the date of enactment of this Act: *Provided,* That any return made under authority of this Act shall be subject to the provisions of section 20 of the Trading With the Enemy Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## RAY C. THOMPSON

The Clerk called the bill (H.R. 10793) for the relief of Ray C. Thompson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ray C. Thompson, Greensboro, North Carolina, the sum of $1,139.75. Payment of such sum shall be in reimbursement to the said Ray C. Thompson for the payment by him of an equal amount to one Edward L. Gardner in connection with the compromise settlement of the claim of the said Edward L. Gardner for personal injuries sustained as a result of being hit by a mail truck operated by the said Ray C. Thompson in the course of his duties as a parcel post mail carrier in the postal field service on December 17, 1955, at Greensboro, North Carolina. The said Edward L. Gardner was unable to recover

damages from the Government of the United States under the tort claims procedure of title 28 of the United States Code by reason of lapse of time under the applicable time limitations provisions of such title. The said Edward L. Gardner subsequently filed suit on such claim against the said Ray C. Thompson personally and settlement was made in the above-specified amount. 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 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.

## CLARK L. SIMPSON

The Clerk called the bill (H.R. 10801) for the relief of Clark L. Simpson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Clark L. Simpson, of College Park, Maryland, is hereby relieved of liability to the United States in the amount of $912.55, the amount by which he was overpaid during the period from December 5, 1954, through October 3, 1959, as a result of an administrative error in the determination of his longevity step increases. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

With the following committee amendments:

Page 1, lines 4 and 5, strike "in the amount of $912.55, the amount by which he was overpaid during the" and insert "for excess salary payments received by him, covering the".

Page 1, line 6, strike "from".

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.

## EDWARD S. ANDERSON

The Clerk called the bill (H.R. 11188) for the relief of Edward S. Anderson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the law firm of Power, Griffith, and Jones, of Columbus, Ohio, on behalf of the Lake Shore Insurance Exchange, the sum of $154.70. The payment of such sum (1) shall be in full settlement of all claims of said firm and exchange against the United States and against Edward S. Anderson, a post office carrier of Columbus, Ohio, arising out of a collision on October 27, 1956, between a private vehicle and postal vehicle numbered 52737, driven by the said Edward S. Anderson while acting in the scope of his employment, and (2) shall be made only upon satisfactory assurances being furnished to the Secretary of the Treasury that there will be refunded by said firm or exchange to the said Edward S. Anderson the difference between (A) all amounts paid by the said Edward S. Anderson to the said firm pursuant to a compromise settlement between the said Edward S. Anderson and the said firm, dated November 13, 1959, and (B) interest at the rate of 6 per centum per annum on the unpaid amounts due under such settlement from November 13, 1959.

Suit on such claim may not be instituted under the tort claims procedure as provided under title 28, United States Code.

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.

## ANNUITY FUND OF THE ELECTRICAL SWITCHBOARD AND PANELBOARD MANUFACTURING INDUSTRY OF NEW YORK CITY

The Clerk called the bill (H.R. 7854) to provide tax relief to the annuity fund of the electrical switchboard and panelboard manufacturing industry of New York City and the contributors thereto.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the annuity fund of the electrical switchboard and panelboard manufacturing industry of New York City, created May 23, 1957, as a result of an agreement between Local Union Numbered 3, International Brotherhood of Electrical Workers, American Federation of Labor and Congress of Industrial Organizations, and the Electrical Manufacturers of New York, Inc., which fund has never been operated in a manner which would jeopardize the interests of its beneficiaries, shall be deemed to have met the requirements of section 401(a) of the Internal Revenue Code of 1954 and shall be deemed to be exempt from tax under section 501(a) of the Internal Revenue Code of 1954 and section 165(a) of the Internal Revenue Code of 1939 for the period beginning April 1, 1956, and ending May 29, 1957.

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.

## MRS. ELIZABETH FOWLER

The Clerk called the bill (H.R. 9648) for the relief of Mrs. Elizabeth Fowler.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That 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. 765–770), are hereby waived in favor of Mrs. Elizabeth Fowler so as to enable her to file a claim for compensation based upon the death of her late husband, Thomas John Fowler, which was alleged to have resulted from an injury which he incurred while on active duty at Wendover Field, Utah, as an Army Reservist, on January 31, 1946, and her claim is authorized and directed to be considered and acted upon under the remaining provisions of such Act, as amended, if she files such claim with the Department of Labor (Bureau of Employees' Compensation) not later than six months after the date of enactment of this Act. No benefits shall accrue by reason of the enactment of this Act for any period prior to the date of its enactment.

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.

## SENDING BILL (H.R. 4426) ENTITLED "A BILL FOR RELIEF OF CHARLES G. G. GROUP," WITH ACCOMPANYING PAPERS, TO COURT OF CLAIMS

The Clerk called the resolution (H. Res. 538) providing for sending the bill H.R. 4426, with accompanying papers, to the Court of Claims.

There being no objection, the Clerk read the resolution, as follows:

*Resolved,* That the bill (H.R. 4426) entitled "A bill for the relief of Charles G. G. Group", together with all accompanying papers, is hereby referred to the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and the court shall proceed expeditiously with the same and report to the House, at the earliest practicable date, such findings of fact, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitation should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy, and conclusions based on such facts as shall be sufficient to inform Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## GUADALUPE VILLARREAL

The Clerk called the bill (H.R. 3536) for the relief of Guadalupe Villarreal, Sr. (in behalf of his minor son, Guadalupe Villarreal, Jr.).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Guadalupe Villarreal, Senior, Elgin, Texas, in behalf of his minor son Guadalupe Villarreal, Junior, the sum of $50,000. The payment of such sum shall be in full settlement of all claims of the said Guadalupe Villarreal, Senior, and his said minor son, Guadalupe Villarreal, Junior, against the United States, arising out of the personal injuries sustained by the said Guadalupe Villarreal, Junior, on July 20, 1955, at the Elgin Butler Brickyard, Elgin, Texas, as a result of the explosion of a 37 millimeter high explosive shell. This claim is not cognizable under the Federal Tort Claims 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.

With the following committee amendments:

Page 1, lines 5 and 6, strike "to Guadalupe Villarreal, Senior, Elgin, Texas, in behalf of his minor son," and insert "the sum of $10,000 to the legal guardian of".

Page 1, line 7, strike "sum of $50,000. The payment of such sum shall be" and insert "minor son of Guadalupe Villarreal, Senior, of Elgin, Texas,".

Page 1, lines 8 and 9, strike "Guadalupe Villarreal, Senior, and his said minor son,".

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.

The title was amended so as to read: "A bill for the relief of Guadalupe Villarreal, Jr."

A motion to reconsider was laid on the table.

## WILLIAM EDGAR WEAVER

The Clerk called the bill (H.R. 8054) for the relief of William Edgar Weaver.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the expiration of the period prescribed by Public Law 744, Eighty-third Congress, approved August 31, 1954 (68 Stat. 1934), for the filing of claims under section 16 of the War Claims Act of 1948, as amended (62 Stat. 1240), the Foreign Claims Settlement Commission of the United States is directed to determine the validity and amount, in accordance with the provisions of that Act and the Commission's regulations previously in force with respect to claims under that section, of a claim for civilian detention benefits filed within ninety days after the enactment of this Act by or in behalf of William Edgar Weaver. The Commission shall certify to the Secretary of the Treasury for payment out of the War Claims Fund any award made by the Commission in accordance with applicable provisions of the War Claims Act of 1948, as amended, in favor of William Edward Weaver.

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.

## JOHN CALVIN TAYLOR

The Clerk called the bill (H.R. 8882) for the relief of John Calvin Taylor.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is authorized and directed to settle and pay in accordance with the Armed Forces Leave Act of 1946, the claim of John Calvin Taylor, of Salisbury, Maryland, for unused leave accrued incident to his service in the United States Navy from April 2, 1943, to November 17, 1945, notwithstanding the time limitation of June 30, 1951, for applications for such payments contained in section 5 of such Act of 1946, if an application for such settlement and payment is made by John Calvin Taylor not later than six months after the date of enactment of this Act. 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 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.

## LT. MATTHEW A. WOJDAK, U.S. NAVY (RETIRED)

The Clerk called the bill (H.R. 9913) for the relief of Lt. Matthew A. Wojdak, U.S. Navy (retired).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Lieutenant Matthew A. Wojdak, United States Navy (retired) is hereby relieved of liability to the United States in the amount of $13,014.24, the gross amount of civilian compensation paid him in the period from August 3, 1956, through March 18, 1959, for the services he rendered in a civilian capacity at the United States Naval Air Station, North Island, San Diego, California, which payments were ruled to have been made in violation of the provisions of the Act of July 31, 1894 (5 U.S.C. 62), but without knowledge on his part of any violation of law. In the audit and settlement of the accounts of any certifying or disbursing officer to the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Matthew A. Wojdak, United States Navy (retired) an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him and applied in satisfaction of the liability to the United States referred to in section 1 of this Act: *Provided,* That no part of the amount 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 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 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.

## ROBERT J. REEVES

The Clerk called the bill (H.R. 11165) for the relief of Robert J. Reeves.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Robert J. Reeves is hereby relieved of all liability to the United States to refund the amount of $868.16 resulting from an overpayment of compensation he received, through administrative error, as an employee of Wright Air Development Division, Wright-Patterson Air Force Base, Ohio, in the period between August 24, 1958, and January 23, 1960.

With the following committee amendment:

Page 1, line 4: Strike "$868.16" and insert "$935.20, but not in excess thereof,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## MARION JOHN NAGURSKI

The Clerk called the bill (H.R. 12350) for the relief of Marion John Nagurski.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marion John Nagurski (serial number 9610124), International Falls, Minnesota, the sum of $182.84. The payment of such sum shall be in full settlement of all claims of Marion John Nagurski against the United States for amounts due him as payment for unused leave accrued by him as an enlisted member of the United States Navy during the period beginning May 2, 1944, and ending January 10, 1946, both dates inclusive: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 3, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## MRS. MAUD A. PROVOOST

The Clerk called the bill (H.R. 3800) for the relief of Mrs. Maud A. Provoost.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in lieu of any annuity which she is receiving under any other law, Mrs. Maud A. Provoost, Port Chester, New York, shall be entitled to receive an annuity payable, from and after March 1, 1948, out of the civil service retirement and disability fund, as the surviving widow of William B. Provoost, late an employee in the United States post office, Port Chester, New York, as if the death of the said William B. Provoost had occurred on February 29, 1948.

With the following committee amendments:

Line 5, after the word "annuity" insert "authorized by the Civil Service Commission."

Line 6, strike out "March 1, 1948," and insert "the date of enactment of this legislation".

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.

## COL. JOSEPH A. NICHOLS

The Clerk called the bill (H.R. 11322) for the relief of Col. Joseph A. Nichols.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 212 of the Act of June 30, 1932 (5 U.S.C. 59a), is waived for the period beginning January 1, 1951, and ending November 30, 1953, both dates inclusive, insofar as it applied to Colonel Joseph A. Nichols, retired (Army serial number O9699), and he is relieved of liability to repay to the United States the sum of $13,590.65, which was erroneously paid to him as civilian salary during such period while he was employed by the officers' open mess, Fort Benning, Georgia. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for all amounts for which liability is relieved by this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GOURGEN H. ASSATURIAN

The Clerk called the bill (H.R. 2584) for the relief of Gourgen H. Assaturian.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of the Immigration and Nationality Act, Gourgen H. Assaturian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 21, 1948, 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 bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider, was laid on the table.

## AUTHORIZING THE AWARD POSTHUMOUSLY OF APPROPRIATE MEDALS AND CERTIFICATES TO CHAPLAIN GEORGE L. FOX, ET AL.

The Clerk called the bill (S. 2969) to authorize the award posthumously of appropriate medals to Chaplain George L. Fox, Chaplain Alexander D. Goode, Chaplain Clark V. Poling, and Chaplain John P. Washington.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to award posthumously appropriate medals and certificates to Chaplain George L. Fox of Cambridge, Vermont; Chaplain Alexander D. Goode of Washington, District of Columbia; Chaplain Clark V. Poling of Schenectady, New York; and Chaplain John P. Washington of Arlington, New Jersey, in recognition of the extraordinary heroism displayed by them when they sacrificed their lives in the sinking of the troop transport Dorchester in the North Atlantic in 1943 by giving up their life preservers to other men aboard such transport.

SEC. 2. The medals and certificates authorized by this Act shall be in such form and of such design as shall be prescribed by the President, and shall be awarded to such representatives of the aforementioned chaplains as the President may designate.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

With the following committee amendment:

On page 1, line 5, strike "Cambridge" and insert "Gilman".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, the passage today of S. 2969, to award appropriate medals to the four chaplains, marks the culmination of several years of effort to grant proper recognition to four of the greatest men in American history.

Over 17 years have passed since February 3, 1943, when the troopship *Dorchester* was torpedoed off the coast of Greenland. The *Dorchester,* en route to Europe, carried on board four chaplains: Rev. George L. Fox, of Gilman, Vt.; Rabbi Alexander Goode, of Washington, D.C.; Rev. Clark V. Poling, of Schenectady, N.Y.; and Father John P. Washington, of Arlington, N.J. As the ship sank the four chaplains, having given away their lifejackets so that four others might live, linked arms in prayer and slowly went down to their death. Two Protestants, a Jew, and a Catholic went valiantly to their deaths under circumstances of the highest human drama, leaving behind them an object lesson in self-sacrifice and tolerance for all mankind.

In order that this eternal message of the unity and brotherhood of man and his identity with God be memorialized, I called upon the 84th Congress to dedicate a special day for this purpose. In due course my resolution was adopted, and February 3, 1957, was officially dedicated as Dorchester Day.

Since that time, I have determined to press for personal recognition for the courage of these four chaplains. It was my feeling, and that of several other Congressmen, that the valor exhibited by these men merited nothing less than the award of the Congressional Medal of Honor.

I therefore introduced a bill for this purpose in the 85th and again in this Congress. Unfortunately, technical objections against the award of the Congressional Medal of Honor prevented the adoption of this bill.

The substitution of what is now before us as S. 2969, to award the four chaplains a special medal to be designed by the Department of Defense, is, in my opinion, a proper alternative and a fitting tribute to heroic service far above and beyond the call of duty.

A slight change added to the bill which passed the House today will require S. 2969 to go back to the Senate for approval. I am confident, however, that this approval will be speedily given and that the President's signature will promptly enact this most meritorious measure into law.

I should like to add that one of these great men whom we have honored today, Chaplain John P. Washington, was born in Newark, N.J., and was one of my constituents. Father Washington served in Kearny, N.J., before enlisting in the Army at the outbreak of the war. At a recent memorial mass in his honor, Msgr. Vincent Corbin, of St. Bridget's Church, said of him:

> Many things have been written about him, and many things have been said about him. Some think of him, not as a hero, but as a martyr. But that is not for us to judge. That's for someone greater than ourselves. We know Father Washington as a good boy from a good family who became a good priest. What more can one ask of a man?

## HANS E. T. HANSEN

The Clerk called the bill (H.R. 1671) for the relief of Hans E. T. Hansen.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Hans E. T. Hansen may be issued a visa and 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 had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## IRENEO D. BRODIT AND ANTONIO D. BRODIT

The Clerk called the bill (H.R. 2117) for the relief of Ireneo D. Brodit and Antonio D. Brodit.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of section 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Ireneo D. Brodit and Antonio D. Brodit shall be held and considered to be the natural-born minor alien children of Vicente Brodit, a citizen of the United States.

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.

MRS. TERUKO TERI MIYAMOTO (NEE IKEDA)

The Clerk called the bill (H.R. 2124) for the relief of Mrs. Teruko Teri Miyamoto (nee Ikeda).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Mrs. Teruko Teri Miyamoto (nee Ikeda) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of 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.

With the following committee amendment:

Page 1, line 8, after the word "fee." strike out the remainder of the bill.

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.

BERNARDO PATERNOSTRO

The Clerk called the bill (H.R. 2705) for the relief of Bernardo Paternostro.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212 (a)(6) of the Immigration and Nationality Act, Bernardo Paternostro may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of said Act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS ELISABETH HOLLANDER

The Clerk called the bill (H.R. 2716) for the relief of Miss Elisabeth Hollander.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Miss Elisabeth Hollander 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 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.

LUCIANO DI FRANCO

The Clerk called the bill (H.R. 2944) for the relief of Luciano Di Franco.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212 (a)(9) of the Immigration and Nationality Act, Luciano Di Franco may be issued a visa and 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 had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EPIFANIO TRUPIANO

The Clerk called the bill (H.R. 3534) for the relief of Epifanio Trupiano.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, Epifanio Trupiano may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSOLINA CIUFERRI

The Clerk called the bill (H.R. 3804) for the relief of Rosolina Ciuferri.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Rosolina Ciuferri, who lost United States citizenship under the provisions of section 401(c) of the Nationality Act of 1940, as amended, may be naturalized by taking, prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Rosolina Ciuferri shall have the same citizenship status as that which existed immediately prior to its loss.

With the following committee amendment:

Page 1, line 4, after the word "of" strike out "section 401(c)" and insert "section 401(e)".

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.

MAH QUOCK

The Clerk called the bill (H.R. 4236) for the relief of Woo Bow Land.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Woo Bow Land shall be deemed to be a nonquota immigrant.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of the Immigration and Nationality Act, Mah Quock shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 8, 1935."

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.

The title was amended so as to read: "A bill for the relief of Mah Quock."

A motion to reconsider was laid on the table.

ANATOLIJS JANITIS

The Clerk called the bill (H.R. 4555) for the relief of Anatolijs Janitis.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(6) of the Immigration and Nationality Act, Anatolijs Janitis may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That unless the beneficiary is entitled to care under the Dependents' Medical Care Act (70 Stat. 250), 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 exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

With the following committee amendment:

Page 2, line 1, after the word "under" strike out "the Dependents' Medical Care Act (70

Stat. 250)" and insert "chapter 55, title 10, United States Code."

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.

## HARALAMBOS GROUTAS

The Clerk called the bill (H.R. 4970) for the relief of Haralambos Groutas.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Haralambos Groutas 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.

With the following committee amendment:

On page 1, line 5, after the words "have been" strike out the remainder of the bill and substitute in lieu thereof the following: "born in Great Britain."

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.

## WONG GEE SING

The Clerk called the bill (H.R. 5647) for the relief of Wong Gee Sing.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Wong Gee Sing shall be held and considered to be the minor alien child of Wong Len Chong, citizen of the United States.

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.

## MARY ELIZABETH TIGHE CRESPO

The Clerk called the bill (H.R. 6804) for the relief of Mary Elizabeth Tighe Crespo.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(4) of the Immigration and Nationality Act, Mary Elizabeth Tighe Crespo may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

With the following committee amendment:

On page 1, line 11, after the word "Act" strike out the period and add the following: ": *Provided further,* That, unless the beneficiary is entitled to care under chapter 55, title 10, United States Code, 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."

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.

## MRS. HUMIKO ROSS

The Clerk called the bill (H.R. 7425) for the relief of Mrs. Humiko Ross.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Mrs. Humiko Ross, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of the Immigration and Nationality Act, and the provisions of section 205 of that Act shall not be applicable in this case.

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.

## PIERRE R. DEBROUX

The Clerk called the bill (H.R. 8253) for the relief of Pierre R. DeBroux.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of section 316(a) of the Immigration and Nationality Act as they relate to residence and physical presence requirements for naturalization, shall be inapplicable in the case of Pierre R. DeBroux.

With the following committee amendment:

Page 1, line 6, after "DeBroux" insert ": *Provided,* That nothing in this Act shall be held to waive the six-month residence requirement within the State in which the petition for naturalization is filed."

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.

## OTTO SMALL

The Clerk called the bill (H.R. 8384) for the relief of Otto Small.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Otto Small, who lost United States citizenship under the provisions of section 352(a)(2) of the Immigration and Nationality Act, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Otto Small shall have the same citizenship status as that which existed immediately prior to its loss.

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.

## SISTER FRANCES CABRINI (VIRGINIA BILBAO)

The Clerk called the bill (H.R. 9610) for the relief of Sister Frances Cabrini (Virginia Bilbao).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the immigration and naturalization laws, Sister Frances Cabrini (Virginia Bilbao) 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 as provided 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.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Sister Frances Cabrini (Virginia Bilbao). From and after the date of the enactment of this Act, the said Sister Frances Cabrini (Virginia Bilbao) 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 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.

## IDA EXLE (NEE IDA STERIO)

The Clerk called the bill (H.R. 10002) for the relief of Ida Exle (nee Ida Sterio).

There being no objection the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Ida Exle (nee Ida Sterio) shall be held and considered to be the natural mother of Charles Klippel, a citizen of the United States.

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.

DOCUMENTATION AS A VESSEL OF THE UNITED STATES WITH LIMITED COASTWISE PRIVILEGES OF THE VESSEL "EDITH Q."

The Clerk called 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.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, 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.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), 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, upon compliance with the usual requirements, with the privilege of engaging in the coastwise trade to the extent necessary to permit the carriage of passengers and merchandise, whether for hire or otherwise, between Camden, Great Spruce Head Island, and other points in Maine, located on the Penobscot River and Penobscot Bay, and the tributaries and approaches thereto, during the period from May 15 through September 15 annually, so long as the vessel shall continue to be owned by a citizen of the United States."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title of the bill was amended to read: "An act 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 limited coastwise privileges."

A motion to reconsider was laid on the table.

MANUEL ALVES DE CARVALHO

The Clerk called the bill (S. 762) for the relief of Manuel Alves de Carvalho.

There being no objection the Clerk read the bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Manuel Alves de Carvalho shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 13, 1957.

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.

HENRY K. LEE (HYUN KUI)

The Clerk called the bill (S. 2089) for the relief of Henry K. Lee (Hyun Kui).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Henry K. Lee (Hyun Kui) 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 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.

EMIKO NAGAMINE

The Clerk called the bill (S. 2106) for the relief of Emiko Nagamine.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Emiko Nagamine shall be deemed to be within the purview of section 101(a)(27)(B) of that Act.

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.

JOHN LIPSET

The Clerk called the bill (S. 2528) for the relief of John Lipset.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, John Lipset shall be deemed to have retained the status conferred upon him under Private Law 844 of the Eighty-fourth Congress, and the provisions of section 205 of the Immigration and Nationality Act shall not be applicable in this case.

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.

MO TONG LUI

The Clerk called the bill (S. 2639) for the relief of Mo Tong Lui.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of section 101(a)(27)(A) of the Immigration and Nationality Act, Mo Tong Lui shall be held and considered to be under 21 years of age: *Provided,* That a petition is filed in his behalf under section 205 of the said Act within one year from the date of enactment of this Act.

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.

LLOYD C. KIMM

The Clerk called the bill (S. 2646) for the relief of Lloyd C. Kimm.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Lloyd C. Kimm shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 21, 1925.

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.

YI YOUNG AN

The Clerk called the bill (S. 2681) for the relief of Yi Young An.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Yi Young An, shall be held and considered to be the natural-born alien child of Staff Sergeant and Mrs. John L. Brown, citizens of the United States: *Provided,* That the natural parents of the said Yi Young An shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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.

FREDERICK T. C. YU AND HIS WIFE ALICE SIAO-FEN CHEN YU

The Clerk called the bill (S. 2768) for the relief of Frederick T. C. Yu and his wife, Alice Siao-Fen Chen Yu.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Frederick T. C. Yu and his wife, Alice Siao-Fen Chen Yu, may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that—

(a) no period of residence or physical presence within the United States or any State shall be required in addition to their residence and physical presence within the United States since October 31, 1947; and

(b) their petitions for naturalization may be filed with any court having naturalization jurisdiction.

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.

NIKOLIJA LAZIC

The Clerk called the bill (S. 2886) for the relief of Nikolija Lazic.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of section 4 of the Act entitled "An Act to provide for the entry of certain relatives of United States citizens and lawfully resident aliens", approved September 22 1959 (73 Stat. 644), Nikolija Lazic shall be held and considered to be eligible for a quota imigrant status under the provisions of section 203(a)(4) of the Immigration and Nationality Act on the basis of a petition approved by the Attorney General prior to January 1, 1959.

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.

BORIS PRIESTLEY

The Clerk called the bill (S. 2918) for the relief of Boris Priestley.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of the Immigration and Nationality Act, Boris Priestley shall be deemed to have been born in Great Britain.

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.

EUGENE STORME

The Clerk called the bill (S. 2942) for the relief of Eugene Storme.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of section 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Eugene Storme, shall be held and considered to be the natural-born alien child of Stanley Storme and Adele Storme, citizens of the United States: *Provided,* That the natural parents of the said Eugene Storme shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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.

KANG SUN OK

The Clerk called the bill (S. 2964) for the relief of Kang Sun Ok.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Kang Sun Ok, the fiance of Sergeant Norman W. Lade, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months, if the administrative authorities find (1) that the said Kang Sun Ok is coming to the United States with a bona fide intention of being married to the said Sergeant Norman W. Lade and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Kang Sun Ok, 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 Kang Sun Ok, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kang Sun Ok as of the date of the payment by her of the required visa fee.

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.

AH SEE LEE CHIN

The Clerk called the bill (S. 2991) for the relief of Ah See Lee Chin.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in the administration of the Immigration and Nationality Act, Ah See Lee Chin shall be held and considered to be within the purview of the first proviso to section 312 (1) of that Act and may be naturalized upon compliance with all of the other requirements of title III of that Act.

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.

JULIUS F. STEINHOFF

The Clerk called the bill (H.R. 1588) for the relief of Julius F. Steinhoff.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of section 101(a)(27)(c) of the Immigration and Nationality Act, Julius F. Steinhoff shall be held and considered to be a native of Canada.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of the Immigration and Nationality Act, Julius F. Steinhoff 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 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.

MAURICE DEVLIN

The Clerk called the bill (H.R. 1681) for the relief of Maurice Devlin.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212(a)(9) and (17) of the Immigration and Nationality Act, Maurice Devlin, may 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 had knowledge prior to the enactment of this Act.

With the following committee amendment.

On page 1, line 3, after "section 212(a)(9)" insert a comma.

On page 1, strike out all of lines 4, 5, 6, 7, and the language "apply only to a ground" on line 8, and substitute the following: "(17) and (19) of the Immigration and Nationality Act, Maurice Devlin, may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided,* That these exemptions shall apply only to grounds".

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER F. BEECROFT

The Clerk called the bill (S. 3016) for the relief of Walter F. Beecroft.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Walter F. Beecroft may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that—

(a) no period of residence or physical presence within the United States or any State shall be required in addition to his residence and physical presence within the United States since July 31, 1952; and

(b) the petition for naturalization may be filed with any court having naturalization jurisdiction.

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.

JUNG HI PAK

The Clerk called the bill (S. 3038) for the relief of Jung Hi Pak.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Jung Hi Pak, shall be held and considered to be the natural-born alien child of Captain and Mrs. William S. Herrington, citizens of the United States: *Provided,* That no natural parent of Jung Hi Pak, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

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.

### OH CHUN SOON

The Clerk called the bill (S. 3049) for the relief of Oh Chun Soon.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Oh Chun Soon, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Alvin L. May, citizens of the United States: *Provided*, That the natural parents of the said Oh Chun Soon shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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.

### PASQUALE MIRA

The Clerk called the bill (S. 3091) for the relief of Pasquale Mira.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Pasquale Mira may be issued a visa and be admitted to the United States for permanent residence if 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 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.

### ANNE-MARIE STEHLIN

The Clerk called the bill (S. 3130) for the relief of Anne-Marie Stehlin.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in the administration of the Immigration and Nationality Act, Anne-Marie Stehlin, a naturalized citizen of the United States, shall be permitted to reside in France until May 31, 1964, without losing her United States citizenship under section 352(a) of such Act.

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.

### CECILIA RUBIO

The Clerk called the bill (S. 3235) for the relief of Cecilia Rubio.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of the Immigration and Nationality Act, Cecilia Rubio shall be deemed to have been born in Spain, 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 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.

### JULIA SUKKAR

The Clerk called the bill (S. 2740) for the relief of Julia Sukkar.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of the Immigration and Nationality Act, Julia Sukkar 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.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Julia Sukkar. From and after the date of the enactment of this Act, the said Julia Sukkar 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 read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### MING-CHEN HSU

The Clerk called the bill (S. 2941) for the relief of Mrs. Ming-Chen Hsu (nee Nai-Fu Mo).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of section 6 of the Act entitled "An Act to provide for the entry of certain relatives of United States citizens and lawfully resident aliens", approved September 22, 1959 (73 Stat. 644), Mrs. Ming-Chen Hsu (nee Nai-Fu Mo) shall be held and considered to be the beneficiary of a visa petition approved by the Attorney General pursuant to section 203(a)(3) and section 205 of the Immigration and Nationality Act prior to January 1, 1959.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of the Immigration and Nationality Act, Ming-Chen Hsu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 12, 1948."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed.

The title of the bill was amended so as to read: "A bill for the relief of Ming-Chen Hsu."

A motion to reconsider was laid on the table.

### HUAN-PIN TSO

The Clerk called the bill (S. 2967) for the relief of Huan-pin Tso.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of sections 203(a)(3) and 205 of the Immigration and Nationality Act, Huan-pin Tso shall be held and considered to be the natural-born son of Mr. and Mrs. Ting Hsien Wang, aliens lawfully admitted to the United States for permanent residence: *Provided*, That the natural parents of the said Huan-pin Tso shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendments:

On page 1, line 3, strike out "sections 203(a)(3) and 205" and substitute in lieu thereof "sections 101(a)(27)(A) and 205".

On page 1, lines 6 and 7, strike out the language "aliens lawfully admitted to the United States for permanent residence" and substitute "citizens of the United States".

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### WILLIAM RADKOVICH CO., INC.

The Clerk called the bill (H.R. 9079) for the relief of William Radkovich Co., Inc.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That jurisdiction be, and the same is hereby, conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claims of William Radkovich Company, Incorporated, arising under contracts with the United States for the construction of various structures, said contracts being numbered W-04-353-eng-2036 and W-04-353-eng-2050, against the United States for the difference between the reasonable value of said structures as of the time of the completion of such contracts and the amount paid to said company for such structures, said recovery to be permitted only in the event that it shall be established that the actual cost of the said William Radkovich Company, Incorporated, of erecting such structures exceeded the reasonable value of such structures, such judgment to be entered notwithstanding any limitations imposed by law upon Government representatives whose responsibility it was to let the aforementioned contracts and notwithstanding the technical provisions of said contracts with respect to payment thereunder: *Provided*, That the suit herein authorized shall be instituted within six months from the date of the approval of this Act.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That jurisdiction is hereby conferred upon the United States Court of

Claims to hear, determine, and render judgment upon the claims of William Radkovich Company, Incorporated, arising out of contracts numbered W-04-353-eng-2036 and W-04-353-eng-2050, against the United States for the reasonable value, computed as of the time when made, of any reasonable and necessary changes and increases beyond the terms of said contracts made at the direction of the contracting officer, for which the said William Radkovich Company, Incorporated, was not compensated because of the provisions of section 12 of the Military Appropriation Act, 1947 (60 Stat. 565), which precluded payment of more than $7,500 per unit for the construction of temporary family quarters: *Provided*, That the suit herein authorized shall be instituted within six months from the date of the approval of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## RICHARD J. POWER

The Clerk called the bill (H.R. 11486) for the relief of Richard J. Power

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Richard J. Power is hereby relieved of all liability to the United States to refund the amount of $660.80, resulting from an overpayment of compensation he received, through administrative error, as an employee of Air Materiel Command, Wright-Patterson Air Force Base, Ohio, in the period between June 25, 1958, to June 6, 1959.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## MINA AND HENEK SZNAIDER

The Clerk called the bill (H.R. 4981) for the relief of Mina and Henek Sznaider.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the provision of section 212(a)(19) of the Immigration and Nationality Act, Mina and Henek Sznaider may be issued a visa and admitted to the United States for permanent residence if they are 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 had knowledge prior to the enactment of this Act.

With the following committee amendments:

On page 1, line 3, strike out "provision of section 212(a)(19)" and substitute in lieu thereof "provisions of section 212(a)(9) and (19)".

On page 1, line 5, strike out the words "a visa" and substitute "visas".

On page 1, line 8, strike out the words "this exemption" and substitute "these exemptions".

On page 1, line 8, strike out the words "a ground" and substitute "grounds".

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.

## DR. TZE I. CHIANG

The Clerk called the bill (H.R. 9960) for the relief of Dr. Tze I. Chiang.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of the Immigration and Nationality Act, Doctor Tze I. Chiang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of January 9, 1954.

With the following committee amendment:

Page 1, line 6, after "1954," insert the following: "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 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.

## ADOLF B. JOCHNICK

The Clerk called the bill (H.R. 10376) for the relief of Adolf B. Jochnick.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purposes of the Immigration and Nationality Act, Adolf B. Jochnick shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 1, 1953.

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.

## SUSPENSION OF DEPORTATION IN THE CASES OF CERTAIN ALIENS

The Clerk called Senate Concurrent Resolution 103.

There being no objection, the Clerk read the Senate concurrent resolution, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than six months:

A-7197635, Apsis, Crysostome Alexander.
A-7415400, Apsis, Diane Helen.
A-7351220, Donze, Peter.
A-4031108, Farfan, Domingo.
A-3544790, Fatovic, Sime.
A-7137472, Rodriguez-Guzman, Guillermo.
A-10255185, Santos, Manuel.
A-9678132, Tsakiridis, Anastassios.
A-8960659, Young, Richard Kai.
A-2088508, Gomez, Salvador.
A-7083633, Lyras, Sozon.
A-6799270, Ojeda, Miguel Carrizales.
A-11134483, Ojeda, Simona Hernandez.
A-5962211, Schoendfeldt, Rudolph Herman.
A-10088698, Yew, Lai Wo.
A-10073984, Sirakof, Mehmadale Ibrahim.
A-3848598, Ying, Shih Tseng.
A-3354528, Ying, Agnes S.
A-4314277, Hochstaedt, Amalie.
A-3870732, Hochstaedt, Samuel.
A-9799578, Wong, How Tung.
A-9734746, Wai Young.
A-5631916, Cooper, Morris.

With the following committee amendments:

On page 1, strike out lines 6, 7, and 9.

On page 2, strike out lines 4, 8, 10, 11, 14, 15, and 16.

The committee amendments were agreed to.

The Senate concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

## ANNA SEMECHOLE MARCOLINA

The Clerk called the bill (H.R. 9042) for the relief of Anna Semecnole Marcolina.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, Anna Semechole Marcolina, who lost United States citizenship under the provisions of section 401(e) of the Nationality Act of 1940, may be naturalized by taking, prior to one year after the date of the enactment of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such Act. From and after naturalization under this Act, the said Anna Semechole Marcolina shall have the same citizenship status as that which existed immediately prior to its loss.

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.

## LOW WING QUEY (KWAI)

The Clerk called the bill (S. 2822) for the relief of Low Wing Quey (Kwai).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Low Wing Quey (Kwai) shall be held and considered to be the natural-born minor alien child of Low Shiu Hong, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that further call of bills on the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

## M. SGT. EMERY C. JONES

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6081) for the relief of M. Sgt. Emery C. Jones, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$1,421.43" and insert "$1,436.40".

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

## MRS. ETHEL B. MORGAN

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9443) for the relief of Mrs. Ethel B. Morgan, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out line 6 and insert "have been the wife and subsequently the widow (as those terms are defined in section 216 of that Act)".

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

## INCREASING FOR 1 YEAR THE PUBLIC DEBT LIMIT SET FORTH IN SECTION 21 OF THE SECOND LIBERTY BOND ACT

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12381) to increase for 1-year period the public debt limit set forth in section 21 of the Second Liberty Bond Act and to extend for 1 year the existing corporate normal-tax rate and certain excise-tax rates, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. MILLS, FORAND, KING of California, O'BRIEN of Illinois, MASON, BYRNES of Wisconsin and BAKER.

## FARM SURPLUS REDUCTION ACT OF 1960

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 564 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 (H.R. 12261) to amend the Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, with respect to market adjustment and price support programs for wheat and feed grains, to provide a high-protein food distribution program, and for other purposes. 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 Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and 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.

## CALL OF THE HOUSE

Mr. ANDERSEN of Minnesota. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not 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. 139]

| | | |
|---|---|---|
| Alford | Diggs | May |
| Anfuso | Donohue | Meader |
| Auchincloss | Dooley | Michel |
| Baker | Durham | Miller, N.Y. |
| Barden | Evins | Mitchell |
| Barr | Fisher | Moorhead |
| Blitch | Frazier | Morris, Okla. |
| Boykin | Gallagher | Norrell |
| Brademas | Hardy | Philbin |
| Brooks, La. | Hogan | Powell |
| Brooks, Tex. | Jackson | Roush |
| Buckley | Kasem | Shelley |
| Burdick | Kastenmeier | Steed |
| Cahill | Kilday | Taylor |
| Carnahan | McCormack | Teller |
| Celler | McSween | Wampler |
| Coffin | Macdonald | Wharton |
| Curtis, Mo. | Madden | Willis |
| Denton | Magnuson | |

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 374 Members have answered to their names, a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

## NATIONAL DEFENSE

Mr. CANNON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

### AMERICA'S RECESSIONAL

Mr. CANNON. Mr. Speaker, the release of Kipling's "Recessional" at England's greatest hour struck the world with the heaviest immediate impact of any epode ever published.

It was received with tolerance. No one accepted it at face value. England was mistress of the seas. Britania ruled the waves. Her morning drumbeat encircled the globe. The Ambassador from the Court of St. James was accorded preeminence in every chancellery in the world. British statesmen had maintained world peace for a hundred years.

But overnight her empire crumbled. Her armies shrank. Her navies rotted. One by one her colonial possessions were abandoned. She withdrew her troops from strategic outposts. Briefly and inexoribly her overlordship vanished.

The United States took over the burden. American troops supplanted British regulars in Greece. American might policed the world's trouble spots. And American philanthropy established a new international policy which refused to accept colonial dependencies and spent billions of dollars in fostering independent democracies in the Philippines and Cuba and in the rehabilitation of defeated enemies.

At the conclusion of the Second World War we stood alone—the greatest military power the world had ever seen. We had the greatest army, more planes, more tanks, more ships than any other nation, and in our teeming cities more wealth and a greater productive capacity than all the rest of the world combined.

And once more—overnight—the wheel turns and we are a second-rate power. Our position in the world is dramatically weaker. We have given billions of dollars, and in every quarter of the globe we are the most hated nation. Our representatives cannot leave the borders of our country—north, south, east, or west—without being subjected to the most degrading and insulting personal abuse and actual physical violence.

We are bound to the enlightened nations of the world by treaties of mutual assistance. In the days of our military supremacy they were glad to join us in nonaggression compacts of mutual defense and to accord us military bases for our Strategic Air Command. But recently the Icelandic Althing has insisted on the removal of our base, France has notified us that she will no longer permit us to maintain nuclear weapons or warheads on French soil and England has insisted that we enter into negotiations with Russia at summit meetings.

Why this sudden change? Why this remarkable reversal in attitude of our allies? It is very simple. Here in the House we have blindly followed the admirals and wasted our time, money, and resources on useless carriers while the Russians have concentrated on missiles and submarines. They have never been foolish enough to build a carrier but they are 2 to 4 years ahead of us in missiles and submarines—and to that extent they are in control of the world situation. They are taking full advantage of it and their leaders daily insult and abuse and deride us until the attitude of the world is one of pity and contempt instead of the esteem and regard in which we were held a short decade ago.

The administration and our congressional leaders tell us that we are still supreme and able to lick any nation in the world with one hand tied behind. What else could they say? But it is well known on the most competent authority that we are in vital respects as much as 3 or 4 years behind Russia in modern military armament, and that the Russian lead is increasing instead of diminishing.

The responsibility is right here on this floor where we have failed to take the initiative and keep abreast of the times. If we had expended on submarines and missiles the emphasis we have wasted on carriers we would not today find ourselves in this humiliating and dangerous situation.

We have ignored the history of undersea warfare. But Russia and Red China have been alert to its significance.

This is why today Russia is operating a submarine fleet three times the size of our own, why Russia years ago abandoned large surface naval vessels and instead embarked on the construction of 100 submarines a year, and why Russia today is concentrating on the development and construction of nuclear submarines. This is also why the Chinese Communist navy now has a fleet of about 20 submarines, why Red China is currently constructing more attack submarines per year on the average than is the United States, and why Premier Chou En-Lai recently stated that Red China will have nuclear submarines within 5 years.

Submarine warfare came close to bringing the Western Allies to their knees, and to possible defeat, by World War I and World War II. The German Navy failed only because Germany, ironically, failed to provide the German Navy with a sufficient number of submarines. This was particularly ironic for the reason that, historically, Germany had been the foremost exponent of submarine warfare. The United States today must understand this mistake of Germany in two world wars, and benefit from the lesson by providing our own Navy with the number of nuclear submarines needed to cope with present defense requirements.

In August 1914 Germany had 28 submarines of which only 10 were fit for use beyond her own harbors and only 2 were really seagoing boats. Notwithstanding, German submarines, during World War I, sank 5,708 merchant ships with a combined gross tonnage of 11,018,865 tons, and practically paralyzed the supply lanes from the United States to Western Europe. Our convoys were repeatedly decimated with terrible loss of life. Final victory over the U-boats came only because the blockade of attrition mounted and maintained against Germany made it impossible for Germany to replace the U-boats lost in action. The submarine warfare of World War I was a bitter pill for the Allies.

In the span of 21 years between the end of World War I in 1918, and the outbreak of World War II in 1939, neither Germany on the one hand, nor the Allied nations, on the other, profited from the brutal lesson taught by the U-boats. During the pre-World War II era, the Germany Naval High Command moved rapidly to rebuild the German Navy. However, submarines were not given sufficient priority and, as a result, at the outbreak of World War II, Germany had only 57 submarines of which but 22 were oceangoing. In this Germany made a serious mistake. During the same time period, the Allied Nations gave grossly inadequate attention to the problems of undersea warfare.

The horrors of the grim, deadly Battle of the Atlantic are still recent enough to be remembered, and the United States must profit from its lesson. The German submarines blockaded our Atlantic seaboard. Oil tankers were sunk with sickening regularity. Oil supplies to our industrial complexes in the East and Northeast dwindled to a trickle. Troopships and supply ships were under constant attack. The convoy system was only partially successful against the German submarine wolfpacks. Their effectiveness is strikingly demonstrated—they sank 14,547,463 tons of Allied shipping, more than half of the total tonnage sunk—24,246,489—by submarines, aircraft, surface craft, mines, collisions, and other enemy action.

If the German Naval High Command had only had the foresight to provide a larger submarine fleet, the Allies' losses would have been much more crippling. And, on the other hand, if the Allied navies had devoted themselves in the 1930's to the perfection of antisubmarine warfare weapons and tactics, World War II would have unquestionably been shortened and victory won sooner with less losses and suffering.

The World War II story in the Pacific, from the Allied standpoint, was exactly the reverse of the story in the Atlantic. In the Atlantic the German submarines had the initiative and the Allies were constantly on the defensive, down to the bitter end of the war. In the Pacific, however, our small submarine fleet of 51 took the initiative and wrought havoc on the Japanese Navy and Japanese supply and troop ships. Before Pearl Harbor, the popular concept was that submarines would play a minor role in war, acting principally as scouting and attack agents for the surface fleet. This explains the name "fleet boats" given to our World War II type submarines. But our submarines proved to be much more devastating and effective than was foreseen.

The following extracts from "United States Submarine Operations in World War II," by Theodore Roscoe, illustrates the far-reaching effects of American submarine depredations against the Japanese—effects which were in fact decisive:

> The part played by U.S. submarines in Japan's maritime demise is depicted with reasonable accuracy in the figures compiled after the war by the Joint Army-Navy Assessment Committee.
>
> U.S. submarines scored as below:
>
> Number of merchant ships sunk, 1,178.
>
> Merchant tonnage sunk, 5,053,491 tons.
>
> Number of Japanese naval vessels sunk, 214.
>
> Japanese naval tonnage sunk, 577,626 tons.
>
> About 55 percent of all Japanese shipping (merchant and naval) downed in World War II was sunk by U.S. submarines—an achievement accomplished by a force that consisted of less than 2 percent of the U.S. Navy's personnel.

A more or less impartial observer, German Vice Admiral Weneker, who was stationed in Japan during the war, when asked what he considered the cause for Japan's loss of the war, stated that, in his opinion, Japanese overconfidence, underestimation of the enemy and overextended supply lines which could not be protected were basic causes. He further stated:

> After that I would say the reasons for their disaster could be classed about as follows in order of importance: First, and by far the worst, were the attacks of the highly efficient American submarine.

In retrospect, submarine warfare played a decisive role in the Atlantic in both World Wars and in the Pacific in World War II, even though the submarines in both these wars were not true submarines, but in effect surface vessels which could submerge for limited periods of time during which their speed and mobility were sharply restricted. The nuclear submarine has proven itself to be a real submarine, capable of operating for more than 2 months fully submerged, completely divorced from the earth's atmosphere. It constitutes a revolutionary third dimension to warfare, made possible by atomic energy. And the application of atomic energy has drastically changed still another concept of naval warfare and supply. The convoy system of the two World Wars is as outmoded and archaic as a Roman chariot on a superhighway. The nuclear warhead in today's missile or torpedo packs such a devastating punch that a single megaton detonation anywhere near a convoy will wipe out every ship in the convoy. With convoy operation no longer a protection but a trap, troop and supply vessels will once more have to travel alone and be picked off by submarines one by one like ducks in a barrel.

Soviet Russia has read history well. Just as Russia has concentrated on the development of missiles to the subordination of manned aircraft, Russia has applied its resources intensively to the buildup of a large submarine fleet at the total expense of large surface naval vessels. The latest edition of "Jane's Fighting Ships"—1959-60—reports on Russian submarine strength and plans as follows:

> One atomic powered submarine is nearing completion, another is in an advanced stage of construction, and a third is being assembled. * * * There are now about 500 submarines. Over half are of the large or intermediate oceangoing type. Another large type is reported to be armed with guided missiles. * * * Some 50 submarines are under construction in Soviet dockyards. These include five different types:
>
> 1. Large nuclear-powered type with a very long range.
>
> 2. Large guided missile type with a high speed.
>
> 3. Oceangoing patrol type with a long range.
>
> 4. Minelaying type with a high speed.

5. Antisubmarine patrol type with a long range.

The Russian potential in the matter of building a large fleet of nuclear submarines was considered in the Report of the Underseas Warfare Advisory Panel to the Subcommittee on Military Applications of the Joint Committee on Atomic Energy which stated in August 1958:

We regard it as likely that the Soviets can soon have the capability of building many more nuclear submarines than we now plan to construct. The record of Soviet performance, both in building conventional submarines and in other military-scientific-industrial endeavors, leaves little room for doubt on this score. In fact, assuming a continuation of our present and planned construction program, we regard it as probable that the Soviets will have it within their capability to build a larger nuclear submarine fleet than our own by the mid-1960's.

Today Russia has a fleet of conventionally powered submarines nearly 10 times as large as was the German submarine force at the outbreak of World War II, and will be adding nuclear submarines in substantial numbers just as soon as they reach a degree of development approaching the *Nautilus* and her sister ships. Why is Russia concentrating on underseas warfare? The answer is elementary.

Today there are about 2,000 ships under way at sea in the Atlantic Ocean alone. Over 99 percent of all goods in the world market is transported at sea. All of our alliances are dependent on keeping open the sea lanes. If these arteries of trade were to be cut, the collapse of the West would soon follow. The control and use of the sea are the keystones of free world power. The most serious threat to the ability of our Navy to control the seas is the large Soviet submarine fleet already in being.

On this past May 26, Adm. Arleigh A. Burke, Chief of Naval Operations, in a speech said:

God has been most generous to this country. In addition to all other resources, He has given us two-ocean geography. These two oceans provided the road for America's development, and long served as barriers to foreign aggression. Now again, they can contribute to our Nation's security. All we must do is exploit them.

Exploit them we have; and exploit them we will. The seas have never been more important, or more militarily useful to this country, than they are today, as we move into the ballistic missile era.

For a century and a half, until the outbreak of World War II, the two vast oceans were a bulwark of defense for this country. World War II and subsequent history has proven that this bulwark can be for this country a Maginot line, unless these oceans are exploited in their third dimension — undersea warfare. They provide almost unlimited concealment to our nuclear submarine fleet, but they will do as much for the enemy.

The Russian submarine fleet is designed to cut off sea communications between the United States and its allies. The Red Chinese submarine fleet is designed for the same purpose. It is in this area that the thousands of miles of width of the two oceans become for this country a serious handicap. The Russian submarines on patrol for the purpose of raiding shipping have to do no more than leave the North Sea and lurk off the coast of western Europe. American submarines, in order to engage in antisubmarine warfare against the Russian raiding submarines will have to travel more than 2,000 miles from home port. The situation is even more acute in Asia where Red Chinese submarines need not venture more than 500 miles from home ports, and our American submarines will have to travel thousands of miles to defend our shipping against the Red Chinese raiders.

The combat strength of our American submarines, contrary to popular misconception, is far less than the number of submarines we have in commission. Actually, experience has shown that only one-third of the submarines of our Navy can be on patrol and that one-third must be at base being refitted. The vast distances from our home ports to patrol station, across the Atlantic and across the Pacific, tie up the final one-third of our submarines en route to and from patrol stations. Nuclear-powered submarines, due to their greater endurance and higher speeds, can increase the ratio of time spent on patrol, particularly when two crews are used for each ship. It is doubtful, however, that we could count on keeping more than an average of 50 to 60 percent of our nuclear submarines on patrol.

Just as the United States was forced into carrying out sea warfare against German submarines for many months prior to entering World War II, it is entirely conceivable that Russia and Red China might, during a period of missile or deterrent gap, attempt to destroy us the humane way by opening up a wholesale submarine war at sea. Our cities would not be attacked. We would not attack the cities of Russia or Red China. But the victory that the Communists could win, if we are not prepared to cope with their submarines, would be just as much the death of our way of life as leveling American cities and towns to rubble.

The Spanish Civil War brings memories of mystery submarines constantly reported in the Mediterranean and the Atlantic coast of Spain. If there should develop a period of international tensions, mystery submarines in the far Pacific off the Asiatic coast and in the farflung island archipelagoes would unquestionably cause great concern to our Asiatic friends.

Just as the vast widths of the two oceans constitute a real liability to our undersea fleet in reaching the area of operation off the coasts of West Europe and Asia, the degree of concealment afforded to Russian submarines operating off the Atlantic coast of the United States constitutes an equal liability. Russia has at least 200 submarines capable of laying mines in U.S. coastal waters. This is a force adequate to bottle up, at least temporarily, almost every commercial seaport and coastal naval base in the United States. On a single skillfully executed mission, the Russians could in a few hours leave close to 8,000 mines in the sea approaches to our harbors.

Again, a few of these Soviet submarines equipped to fire missiles can place our cities in danger of being destroyed in the event of war. The Russians are clearly capable of effecting their own unique marriage of the IRBM to the nuclear-powered submarine, as we are doing with the Polaris-type submarine. They are advanced in the missile field; they are known to be building nuclear-powered submarines; and they have long pointed out the vulnerability of the United States to such attacks.

What is our defense against the Russian submarine threat to our homeland? Is it our highly touted ASW—antisubmarine warfare—force? The public has been deluged with the dramatic stories and photographs of the ASW force in action, but has not been told how relatively ineffective the ASW force is against the enemy submarine threat. In ASW maneuvers a nuclear submarine of our Navy is sent out to sea as the target, or enemy, submarine. Because the nuclear submarine is practically impossible to locate, or even detect, the submarine commander is severely restricted. He is told to operate in a fixed area, at limited speed, within certain prescribed depths, and to restrict his maneuvering. This makes the hunt a sporting proposition for the surface naval forces. It gives the ASW personnel the opportunity to practice with sonar and radar, and eventually find the submarine, only after 2 to 5 days of intensive searching. The maneuver would be a frustrating failure for all concerned, except the submarine crew, if the submarine were not eventually tracked down and destroyed.

Several years ago one of our nuclear submarines participated in NATO maneuvers off the western coast of Europe. The submarine crew had a fine time. The submarine planted itself directly under the flagship of the combined NATO fleet and there remained in a perfect position to pick off the surface naval vessels, one by one, until the commanding admiral radioed London to get the blighter out from under him.

Not long thereafter, maneuvers were held in the Pacific off the western coast of Canada. A terrible storm came up and the entire surface fleet had to batten down the hatches and heave to to ride out the elements. One of our submarines radioed to the flagship of the surface fleet that everything was warm and comfortable down below, and please advise when the game would resume.

Fortunately we have in our arsenal a weapon, if produced in sufficient numbers, that can defeat the large Russian submarine fleet. This weapon is the nuclear-powered attack submarine. The majority of scientists and tacticians agree that the best way to hunt down and kill a submarine is with another submarine. When dealing with the threat of Soviet submarines with nuclear power, this naval fact becomes intensely significant. An atomic submarine is an extremely durable, elusive craft and is immune to many of the search and attack techniques effective against conventional submarines.

The nuclear submarine is an ideal offensive and defensive weapon because it (a) can operate near Russian bases where other ASW forces cannot; (b) has the inherent advantages of concealment and surprise; (c) gives the best possible mobile sonar platform for detecting submarines—this because nuclear submarines can carry their sonar to the most effective search depth; (d) has exceptional mobility—this due to the ability to steam at high speeds almost indefinitely without refueling and without being impeded by bad weather; (e) can operation on station for periods of 60 days or longer without logistic support; and (f) can remain in action in the face of strong opposition except when matched against better nuclear-powered submarines.

Let us now turn our attention to the condition of our submarine fleet, in terms of the present and of the future. Most of our present submarine fleet was built during World War II. Ordinarily these submarines would be expected to have a maximum useful life of about 14 years, later extended by the Navy by administrative fiat to 17 years. This is due to two factors:

(a) Hull deterioration becomes so pronounced that the ships become unsafe to operate. At this point hull repairs are so expensive as to be prohibitive.

(b) Space and arrangement limitations make it impossible to install the later types of equipment needed to keep the submarine militarily effective.

The Navy now talks of extending the effective life of a World War II submarine, once more by administrative fiat, to 20 years. I wonder whether the Navy has taken into account the increased risks to our American sailors who will be called to take these submarines into the ocean depths after 14 years, and after 17 years, in patched-up hulls to confirm the administrative objectives of the Navy in stretching the useful submarine lifespan to 20 years. The Navy conceals the true status of our submarine fleet by continuing to invest the taxpayers' dollars in these old ships. A new aircraft carrier will cost, according to present estimates, $293 million, and this same figure will build six modern nuclear attack submarines. So long as the submarine fleet is kept at least six nuclear attack submarines below present day requirements, on the basis of six "oldgoat" World War II patched-up hulls, the Navy can scrounge around and find the $293 million for a supercarrier, this year and next year, and the year after.

The era of the battleships was tragically ended the day after Pearl Harbor in 1941 when the Japanese bombers obliterated Britain's proudest battleship off the Malayan coast in less than 2 hours, and they took with them to death at the bottom of the sea 5,000 brave and courageous sailors.

Today in America the decisive years are at hand and already passing. We are faced with a submarine gap, no less serious than the missile gap about which the American public has been told.

The Navy has put out a lot of propaganda on the effectiveness of our surface antisubmarine forces. However, it is evident that the only ASW weapon that we can count on is the nuclear-powered submarine. Unfortunately we only have a handful of these ships. How can we expect less than a dozen nuclear submarines to protect us in both oceans against the overwhelming number of several hundred modern Soviet submarines?

The average rate of production in this country of nuclear submarines since the *Nautilus* first went to sea in January 1955 has been two per year. At the present rate of authorization and appropriation by the Congress, this country will have a nuclear submarine fleet in ensuing years, as shown in the following table:

ATTACK TYPE LESS THAN 20 YEARS OLD

| | Now | Late 1960 | 1961 | 1962 | 1963 | 1964 | 1965 | 1966 |
|---|---|---|---|---|---|---|---|---|
| Nuclear | 7 | 13 | 16 | 23 | 27 | 30 | 33 | 36 |
| Conventional | 87 | 87 | 87 | 87 | 84 | 59 | 23 | 19 |
| Total | 94 | 100 | 103 | 110 | 111 | 89 | 56 | 55 |

MISSILE TYPES LESS THAN 20 YEARS OLD

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Nuclear, Polaris | 2 | 5 | 7 | 9 | 12 | 15 | 18 | 21 |
| Nuclear, Regulus | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Conventional, Regulus | 4 | 4 | 4 | 4 | 4 | 3 | 2 | 2 |
| Total | 7 | 10 | 12 | 14 | 17 | 19 | 21 | 24 |

At this point the Polaris-firing nuclear submarine should be reevaluated. It is supposedly invulnerable to detection, discovery, and destruction. But this is gaged solely on the theory that a potential enemy will not look for our Polaris subs with nuclear attack submarines. A time will inevitably come when the undersea is an open book, just as the sea surface is today. With the imminent advent of this day, the Polaris submarine will need protection and shielding, in the exact same sense that was true of the obsolete battleship and the more recently decadent aircraft carrier. Just as armies require pickets and scouts, and aircraft carriers require a ring of protective destroyers and cruisers, the Polaris submarines, as the new capital ships of our Navy, require undersea scouts to control the undersea areas in which the Polaris submarines must operate. The picket and scout ships of the Polaris submarines are attack submarines—hunter-killer submarines—and we have hesitated to provide enough of them. The ratio of support attack nuclear submarines to nuclear Polaris submarines must be maintained at an approximate ratio of 2 to 1. We must have a minimum of 100 attack nuclear submarines by 1967 to support a minimum of 45 Polaris nuclear submarines, in no less than the following program:

| | Previously authorized | Fiscal year | | | | | | | Total |
|---|---|---|---|---|---|---|---|---|---|
| | | 1961 | 1962 | 1963 | 1964 | 1965 | 1966 | 1967 | |
| Attack | 28 | 6 | 10 | 10 | 10 | 12 | 12 | 12 | 100 |
| Polaris | 9 | 6 | 6 | 6 | 6 | 4 | 4 | 4 | 45 |

This program from fiscal year 1961 through fiscal year 1967 will cost an average of a little over $1 billion a year. This approximates the overall cost of the super carrier which the Navy insists upon in the present bill. But it is not just this year about which we must focus our concern. The Navy high command seems determined to force upon the country a new superaircraft carrier not just this year, but next year, and the year after, to the detriment of an adequate nuclear submarine program.

During the past 5 years we have constructed an average of only two nuclear submarines a year. Our current construction rate is increasing, but is still utilizing only about 50 percent of the existing submarine building facilities. This is most appalling when we consider the magnitude of the submarine threat facing us.

Although we have constructed an average of only two nuclear submarines a year during the past 5 years, our current construction is at the rate of eight nuclear subs, utilizing about 50 percent of the existing submarine building facilities, with the advantage to the taxpayers of practically 100 percent competitive bid. There is a most appalling factor in this whole picture. The United States, the most industrialized and mechanized Nation in the world today, is permitting the dispersal of qualified personnel from the shipyards that can build nuclear submarines. Our largest submarine shipyard has laid off 800 people since the first of this year, and the present lack of a firm long-range program of nuclear submarine construction disrupts both shipyard planning and employment. Our submarine shipyard production potential is vital to our defense. It is essential that we establish now an orderly build-up of our nuclear submarine fleet and avoid the exorbitant waste of inadequate planning.

Aircraft carriers have had their day. They have won their proper place in history. However, we are only starting to exploit the nuclear submarine. It has given our Navy undreamed-of potential. The Soviets see this clearly—why not we? It is our only hope to maintain freedom of the seas and protect our shores from hordes of missile-firing enemy submarines.

History unfortunately teaches us that the military have seldom recognized the potentialities of new weapons. The countless examples of this blindness are too well known to need enumeration here.

But too often their fallacies go unanswered. For example, Senator ENGLE recently asked a number of pertinent questions relative to the effectiveness of the submarine.

Here are some of the answers:

1. Question. Have we as yet solved the technical problems involved in accurately firing a submerged missile? I understand that gravity information is required concerning the land mass from which a missile is fired and that this gravity information must be coordinated with information as to where the missile is going. I have not been able to figure out how we will get this information with reference to particular points under the sea when the Polaris submarine is traveling from place to place.

Answer. In the design of the Polaris weapon system, we have considered all possible errors which would affect missile accuracy at the target. These errors include naviga-

tional, fire control, guidance, ballistics (free flight), and reentry. Allowances have been made for these errors in arriving at the overall system circular error, probable (CEP). One of the objectives of the test and development program has been to evaluate the various subsystem errors and determine whether or not they fall within allowed tolerances. In each case the errors have been demonstrated to be less than or equal to that needed to achieve the required CEP.

Errors which could result from gravity anomalies have been analyzed in detail. At ranges up to 2,500 nautical miles, errors which could be caused by gravity are insignificantly small—in the order of a few hundred feet. The total weapon system error is determined by taking the square root of the sum of the squares of all contributing errors. The contribution, therefore, of a few hundred feet clearly is small. With longer range, land-based missiles, gravity induced errors will be of greater concern because of the longer time of flight and the fact that they could be sited on a gravity anomaly.

2. Question. Have we been able to solve navigational problems which will make it possible for a submarine traveling under water to know precisely where it is at all times? For instance, what happens to the navigational problems where there are underwater currents exceeding 5 knots? I have been informed that in launching a missile the launch platform must be on the same datum plane as that of the target. Have we solved these problems?

Answer. The SINS (ships inertial navigation system) contained in the fleet ballistic missile (FBM) submarines, in this instance a precision device, continually measures and records the submarine's geographical coordinates with respect to the earth's surface. Thus all movements of the submarine over the earth's surface, whether due to waves, currents, tides, or other influence, are sensed and recorded by SINS. Periodic checks on the performance of the SINS can be made using the navigation methods referred to in the answer to question 5, below.

In order to aline a ballistic missile, the launch position must be directly and accurately relatable to the same geodetic datum as the one by which the target's position on earth is identified. In calculating the missile trajectory, the datum plane need not be the same as that of the target, at least in the Polaris system, because altitude differences between the launch platform and the target are compensated through the fire control system.

3. Question. Am I correct in the information I have that a gyrocompass navigational system degrades substantially when the submarine is deployed in areas above 70° latitude? If this is true, the North Atlantic does not constitute an ideal launching area not only because of ice but because of guidance problems.

Answer. The performance of any and all inertial navigation and guidance systems is degraded somewhat when operated in the polar areas. This applies to inertially guided missiles launched from, or in powered flight in, polar areas as well as to inertial navigation systems operated in the vicinity of the poles. The sea areas above 70° north latitude are the Arctic Ocean and the Greenland and Barents Seas. The North Atlantic Ocean and the Norwegian Sea are excellent areas for launching Polaris.

In the Polaris navigation system, the degradation in performance of inertial components at the poles is compensated for by a combination of methods. These include altering the mode of operations of the SINS and placing greater reliance on other means of navigation.

4. Question. If these questions have not all been solved, or if they have been solved and have not been tested under operational conditions, do you believe it is wise to build a great number of these submarines until those problems are solved and their solutions tested under operational conditions?

Answer. There has never been any question of whether the technical problems in the FBM system development could be solved. The only question outstanding over 2 years ago, when sputnik was launched, was when could they be solved. At that time, this calculated risk was accepted and the system development was accelerated. Exhaustive test results over 2 years' intensive development give full confidence of meeting the goal of achieving an operational capability this fall, and justifying the decision of 2 years ago. With the technical status in such good shape today, there can be no question as to the technical validity of authorizing construction of ships which would become operational 3 years hence.

The recent underwater launch and ignition of the missile and two successful tests of the fully integrated weapon system in an "at sea" environment from the test ship U.S.S. *Observation Island* are further evidence of the continuing progress of the Polaris program under operational conditions. The decision as to the ultimate number of Polaris submarines, or other missile weapon systems currently being developed, has not been made. The final force levels will depend on many factors. The factor of survivability will be one of great importance. Weapon systems which are characterized by unfettered mobility and concealment will be receiving more emphasis in the development of our future weapon systems.

5. Question. If the Polaris submarine must utilize a fixed predesignated, presurveyed underwater point as a part of its initial positioning process, will it not be possible for the Soviets to locate those underwater positions and destroy our submarines either by mining the locations or by using antisubmarine submarines?

Answer. The SSB(N) is not constrained to used a fixed, predesignated underwater point for ascertaining its position. They will be continuously on the move in the vast operating area mentioned above. Moving quietly at low speed, in random fashion, at depths and in areas unfavorable for sonar search, their operations, coordinated with other naval forces by men with years of experience in operating ships, SSB(N)'s will present to a potential enemy a dynamic situation wherein a surprise attack by any means on the great majority of these forces is virtually impossible.

As mentioned above, the precise position of a Polaris submarine is provided by the ships inertial navigation system (Sins). In addition, accurate navigational fixes can be obtained by optical observation of celestial bodies, by radio observation of sun and moon, by electromagnetic navigation systems and, ultimately, by navigational satellites. As the oceanographic community develops charts of the ocean floor, SSB(N)'s will use such information in the same fashion as all ships have used fathometers for many years as a tool to assist the navigator.

In answer to the question that the Polaris operating areas might be mined by the Soviets, there is little reason for concern since the depths of water in these areas make mining infeasible.

6. Question. If we assume that the Soviets have the same technical competence in underwater detection that we have, will it not be possible for the Soviets to locate our Polaris submarines and destroy them?

Answer. In order to give you an appreciation of the ASW problem with which the Soviets will be faced, all one need do is select a target situated in the Moscow, Riga, or Leningrad area and swing a 1,500-mile arc. It will then be seen that, in the Norwegian Sea alone, the submarines have a vast three dimensional area of over 300,000 square miles in which to operate.

There are good indications that the Soviet ASW capability is far less than our own. Therefore, comparisons made on the basis of an equal capability are misleading. In any case, such a comparison would have to include the facts of geography. The Soviets lack a friendly coastline contiguous to the SSB(N) operating areas. This denies them access to shore controlled devices and severely degrades their capability to mount an effective air search without over-flying neutral territory. They would therefore be forced to rely upon surface ships or submarines. The surface ship, with active sonar, searching the extent of a vast ocean area is easily avoided by an SSB(N) who can hear from the active sonar many times farther than its effective range. The SSB(N) proceeding quietly at depths and in areas unfavorable for sonar search, is nearly an impossible target for other submarines to find.

7. Question. Inasmuch as the Polaris is programed for a range of 1,500 miles, does not that limit the areas from which our submarines can launch a useful attack against the Soviet mainland to the Norwegian and mediterranean areas?

My concern here is that during peacetime the Soviets can isolate the areas from which the Polaris can effectively operate, can thoroughly explore those areas for the purpose of determining our possible launch points, and keep those areas under complete surveillance with every type of detection system with which our own scientists are familiar. The present size of the Soviet underwater fleet suggests that the Soviets could practically saturate the limited areas from which the Polaris can operate with antisubmarine submarines and with the attendant detection systems on the sea, under the sea, and in the air. This is what leads me to raise the question as to whether or not the Polaris has the invulnerable characteristic which has been credited to it in information given to the general public. This also raises the question of what will be our response if some of our subs are destroyed and whether it is prudent to expose ourselves in this manner.

Apparently my concern about Soviet tactics in destroying our submarines one by one during so-called peacetime is shared by Admiral Burke because he recently indicated in the Holifield Subcommittee on Military Operations that the Soviet ASW capability could force him to withdraw his submarines to more friendly waters. What bothers me here is that by doing so, they would be deprived of timely response of our strategic systems.

Answer. An SSB(N) armed with a 1,500-mile missile can launch a useful attack on targets in the Soviet mainland anywhere from more than three-fourths million square miles of the North Atlantic (including the Norwegian and other seas), and from virtually anywhere in the Mediterranean. In addition many hundreds of thousands of square miles in the Indian Ocean and Pacific sea areas can also be used to launch attacks against Soviet targets. The destruction of quiet SSB(N)'s in such vast ocean expanses with other submarines is a nearly impossible task. To maintain the well recognized clear lead the United States has in the area of submarine-launched missiles, and to maintain the inherent survivability advantages of this system in the face of any threat, the Navy plans to have by 1965 a Polaris missile, usable in the submarines now under construction, whose maximum range will be about 2,500 nautical miles. So equipped, our Polaris submarines will be able to attack, if required, all known Soviet targets from almost anywhere in some 60 percent of the sea areas of the Northern Hemisphere.

A review of the verbatim testimony before the Holifield committee on March 31, 1960, reveals that the concern which you have expressed over the so-called peacetime operations of the Polaris submarine is not shared

by Admiral Burke. Admiral Burke's statements on possible methods of SSB(N) operation that could be undertaken were in answer to Congressman KILGORE's question which was directed to limited war rather than peacetime operations. Admiral Burke was merely indicating the range of choices available to the operational commander because of the mobility of the Polaris submarines. In a limited war, the overall international situation, the geographical area involved, the general strategic and operational situations would dictate the deployment of all of our forces, including Polaris submarines. It is safe to say, however, that in a limited war the potential threat of deployed Polaris submarines is one factor which is likely to keep the war from becoming general.

In addition to the foregoing enumerated questions you requested information with regard to the comparative costs of Polaris and Minuteman. In comparing the costs of Polaris and Minuteman, it must be borne in mind that the Minuteman missile is roughly a Polaris with a third stage added and with certain additional refinements to enable it to travel a greater distance. From an overall system point of view, a meaningful cost comparison is valid only when the total amortized life of the system is considered in relation to the changing threat over the expected life of the system. Additionally, in computing cost it must be remembered that in systems with high survivability rates the total number of missiles required in our national inventory is less than with more vulnerable systems in order to insure that the requisite number survive.

However, in order to make valid direct cost comparisons between these two systems, detailed total weapon system costs for Polaris and both the fixed and movable Minuteman applications are required. This information is presently being compiled in response to a request from Congressman HOLIFIELD for the use of himself and his committee in comparing the costs of the two systems.

---

## FARM SURPLUS REDUCTION ACT OF 1960

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas [Mr. THORNBERRY].

Mr. THORNBERRY. Mr. Speaker, I yield myself such time as I may consume, after which I will yield 30 minutes to the gentlemen from Illinois [Mr. ALLEN].

Mr. Speaker, as a reading of House Resolution 564 has shown, it provides for consideration of H.R. 12261, a bill to amend the Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, with respect to market adjustment and price-support programs for wheat and feed grains, to provide a high-protein food distribution program, and for other purposes.

The resolution provides for an open rule, with 2 hours general debate. I think it fair to say to the Members of the House that the bill is a controversial one and one which should be considered by the Committee of the Whole very carefully, if the rule is granted.

The bill consists of three titles. The first deals exclusively with wheat and will offer wheat producers a choice between two entirely different wheat programs. Program A entails tight production controls, a reduction of 25 percent in wheat acreage, price supports at 85 percent of parity, and payment in kind for retired cropland.

This bill is similar to a bill which was passed in the House and in the other body and which was vetoed by the President.

Program B involves unrestricted wheat production with price supports at approximately the feed grain level, and a 3-year extension of the soil bank conservation reserve. This is the program presented by the American Farm Bureau.

Title II deals solely with feed grain. This title is enabling legislation which will authorize and provide the machinery and the guideposts for feed grain producers to work out their own production and price stabilization program and present it for ratification by the Congress.

Title III is designed to increase substantially the quantity of dairy, poultry, and meat products distributed to the needy, to institutions, and through the school lunch program. It would be carried out under the direction of the Secretary of Health, Education, and Welfare through the facilities of the Commodity Credit Corporation and in such manner as to assist the price support and stabilization programs authorized in the first two titles of the bill.

The cost of administration would be charged to the Department of Health, Education, and Welfare rather than to the Department of Agriculture.

As I stated at the outset, wheat legislation is always controversial. There will be those who will say that no bill at all should be passed. There will be others who will say that they would prefer some other program. What I feel the people of the country are insisting on is that the Congress act in time to reduce the tremendous cost for the storage of wheat, to somehow or other reduce this great surplus we have. The only way I know for the House to act in time is to adopt the rule, to consider whatever amendments are offered to the bill in the hope that we can bring out a fair and satisfactory program for the support of wheat and the other commodities which are contained in this bill, and which will afford the farmers of America their fair share of the economy with a minimum of restrictions and without imposing a burden on the taxpayers of the Nation.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Texas has consumed 4 minutes.

The gentleman from Illinois is recognized.

Mr. ALLEN. Mr. Speaker, I yield myself such time as I may require.

Mr. ALLEN. Mr. Speaker, the other body has passed a wheat bill. This legislation being called up under an open rule, permits the Senate bill to be offered as an amendment in lieu of this bill. As far as I have been able to understand, the Senate bill follows the general guidelines suggested by the President of the United States. Why under these conditions and circumstances we should be considering this most complicated and controversial bill at this time when we are so near adjournment instead of accepting the Senate bill I really cannot understand.

The Senate bill takes care of the little wheat farmer where this bill is designed and intended to take care of those who raise hundreds and hundreds of acres of wheat. I hope therefore that when the Senate bill is offered as a substitute for the House bill it will receive the approval of this body.

Mr. Speaker, I cannot understand who is for this bill that is before us. The American Farm Bureau, the greatest, the largest farm organization in the United States, wrote me the following letter:

WASHINGTON, D.C., *June 20, 1960.*

Hon. LEO E. ALLEN,
*U.S. House of Representatives,*
*Washington, D.C.*

DEAR CONGRESSMAN ALLEN: We recognize that you are very busy during these closing days of the 86th Congress; however, we hope you will take time to read the attached statement regarding the Poage bill, H.R. 12261.

There can be little question about the need for corrective legislation to deal effectively with the wheat problem. However, the Poage bill moves in a direction that will further aggravate the situation.

The provisions of this legislation are unsound. It not only fails to solve the wheat problem but also threatens to create new problems for the producers of feed grains, livestock, dairy, and poultry products.

We urge (1) that you vote aganist the rule for consideration of this measure; (2) should the House vote to consider this bill, we recommend the elimination of all provisions except subtitle B. (See last paragraph of attached memorandum.)

No plan will solve the basic problem or serve the long-run interests of farmers, including wheat and feed grain farmers, unless it encourages market expansion, reduces incentives for the production of unneeded supplies, minimizes economic hardships on wheat growers, and avoids shifting the burden of adjustment to other farmers.

Sincerely yours,

CHARLES B. SHUMAN,
*President.*

There is no question as to the need for constructive action to deal with the wheat surplus problem. Instead of providing a long overdue solution to this problem, H.R. 12261 is the sort of "political poultice" to which President Eisenhower made reference in his farm message to the Congress earlier this year.

No more revealing point can be made in this regard than the metamorphosis of this bill itself. At first it was titled the "Family Farm Income Act of 1960." In the first major revision of it the word "Income" significantly was deleted. In the second major revision the phrase "Family Farm" was dropped from the title and it now is known as the "Farm Surplus Reduction Act of 1960." First the "Income" was dropped out of it and then the "Family Farm" was dropped out.

If what remains would in fact reduce farm surpluses in a workable manner, it would be worthy of consideration by this body; however, it does not even do that.

This bill would not deal effectively with the wheat surplus problem. It is a political dodge of the first order. Instead of dealing responsibly with the problem it provides for a loaded referendum. I say "loaded" because an effort is made to bribe producers into choosing the high support and control

program by means of a 55-percent payment-in-kind provision.

Furthermore, so far as the proposed referendum is concerned, most of the wheat growers would be disenfranchised. The Revolutionary War was fought over the question of taxation without representation. It is difficult to comprehend how a voting procedure that disenfranchises 60 percent of the wheat growers can be defended.

This bill would allow the whole future of the conservation reserve program which affects all farmers—and nonfarmers as well—to be decided by a minority of the producers of one commodity.

The proposed payment-in-kind rates are at least twice as high as the rates paid under the conservation reserve program to farmers throughout the country. It is difficult to comprehend how this kind of discrimination among farmers can be defended. I would not want to try to defend it in my district.

The increase in support level provided under alternative A is unsound. On the basis of the present parity price an increase in the support level from 75 percent to 85 percent of parity would increase export program costs 24 cents for every bushel exported. With exports currently running around 475 million bushels per year, this would mean an increase of $114 million in the cost of export programs.

Alternative B in title I has some real merit; however, as the bill is drafted it is doubtful if it could become operative.

Not only does H.R. 12261 not solve the wheat problem, it creates new problems for producers of other commodities.

The authorization provided in title II is sort of a hybrid between the infamous Brannan plan and the old Blue Eagle—NRA.

The prohibition against use of commodity loans and the express authorization to use alternative income stabilization methods means to me they are trying to grease the skids for a Brannan plan type program.

You will recall what the Supreme Court said about this sort of delegation of congressional authority. The Court held as follows:

> Congress cannot constitutionally delegate its legislative authority to trade or industrial associations or groups so as to empower them to enact laws they deem to be wise and beneficent for the rehabilitation and expansion of their trade or industries, and such delegation cannot be validated by a legislative preface of generalities as to permissible aims. (*A. L. A. Schechter Poultry Corporation* v. *U.S.* (N.Y. 1935, 55 S. Ct. 837, 295 U.S. 495, 79 L. ed. 1570, 97 A. L. R. 947).)

Legislation authorizing marketing quotas for corn was in effect from 1938 to 1958. In this 20-year period five different Secretaries of Agriculture consistently avoided proclaiming marketing quotas for corn even though this occasionally required the use of a sharp pencil in figuring supplies and disappearances.

Also the food distribution plan provided by title III is unnecessary and unsound.

H.R. 12261 does not provide a satisfactory basis for House consideration of wheat legislation. As that old, old story goes, "You can't get there from here."

What is needed is for the House Agriculture Committee to come up with a constructive solution to the wheat problem—one which is designed to find an economic solution to this problem—one that has a chance of being enacted into law.

This bill should be opposed because:

First. It calls for a system of doles and controls.

Second. It is even more costly than the present program.

Third. It destroys the influence of the family farm in American agriculture.

Fourth. No hearings were held on the bill. It is substantially different from two previous versions which failed to get committee support.

Fifth. It provides for unsound and unnecessary alterations in the present successful surplus food distribution plan for needy people.

The bill consists of three titles—"Wheat," "Feed Grains," and "Food Distribution."

TITLE I—WHEAT

The wheat title is unacceptable because:

First. It does not let the small wheat-grower vote in the first referendum.

Second. It would increase the already high cost of the wheat program by $100 million or more a year.

Third. It goes contrary to the President's recommendations by both increasing export subsidy and the financial incentive to maximize yields per acre.

Fourth. Diverted acres tend to increase production of nonsupported crops and cause new problems to growers of vegetables and many other crops.

Fifth. Relatively few wheat farmers would determine the fate of the conservation reserve program for all farmers. The payments for the conservation reserve are excessive.

TITLE II—FEED GRAINS

The feed grain provisions of this bill are unsound because:

First. Congress would abdicate its responsibility to a nongovernmental committee which would have authority to impose controls and withdraw from the U.S. Treasury up to $600 million for a feed grain program. In the absence of congressional disapproval within 30 days, such a program would become law.

Second. This unprecedented scheme of lawmaking might encourage Treasury-raiding opportunities for other groups in and out of agriculture.

Third. The costly referendum plan would discriminate against the small farmer by limiting the voting to growers of $500 or more annually.

Fourth. Provision is made to adopt the discredited direct payment Brannan plan.

Fifth. Funds for this plan would not be subject to the regular appropriation process. No limitation is placed on the amount any one individual could receive.

Sixth. The high price of the grain would cause export problems, increase export subsidies, and undermine current efforts to liberalize trade.

TITLE III—FOOD DISTRIBUTION

The section pertaining to the distribution of protein food is unworkable because:

First. It would put HEW in the agriculture business for which it has no experience, and would duplicate and complicate the functions of USDA.

Second. Having made it difficult for low-income people to buy food, the Government would then donate these foods free to the needy.

Third. It takes responsibility for caring for the needy from local and State authorities where it belongs and recklessly expands welfare assistance in the hands of Federal authorities.

In conclusion, Mr. Speaker, may I say that personally I am not going to fight the rule or ask for a rollcall. There are Members who know more about agriculture than I do, and they should be heard. After you hear them I am convinced that the majority of you will vote to substitute the Senate bill. While that bill is far from being a sound and practical bill it is far superior to the one being considered today.

Mr. CHIPERFIELD. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield to the gentleman from Illinois.

Mr. CHIPERFIELD. Mr. Speaker, farm production has been running from 4 to 8 percent above the volume that can be moved into domestic consumption and export under existing programs.

The resulting accumulation of surplus stocks has depressed market prices for current production and imposed a heavy cost on the public Treasury.

This situation must be corrected if farmers are to have the opportunity to earn and get high per family net incomes.

The fundamental thing that must be done to bring farm production into balance with market needs, is to stop supporting prices at levels that encourage unneeded production. Enactment of the Agricultural Act of 1958 was a significant step toward more realistic price support levels for cotton, rice, corn, and other coarse grains.

Experience with past programs clearly indicates the difficulty of controlling production by taking acreage out of production in the face of price guarantees that provide an incentive for increased production. The chief lesson to be learned from past experience with acreage retirement and control programs, is that the provisions of all programs affecting production must be consistent with our production objectives—if such objectives are to be achieved.

A properly administered conservation reserve, of adequate size, could greatly facilitate the adjustments that are needed to bring production into balance with market needs—but only if the effects of withdrawing land from production are not offset by price support levels that provide an incentive for increased production.

As a temporary measure to help farmers in adjusting production to current needs, I favor a properly designed and

administered conservation reserve program which, first, retires land that otherwise would be devoted to crops; second, keeps land out of production for a long term of years; third, prohibits harvesting or grazing of land under the program; fourth, encourages farmers to put entire farms in the reserve; and fifth, secures sufficient participation to reduce production substantially, bringing total agricultural production into balance with domestic and foreign market demand.

Land is only one of several factors that affect agricultural production, but it is a very important factor.

The 1954 Census of Agriculture indicates that we have a total of 459.6 million acres of cropland. In 1959, 22.4 million acres, or 4.9 percent of our total cropland, were held out of production under the conservation reserve program. The 1960 conservation reserve program will withhold 28 million acres, or 6.1 percent of total cropland. Because of the relatively low rental rates paid under the conservation reserve program, much of the land currently in the reserve is marginal land with a low level of productivity. As better land is retired through the progressive expansion of the program, the effects on production will be materially increased.

I recommend extension of the USDA's authority to enter into new conservation reserve contracts for 3 years with adequate funds to increase the reserve acreage at a rate of 5 million acres per year to a total of 43 million acres in 1963.

I estimate that these recommendations for expansion of the regular conservation reserve would require that the appropriation for rental payments be increased at a rate of $65 million per year for 3 years—that is, from $335 million for 1960 to $400 million for 1961, $465 million for 1962, and $530 million for 1963.

In addition, as an integral part of the legislation for wheat, subtitle B of title I would raise the total amount of land in the conservation reserve from the 43 million acres proposed above to 60 million acres at the end of 3 years. At least half of this proposed additional authorization of 17 million acres signed up the first year to cushion the adjustment to the proposed new wheat program.

The net effect of these recommendations on the size of the conservation reserve program would be about as follows:

[In millions]

| Year | Proposed acres in regular program | Additional acres under wheat bill | Total acres in reserve |
|---|---|---|---|
| 1960 | 28 | | 28 |
| 1961 | 33 | 9 | 42 |
| 1962 | 38 | 13 | 51 |
| 1963 | 43 | 17 | 60 |

By dividing the recommendations for expansion of the conservation reserve, I recognize that, first, the present conservation reserve is performing a valuable function in helping individuals make needed adjustments—particularly where whole farms are being placed in the reserve, and where marginal land is being diverted from crops to grass or trees; and second, the conservation reserve cannot make a maximum contribution to the solution of the wheat problem unless accompanied by a major overhaul of the existing wheat program.

Mr. THORNBERRY. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, I was happy to learn that the minority member of the Rules Committee did not advocate defeating this rule. We have heard some rumors this morning that there was a move on to defeat the rule. I am not going to speak about the bill itself today but I am going to address myself to the adoption of the rule to consider a farm bill which many of us feel would make a great contribution toward solving the farm problem.

Those who might want to evade their responsibility and take the easy way out would probably vote against adopting this rule in an effort to try to wash their hands of any responsibility for dealing with what is unquestionably the greatest domestic problem we have today, one that is affecting our economy the most.

In my opinion, it would be impossible for our committee or any group consisting of even three people to sit down and agree on a farm bill that met every objective they would like to see met. We had considerable difficulty in our committee but I will say that during the almost 10 years I have been a member of the Committee on Agriculture I have never seen a more dedicated effort to try to arrive at a solution of this problem than was exerted by the members of the committee in reference to this bill.

Again I am not going to tell you that this is the perfect answer to the farm problem. It is not. It does attack some of the problems.

I do want to mention one thing, however. The gentleman from Illinois spoke about the Senate bill and suggested that it be adopted as it pertains to wheat.

Now, Mr. Speaker, that is one of the very reasons why I think this rule should be adopted. Only by adopting the rule here today do we have any assurance that the Senate bill, which deals with wheat, can even be considered here in the House. I think that I know something of the ideas and the opinions and the feelings of the members of the House Committee on Agriculture, and I think I am correct in saying that the Senate bill, if it is considered by our committee, will not be reported out. So, if you want to act on this Senate bill, you should adopt this rule here today.

Now, the gentleman from Illinois made another statement that I do not agree with. He mentioned the fact that all three of the large farm organizations were opposed to the bill. I do not agree with that, and I do not think the record will bear it out. The Farm Bureau is against the bill. Our committee—at least the majority of us—has found that they have been opposed to any of the solutions which the majority party has advocated. I think everyone understands that. Furthermore, I think some of the people on my left do not agree with the Farm Bureau's stand. When the gentleman mentioned that the Grange was opposed to this bill, I would question that. My information is that the Grange has said that they have taken a neutral attitude. As regards the Farmers Union, I think I can state correctly that the authorized representatives of that great organization have told the members of our committee that they favored this bill as it is written.

But, again, what I am trying to bring to the attention of the Members here today, my friends, is this: If you are interested in doing something for the farm problem, you will vote for this rule. It is an open rule. It will give an opportunity for you to strike from the bill anything that you do not like. It will give an opportunity for the gentleman from Minnesota, the gentleman from Kansas, or Representatives from every other area of the country an opportunity to offer any solutions that they have, and let the House work its will. The thing I want to impress upon you today, especially those who might be inclined to vote against this rule, is this: It is the only chance that you are going to have before the Congress adjourns to do something for the farmer, and if you vote against this rule, you are going to say in effect that you do not want to do anything for the farmer.

Mr. ALLEN. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, when this bill was originally before the Committee on Rules, I was very much in hopes that we might be able to report some other measure relating to the national farm problem that would be more satisfactory to the House, to the Congress, and to the administration. But, now we have only this particular bill before us.

As has been said by the previous speakers, there is no question but that we do have a great and real farm problem confronting us here in the United States. We have great farm surpluses, primarily in wheat.

This bill, of course, was presented to the Committee on Rules with the agreement by its proponents that it was a solution for our present farm problem, and especially so, as far as the great wheat surplus we have with us here in this country.

Mr. Speaker, as I studied this bill in the Committee on Rules and heard the arguments for and against it, I became convinced in my own mind this piece of legislation, as it will be presented under this rule, is not the answer to the agricultural or farm problems which confront us. I realize fully we have to do something; that we should do something here and now to meet the costly and great wheat surplus that is plaguing the Nation, and has plagued the American people for so many years. However, this may be the only opportunity we will have to consider amendments and changes in the present farm laws. In my opinion, this bill does not, in itself, solve any of the problems or answer any of the questions which trouble the Nation. It will not reduce costs to the Government.

It will not reduce, in any substantial degree, the production of wheat. Instead it will work to the benefit of the large wheat farmer, and to the detriment of the small family-owned farm, and the little wheat producer of the country.

I am especially interested in the fact that this bill will do nothing for the Midwest producer of wheat, except injure him, and especially so as to farmers in the States east of the Mississippi where we produce only soft winter wheat which is not in surplus, never has been in surplus, and should not come under any Government controls.

I feel also that the small grain section of this bill would be of great detriment to the farmer on the family-sized farm of the Midwest. After all, if you look at this bill carefully, I feel you will agree with me that we must amend it greatly if we are going to have any kind of workable farm legislation come out of this Congress.

In my opinion, while it is not perfect by any means, the farm bill passed recently by the Senate would be less costly, more workable, and a better measure than the one that was presented to us here by the House Committee on Agriculture.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. AVERY. In view of the gentleman's long experience as a member of the Committee on Rules, I wonder if he can enlighten us on this point. The gentleman from Missouri [Mr. JONES] who preceded the gentleman from Ohio [Mr. BROWN] made the statement, I believe, that this would be the last chance the House would have to work its will on farm legislation during this session. That does not necessarily follow, does it?

Mr. BROWN of Ohio. No. I cannot speak for other members of the Committee on Rules, but my judgment of the membership of that committee is this; that the committee would quickly report to the floor of the House any legislation the committee believes would be of any help in solving these important farm problems.

Mr. AVERY. Mr. Speaker, will the gentleman yield further?

Mr. BROWN of Ohio. I yield.

Mr. AVERY. It is my recollection that in 1958 we had a labor bill that came over from the other body, lay on the Speaker's desk, and was taken up under suspension of the rules. Would it not be possible for this Senate bill to which the gentleman referred to be taken up later on under that procedure?

Mr. BROWN of Ohio. Certainly; it could be called up at any time under that procedure.

Mr. Speaker, in conclusion let me say this. If you will study the pending bill, which this rule makes in order, you will find about 70 percent of the small wheat producers of this country will have nothing whatsoever to say as to what sort of program or plan they will come under. Instead, the control of wheat planting will rest with the large wheat producers of the country. A great many Members of this House come from States, like my own State of Ohio, where wheat is grown not as a money crop, but primarily as a rotation crop, or as a cover crop, and where our soft winter wheat is not in surplus supply. Instead of permitting these little farmers to do as they have been doing, even under a bad law, they will be crucified, under this bill, by the big wheat operator of the far West, and the small grain producers of the same areas.

Mr. Speaker, I certainly hope this bill will be considered carefully, and that the much needed amendments that will be offered to it will be given every proper consideration.

Mr. THORNBERRY. Mr. Speaker, I yield such time as he may desire to the gentleman from Nebraska [Mr. McGINLEY].

Mr. McGINLEY. Mr. Speaker, I rise in support of adopting the rule on H.R. 12261.

I am privileged to represent a district which includes some of the finest wheatlands in America. Despite the ingenuity of our applied science in attaining such a high degree of efficiency in farm production—and, ironically because of the impact of such advances—the American farmer, and particularly the wheat farmer of the Western Plains States is faced with a very dismal economic picture, both presently and in the future.

H.R. 12261, very likely, has some defects, and there are parts of it that are not completely favored by me. However, I think that it must be passed in order to indicate our sense of responsibility to the farmers of the Nation. At best, however, it should be considered as only a temporary measure, to try to maintain the income of the farmer at the present level—which is admittedly low—for at least 1 year, or possibly a little longer until we can formulate more comprehensive legislation for the long term ahead. The 85–25–55 combination in the House committee bill would do just about that—to maintain the present level on prices. But on this portion of the measure there is no room for compromise. It is the limit to which we can fairly ask the farmer to go in cutting production and price.

It is important, too, in the fact that it presents to the wheat farmers of the country a clear choice of alternatives in a type of program for them to live under for the next few years. It presents a much clearer and more meaningful choice, both in effects and in principle, than was available in the corn referendum 2 years ago. They will have a choice of a higher support and more strictly controlled program, with the purpose of eliminating our huge surplus stores—and a program offering wide-open production and lower and lower price supports, with no hope of cutting down the damaging surplus effectively for the relief of the taxpayer, who is now rightfully screaming about the high cost of our farm programs with the large storage costs that are being carried.

Although it is within the province of Congress to legislate a definite program, without a referendum, I recognize that in such a controversial subject where the farm groups themselves are not united completely in a single approach, it is difficult for Congress to pass a definite farm program. Therefore, since it is unlikely that the matter can quickly be decided by the politicians—and I use the term respectfully—I think we should offer some determination to the farmers themselves.

May I say that I do not believe that H.R. 12261 represents the best proposal that has been submitted to Congress. I still look for the day when the proposal embodied in H.R. 11018 which I have introduced along with many other of my colleagues from both political parties, will be accepted. It is a refinement of the so-called domestic parity plan which has been presented to Congress before. In fact, it has sound roots in principle back to the 1920's in the McNary-Haugen bill that was presented then, offering a two-price system, one level for domestic purposes, and another level for foreign export trade in the world market. It also offers the benefit of a marketing quota of bushels of wheat as the method of allotting a share of marketable wheat to the farmer. This system would be in lieu of the present system of trying to control production by means of acreage allotments. Everyone must admit that with the advances of science and improvements in fertilizing and cultivating methods, that the acreage-allotment control system has not effectively controlled our production. The result is that the present farm program has been marked as the "cause" of the agricultural crisis we now have with us.

H.R. 11018 and companion bills would allow the farmer the freedom to plant all the wheat he wanted to raise and to use it in any manner he wanted and sell it as he wanted—except that portion of his bushel allotment which would go for primary use. Yankus could come home.

This bill, sponsored by the National Wheatgrowers Association, The National Farmers Union, and the National Grange was listened to with interest in the Committee on Agriculture. The proponents were praised for their industry in presenting a fair measure. I understand, however, that it was not considered by the committee as a vehicle for current floor consideration, first because the essentials of it have previously been approved by the Congress and subsequently vetoed by the President, and secondly because some said it was too complicated.

The latter I disagree with. I express my regrets that this measure has not been reported to us as the Wheat Act of 1960.

Having said that, and having the highest respect for the members of the Committee on Agriculture and understanding somewhat their problems in this field of lawmaking, I am ready to accept the House committee bill.

Next it is most important that we do not give our approval to any amendments to the committee bill which would substitute the unfortunate Senate bill, embodying a 75–20–50 formula. This would be ruinous to the income potential of our wheat farmers, and an adequate reduction of surplus would still not be

accomplished. I urge my colleagues to vote for the rule and to support the committee bill as the best offering that can be presented to the American public in the last days of the 86th session of Congress, and one that will mark a substantial advance in our overall agricultural situation.

Mr. THORNBERRY. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. JOHNSON].

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. JOHNSON of Colorado. Mr. Speaker, I rise in support of H.R. 12261. I would like to take this time to reduce the issues involved in the debate over wheat policy to terms which can be understood immediately by every citizen, and especially by every housewife. When we talk in terms of parity and dollars and cents per bushel we are talking of what are essentially abstract sums.

I hold in my hand a plastic bag containing the amount of wheat needed to make the flour that goes into a loaf of bread. This sack contains 14.3 ounces of wheat. The farmer who grew this wheat—which, incidentally, was contributed by the National Association of Wheat Growers, and is prize-winning Nebraska wheat—got 2.3 cents for the flour value of this wheat. Yet this loaf of bread which I purchased at a nearby store sells typically for 20 or 21 cents. The wheat flour is the major component of the loaf of bread.

There was a time, in 1947, when the farmer would have gotten 2.7 cents for this wheat flour, and you could have bought a loaf of bread for 14 cents, in any store. While the price of wheat has gone down, the price of bread has gone up. If H.R. 12261 is enacted, the farmer next year might hope, depending on which option the farmers choose, to receive 2.6 cents, or an additional 3 mills for the flour that goes into a loaf of bread.

He also gets an extra 3 mills from the mill feed value left, after the flour is extracted from the wheat, and contained in the bran and wheat germ. It is obvious that the housewife is paying enough for food to give the farmer a fair price for it. What is not so obvious is that this price is not fair.

I placed in the CONGRESSIONAL RECORD on March 19 last year an analysis showing that a competent Colorado wheat farmer, with an investment of $175,000, is lucky to make a modest wage for his labor, and he gets nothing from his investment. Or if you could assume that his labor is for free, he is getting only 3 percent on his investment. The farmer is entitled to a fair return on both his labor and on his capital just as is any other worker or businessman, and the farmer is both. It is also alleged that if we would simply cut support prices the farmer would stop producing surpluses. This ignores the practical fact of the farmer's life. He has high fixed costs in taxes and insurance, for support for himself and his family, for seed, fuel, and maintenance of his equipment, all of which must be met regardless of the price. Every time the price per unit is reduced the farmer is driven to increase his output so as to try to maintain his gross income and keep from bankruptcy.

It is also argued that there are too many farmers and too many acres in production, and the theory seems to be that if the Nation would force farmers out of farming this would reduce surpluses. But the wheat is produced on acres, and as farm sales occur—and the number of farm sales is rising—this acreage is taken over by other farmers seeking to use their equipment more efficiently and to increase their wheat base acreage, and the result is that the land is farmed at least as efficiently by the next operator as by the present one. Reducing the number of farmers will do nothing to take acreage out of production.

Fortunately the passage of H.R. 12261 will greatly cut into the surpluses because it will reduce acreage by 25 percent. Reducing acreage does not reduce the farmer's costs proportionately. His fixed costs continue. He has only a modest saving on feed and fuel. Consequently it is essential if our wheat farmers are not to be driven into bankruptcy to raise the parity support level, as H.R. 12261 proposes to do, so that the farmer maintains the same gross income. This will still be a saving to the taxpayers because the 25-percent cut in acreage will have an almost proportional cut in output. It will bring next year's crop below our current utilization, and then draw down the surplus.

I am sending every Member of the House a detailed analysis of a typical wheat farm investment, income, and expense sheet, and an explanation of the relationship between urban and rural economics, together with an explanation of the bill. Before we vote on this bill tomorrow I urge every Member to review these materials. I include them at this point in the RECORD:

COST AND PROFIT ANALYSIS FOR A TYPICAL COLORADO DRYLAND WHEAT FARMER

Here is an example of actual income and actual costs. It is based upon experience of a farm, consisting of 960 acres of good farmland, in the hard-wheat section of northeastern Colorado. This is an owner operated unit, using modern equipment.

The operator is in compliance with the ASC program, planting his allotted acres to wheat and his excess acres to barley.

The operator combines all of his grain, but hires barley windrowed. He hires extra trucks during harvest. He does all of his own work, except that he hires one extra man during harvest.

He does nearly all of his own repair work and utilizes some work of children during summer. He does his own tax and accounting work.

Of the 960 acres, 480 acres are in summer fallow, and 480 acres are in cropland. He has a 300 acre wheat allotment and has 180 acres in barley. He is currently earning 75 percent of parity (or some $1.60 per bushel—farm stored). He is getting 20 bushels to the acre.

On his 300-acre allotment, at 20 bushels per acre, he is producing 6,000 bushels of wheat a year. At $1.60 a bushel, his gross sales in wheat amount to $9,600.

The farmer also has 180 acres available for other crops. He is getting 30 bushels of barley per acre. He is producing 5,400 bushels and selling them at 80 cents per bushel, so his barley earnings amount to $4,320.

Total gross earnings, $13,920.

As with any businessman, this farmer has a heavy investment and is faced with operating costs.

| | |
|---|---|
| INVESTMENT IN REAL ESTATE AND EQUIPMENT | |
| 960 acres land at $150 per acre | $144,000.00 |
| Tractor | 5,300.00 |
| Combine | 8,300.00 |
| One-way | 1,000.00 |
| 2 rod weeders | 600.00 |
| 1 chisel | 1,000.00 |
| 2 grain drills | 1,600.00 |
| 1 truck with hoist | 4,000.00 |
| 1 pickup truck (used) | 1,000.00 |
| Shop equipment | 1,000.00 |
| Shop and storage building | 9,000.00 |
| One-half of automobile ($3,000) | 1,500.00 |
| Total investment | 178,300.00 |
| (6 percent interest on investment, $10,698.) | |
| OPERATING EXPENSES | |
| Taxes | 1,518.00 |
| Labor | 200.00 |
| Seed | 700.00 |
| Supplies purchased | 200.00 |
| Repairs and maintenance | 750.00 |
| Gas, diesel fuel, oil and grease | 1,212.80 |
| Insurance | 159.85 |
| Electricity and telephone | 150.00 |
| Trucking | 456.00 |
| Automobile upkeep (farm share) | 100.00 |
| Repairs to wells and buildings | 50.00 |
| Miscellaneous | 25.00 |
| Total operating expense | 5,521.65 |
| DEPRECIATION | |
| Farm equipment, $25,300 at 10-year life | 2,530.00 |
| Shop and storage building $9,000, 30 years | 300.00 |
| Total depreciation | 2,830.00 |
| Total operating expense | 5,521.65 |
| Total operating expense and depreciation | 8,351.65 |
| Total gross income | 13,920.00 |
| Total operating expense and depreciation | 8,351.65 |
| Net operating income | 5,568.35 |

NOTE.—This is the amount the operator has for his management and labor, for his living for himself and family, to pay income tax, personal tax, car expense, etc., and for interest on his investment.

If you allow nothing for his labor, and the costs of subsistence, his return is only 3.12 percent on his investment, $5,568.35, divided by his investment of $178,300, equals 3.12 percent.

Assuming the labor of the owner is worth $5,500 to manage and operate the farm, he has no return on his investment. (For the detailed analysis, see the CONGRESSIONAL RECORD for Mar. 19, 1959.

WE NEED EACH OTHER

The welfare of the urbanite is intimately linked with the welfare of the farmer—we need each other. The farmer produces 65 percent of the raw materials used in industry in addition to producing the Nation's food and fiber. It is obvious that urbanites as well as farmers have a vital interest in the outcome of proposed farm legislation.

Herein is a quick review of how the farmer affects his city brother, a look at the current farm situation, and a short analysis of H.R. 12261.

FARMERS AS CONSUMERS

There are twice as many jobs in industry serving farmers as there are farmers. These farmers are yearly buying $14 billion worth of farm supplies. For example, each year farmers buy 6½ tons of steel, consume 17½ billion gallons of crude petroleum, and use 285 billion pounds of raw rubber. It takes $6 billion worth of containers and packing materials alone to pack the food that U.S. farmers raise in 1 year. And farmers are steadily purchasing more products from nonfarmers—between 1951 and 1960 farm purchases of motor supplies and vehicles were up 40 percent and purchases of building materials were up 7 percent. In short, 16 million Americans in manufacturing, processing, and distribution are dependent upon the farmer for their jobs.

FARMERS AS PRODUCERS

American farmers make up less than 1 percent of the world's population, but they provide 20 percent of the world's meat, 30 percent of the milk, and 40 percent of the corn; one farmer feeds himself and some 20 others in this Nation alone. A farmer's output (per man-hour) is up 65 percent since 1950—this must be regarded as a blessing, not a curse, for the United States will never lose power due to a food shortage.

FOOD COSTS

Farmers are now receiving only 38 cents of the housewife's food dollar. If the wheat farmer in Colorado gave away his wheat, you'd still pay 18 cents for a 20-cent loaf of bread. In the 10-year period 1948 to 1956, the annual food costs for the average American family rose by $260—marketers and processors received $253 more, food importers got $15 more, and farmers received $8 less.

FARM SITUATION

In 1958, total farm production was 29 percent higher than in 1947, yet the net income of farmers (including Government payments) was down 25 percent. At the same time factory wage rates rose 33 percent, the cost of living increased 23 percent, and corporate profits rose 20 percent, farm income dropped 16 percent. These figures mean that the average farm income is around $2,547 while the average nonfarm income is some $6,470. They mean that there are 18 percent fewer farms since 1951 and that the toll of distress sales is rising throughout the Nation (the Wall Street Journal recently found a 50 percent increase in farm sales in 15 major farm States). They mean that the farmer's buying power is the lowest it has been in 20 years.

FARM SUBSIDIES

The total cost of farm price supports have really been only about 10 percent of the cost of financial aids to industry. From 1946 to 1956 mail subsidies amounting to $6 billion were paid to newspapers and magazines, business reconversion payments amounted to $43 billion, subsidies to maritime companies from 1938 through 1957 totaled $3.5 billion, and subsidies to the airlines amounted to $614 million during the same period. And furthermore, only about half of the $6 billion farm subsidy figure actually went to farmers. The rest was used to provide services for the entire population. These services included scientific research and education, grading of food products, forest services, soil conservation, and food inspection. They provided school lunch programs and fed hungry people throughout the world. We should also not forget that a large part of the budget used for commodity loans and purchases is being paid back to the Government.

SIMPLE FARM ECONOMICS

A farmer receives his income from units of products marketed; these units may be represented by such measurements as bushels, bales, gallons or pounds. When the farmer receives a lower price per unit, he naturally increases his number of units to try and maintain a steady gross income. Lower prices per unit do not mean that the farmer will lower production and reduce his number of units (as is often the case in manufacturing), because the farmer must continue to meet the mortgage payments, to buy tractors and other equipment, and to take care of insurance payments and family living expenses. The farmer has high fixed costs and low variable costs. In the short run, prices only need to cover variable costs. For manufacturers, the low fixed cost and high variable cost means that a sharp drop in price will reduce output. Furthermore, you can shut down a factory, you can't really shut down a farm, or a cow.

Therefore, even depression prices do not substantially decrease production under the so-called sliding scale of parity. We must never forget that in the past, depressions have often been farm-led and farm-fed. This is one basic reason why the administration's policies of lowering prices to the farmer in an effort to lower production and reduce surpluses have not and cannot work. Adequate farm legislation is a must.

H.R. 12261

The House Agriculture Committee's farm bill, H.R. 12261—The Farm Surplus Reduction Act of 1960—differs from the Senate wheat bill in three major ways. The House bill uses a different formula for acreage allotments, contains a special provision for feed grain producers, and incorporates a provision for distribution of high protein foods to the needy.

TITLE I—WHEAT

The wheat farmers would have a choice by referendum between two different wheat plans. Plan A provides for a 25 percent reduction in wheat acreage and provides for 85 percent parity of allotted acres and calls for payments-in-kind from surplus stocks equal to 55 percent of the average yield on the acres taken out of production. Plan B provides for unrestricted wheat production with price supports at around 50 percent of parity. It also calls for a 3-year extension of the soil bank to establish a reserve of 60 million acres. In giving wheat producers a choice between Plan A and Plan B, the Congress would be following the President's message of last January in which he indicated he would pass a bill which allows "the farmers themselves to choose between realistic alternatives."

The Senate wheat bill provides for 75 percent parity with a reduction of 20 percent in acreage with payments-in-kind equal to 50 percent of the reduced acreage. The House bill will do a better job of cutting surpluses and maintaining a reasonable farm income—yet, it won't raise the price of bread.

TITLE II—FEED GRAIN PRODUCERS

This authorizes feed grain producers (corn, grain sorghum, barley, oats, and rye) to work out their own production and price stabilization program which would then be ratified by Congress. The program would then go into operation when approved by two-thirds of the feed grain producers.

TITLE III—DISTRIBUTION OF PROTEIN FOOD

The Secretary of Health, Education, and Welfare is authorized to distribute dairy, poultry, and meat products to needy persons, to eligible institutions, and through the school lunch program. The size of the program would be established by annual appropriations and surplus stocks would be utilized when available.

Mr. ALLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. ANDERSEN].

Mr. ANDERSEN of Minnesota. Mr. Speaker, I commend the Committee on Rules for its action in bringing a farm bill before us with an open rule in order that our farmers may have their full day in court. We have had a long wait and should make the most of this opportunity to do something constructive and worth while for agriculture.

If I spoke harshly of the committee in recent weeks regarding the delay in granting a rule, I beg the indulgence of the distinguished members of the Rules Committee and their understanding of my concern. The committee has rendered great service to the Congress and to the Nation and I would be the last person on earth to categorically condemn the Members for their caution and deliberation when it comes to granting rules.

But the rural business and agricultural communities of our Nation are in serious economic straits, and businessmen as well as farmers are entitled to full and fair consideration of their problems.

In my judgment, the farm problem is the number 1 domestic problem facing us today. The economic slump in the Midwest is not localized. It reaches into all corners of our land. The lack of purchasing power in rural areas has its impact upon the automobile plants in Detroit and the steel mills in Pittsburgh, and industrial interests all over the Nation are feeling the effects. If this decline in our rural economy is not promptly reversed, our entire Nation and probably the whole free world will suffer the consequences of a depressed American economy.

Some of our colleagues may argue in good conscience that we should reject this rule because we do not like all of the provisions of the bill, but let me remind you that few bills come before us that are entirely to our liking and that is why we have these open rules to give everyone an equal opportunity to stand or fall on the merits of his or her proposal.

We must have a vehicle before us if we are to do anything constructive about this number 1 domestic problem, and that is why I urge adoption of the rule with the clear understanding that I will at the proper time offer for consideration my own amendment to make the bill more to my liking. This, of course, will be the privilege of every Member concerned with the farm problem and all its implications.

Mr. THORNBERRY. Mr. Speaker, I yield to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Speaker, I rise at this time to urge the House to adopt the rule on H.R. 12261.

It is my understanding that opponents of this legislation are serious in their intentions to defeat the rule and deny to the House an opportunity to debate new wheat legislation.

I plead with you not to kill all the hopes for wheat legislation at this session through such a back door parliamentary maneuver. If you do kill the rule, let me remind those of you who vote

against the rule that you will have to take the responsibility for continuing unchanged for another year the present program. And may I further remind you that this is the program denounced by President Eisenhower and the metropolitan press as being responsible for the present difficult situation in which wheat finds itself.

If you want to continue the present program—and I might say wheat farmers are not too unhappy with this law—vote against the rule. Kill the rule. Refuse to allow the House to debate this grave and serious national issue.

The House Committee on Agriculture reported H.R. 12261 after months of careful and painful deliberation. It is not a perfect bill. But I accept it in preference to any other measure offered at this time. H.R. 12261 does have the virtue of protecting the income of farmers while it reduces production and surplus stocks.

The bill is controversial. Some Members believe the two alternatives offered in the bill is not the right approach. Others may feel the plans are not the right answer.

But I plead with you to vote for a rule so the legislation can be debated. Permit the bill to go to the floor in the usual manner so the matter can be debated and the House will have an opportunity to work its will.

Let us debate for the next 2 hours the type of wheat legislation that is needed in the public interest. The House is capable of making its own decision once the debate is concluded.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. WOLF].

Mr. WOLF. Mr. Speaker, I wish to congratulate the Committee on Rules for reporting out this rule. I regret that some other features were not included in the bill. But I intend to suport the rule and I hope to be able to support the bill.

Mr. Speaker, I was amused to read in the morning press—Washington Post—that from the wheatfields of North Dakota comes the word that Mr. NIXON and the Republican administration favor the "creation of a United Nations unit to give surplus food to needy countries and that the United States should ask other surplus producing nations to join in the undertaking."

I am amused because this is a proposal for which I have consistently struggled for the past 18 months to get the Congress to accept and authorize. On April 27, 1959, I introduced a bill in the House—H.R. 6681—which was immediately cosponsored by 26 other Congressmen, and made several trips at my own expense to discuss the implementation of this proposal with United Nations officials.

Being unable to secure committee action on my bill, I offered it as an amendment to the Mutual Security Act both last year and this year. On two occasions, this belated national leader and his Republican colleagues had an opportunity to support this proposal, but we received only three Republican votes—only three Republican votes—in its behalf, and these were not of record.

Sincerity of purpose is hard to believe in the face of the above record. When work on this proposal was being done in the Congress last year and again this year, neither Mr. NIXON nor his party representatives were there. If they are serious about this proposal, they should have been on hand to support it when there was a chance for its enactment.

I am sorry that Mr. NIXON did not speak out for this proposal in the Halls of Congress when his support might have counted—instead of in the fields of North Dakota just before an election in an effort to bring another Bensonite to the Congress. His desire is apparently for progress at the ballot boxes, not for progress in filling empty stomachs and in economic returns to the struggling farmers of America.

Mr. Speaker, I submit that the Vice President is apparently engaging in mere election year rattlings to impress the farmers of the Nation.

This is reminiscent of the 1952 campaign and the pledges of early 1953. Mr. Benson was in Denver, Colo., in April 1953, at the Stock Pavilion, and he said it was his intention to move food out of storage and into stomachs. In 7½ years since then, we have moved food into storage and we have neglected the empty stomachs. But now it is time to pick a new administration, and once more we hear the old familiar pledge. What we need is deeds—not words.

To show that this is consistent NIXON strategy, I quote from an article by William M. Blair, which appeared in the Des Moines Register on September 24, 1956:

> COLORADO SPRINGS, COLO.—Vice President RICHARD M. NIXON will rcommend that the White House act to make sure that hog prices remain stable in the farm belt from now until the presidential election.
>
> What action NIXON has in mind remains to be seen, but he has indicated to midwestern party leaders that he wanted to make certain that hog prices did not slip below $15 a hundred pounds.

The food for peace program is still a good program, Mr. Speaker. I was convinced it was one very effective solution to our farm problem—as well as a step toward the solution of other world problems—when I made it. I am still convinced. Now that we have Republican support for it—now that they are on record in support of it—perhaps when we get a new administration next year, this very worthwhile proposal can be imimplemented.

I regret that I cannot offer my United Nations Food for Peace amendment on this bill, but I have been advised there is no way to make it germane, because I would like to know whether Mr. NIXON stands alone or whether this great Republican group would like to support his position now.

The SPEAKER. The time of the gentleman has expired.

Mr. ALLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, I am going to ignore the political tirade that just happened wherein the sincerity of one of the great leaders of America has been questioned, and return to the subject before us.

I had originally been opposed to this rule, but I have recognized from the remarks that have been made here that there is no opportunity whatsoever, or very little opportunity, to do anything to improve the surplus wheat and grain products situation unless this rule is adopted and unless amendments are agreed to.

Mr. Speaker, the Members of this House and the Members of the other body ought to know that the consumer-taxpayers of the United States are getting mighty sick of this farm program. They are getting mighty sick of the nonsense of surplus on top of surplus, enormous storage costs and the like. I think unless something is done in a reasonable time to correct this economic nonsense, the consumers and taxpayers of the United States are going to throw this whole program out of the window and they are going back to some normal solution through supply and demand.

Mr. Speaker, I hope this rule is adopted and I hope the House in its wisdom does something practical to help the taxpayers and consumers and farmers of America.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. ALLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, I intend to support the rule, but it by no means should be construed as an intention on my part to vote for the bill in its present form. It is a montrosity and, since under the open rule we will have an opportunity to work our will, I intend to support the move to strike all but subtitle B when we read the bill under the 5-minute rule.

Mr. Speaker, H.R. 12261 should be opposed because:

First. It calls for a system of doles and controls.

Second. It is even more costly than the present program.

Third. It destroys the influence of the family farm in American agriculture.

Fourth. No hearings were held on the bill. It is substantially different from two previous versions which failed to get committee support.

Fifth. It provides for unsound and unnecessary alterations in the present successful surplus food distribution plan for needy people.

The bill consists of three titles—wheat, feed grains, and food distribution.

TITLE I—WHEAT

The wheat title is unacceptable because:

First. It does not let the small wheat-grower vote in the first referendum.

Second. It would increase the already high cost of the wheat program by $100 million or more a year.

Third. It goes contrary to the President's recommendations by both increasing export subsidy and the financial incentive to maximize yields per acre.

Fourth. Diverted acres tend to increase production of nonsupported crops and cause new problems to growers of vegetables and many other crops.

Fifth. Relatively few wheat farmers would determine the fate of the conser-

vation reserve program for all farmers. The payments for the conservation reserve are excessive.

TITLE II—FEED GRAINS

The feed grain provisions of this bill are unsound because:

First. Congress would abdicate its responsibility to a nongovernmental committee which would have authority to impose controls and withdraw from the U.S. Treasury up to $600 million for a feed grain program. In the absence of congressional disapproval within 30 days, such a program would become law.

Second. This unprecedented scheme of lawmaking might encourage Treasury-raiding opportunities for other groups in and out of agriculture.

Third. The costly referendum plan would discriminate against the small farmer by limiting the voting to growers of $500 or more annually.

Fourth. Provision is made to adopt the discredited direct payment Brannan plan.

Fifth. Funds for this plan would not be subject to the regular appropriation process. No limitation is placed on the amount any one individual could receive.

Sixth. The high price of the grain would cause export problems, increase export subsidies, and undermine current efforts to liberalize trade.

TITLE III—FOOD DISTRIBUTION

The section pertaining to the distribution of protein food is unworkable because:

First. It would put HEW in the agriculture business for which it has no experience, and would duplicate and complicate the functions of USDA.

Second. Having made it difficult for low-income people to buy food, the Government would then donate these foods free to the needy.

Third. It takes responsibility for caring for the needy from local and State authorities where it belongs and recklessly expands welfare assistance in the hands of Federal authorities.

Mr. ALLEN. Mr. Speaker, I yield the remainder of my time to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Speaker, I agree, and I think everyone in this House does, that the wheat situation, is one which demands attention.

As the gentleman from Pennsylvania, [Mr. CORBETT], who just preceded me, pointed out, unless something realistic is done to solve this problem in the reasonably near future, we must rightfully expect the taxpayers to insist upon discarding the entire program. Therefore, I think that we are approaching a critical period with regard to finding a solution to the wheat problem.

I cannot support the bill, as reported by the committee for the reasons already pointed out and other reasons. I do not think it could ever become law. Therefore, at the proper time I expect to either support or to offer an amendment to strike out all of the bill except title B. The provisions of title B are almost identical to a bill which I introduced last February. It has the support of the American Farm Bureau Federation. It has the approval of the Department.

This does offer a sound solution based on sound economic principles. It will restore wheat production on the basis of sound economics to those parts of our country that are best able to produce it and are the historic producing areas. In addition to that, it will provide for the expansion of wheat markets and reduction of artificial production incentives. It would result in minimum economic hardships on growers. It provides protection against shifting the burden of adjustment to producers of other farm commodities. It would result in a reduction in costs to the taxpayers. The provisions of this bill are as follows:

It eliminates all acreage allotments and marketing quotas effective with the 1961 crop of wheat. This would permit each wheat grower to determine for himself the acreage of wheat on his farm which would make the most efficient use of his land, labor, and machinery.

It provides for a price support on wheat that is a realistic one and would be a floor instead of a ceiling. Beginning with the 1961 crop, the price support of wheat would be related to the support level of corn with a proper adjustment to reflect differences in wheat, in weight, nutritive value, and buyer preference. However, for the 1961 crop of wheat the price support would be not less than 120 percent of the price support for corn. This would make a minimum price support of $1.27 a bushel.

This provides assurances to the producers of corn and other feed grains that prices of such commodities will not be demoralized by the entry of additional wheat into the feed market. It also assures wheat producers of a 1961 price support somewhat above the feeding value of wheat.

This price support policy would restore the pricing of wheat to supply and demand conditions as reflected in the marketplace. This does not mean that market prices of wheat would fall into the exact relationship indicated by differences in feeding value. The relative market values of corn and wheat are affected by domestic and foreign demand for milling wheat which normally price wheat higher than corn, and by the fact that a great deal of wheat is produced in areas where corn prices reflect substantial transportation costs. There is every reason to believe that good milling wheat would bring a substantial premium over its feed value.

It would greatly reduce the incentive for producers to increase yields through the heavy use of fertilizer and other yield-increasing practices in the humid areas.

It would permit growers in traditional wheat areas to return to production practices that offer possibilities of greater efficiency and thus lower production costs.

It would provide a basis for greatly reducing the cost of maintaining wheat exports and thereby strengthen the basis for a continued United States participation in world wheat markets.

It would reduce the basis for criticism of United States export policies by other countries which compete with the United States for world wheat markets.

The bill would provide adequate protection for all farmers from the competition of Commodity Corporation sales from accumulated wheat stocks.

It would provide for an extension of the conservation program in the soil bank to 60 million acres at the end of 3 years. The expansion of the conservation reserve would cushion the adjustments faced by two types of wheatgrowers: The farmer who is farming marginal land in traditional wheat areas, and the grower who has become a wheat producer under the 15-acre exemption and who may choose not to grow wheat under the new program.

I point out, that the wheatgrower in the historic producing area has had his opportunity to produce taken away from him by Government action. As long as a program continues with an artificial stimulus and acreage controls there is no chance for him to get that market back. He is being put out of business at the taxpayers' expense. Give the wheatgrower in the historic producing area a chance to compete on a sound economic basis and his costs of production are sufficiently low that he can furnish the wheat and make a profit and gain back these extreme cuts in acreage that have been imposed upon him. He will be better off, the country will be better off, and the taxpayer will be better off. I think the wheatgrowers in the historic area have awakened to that fact.

Mr. HAGEN. Mr. Speaker, will the gentleman yield?

Mr. THOMSON of Wyoming. I yield to the gentleman from California.

Mr. HAGEN. Is it not true that the major commodity problem right now is wheat, and that this body would be extremely derelict in its duty unless it passed a wheat bill exclusively which has a reasonable chance of becoming law? We cannot afford as taxpayers another year of delay in passing wheat legislation that will lift some of the burden off the taxpayers.

Mr. THOMSON of Wyoming. I agree with the gentleman, and that would be accomplished by the proposal I am suggesting. The provisions of title A, of the committee bill according to the minority committee report, would increase the cost of the program we now have, which is around $600 million, by $104 million a year. I am satisfied that the proposal I am suggesting taking into account the cost of the conservation reserve would reduce the expenditures under the wheat program by as much as $300 million.

I urgently suggest that this should be supported in the best interest of the wheatgrower, in the best interest of agriculture generally, and in the best interest of the taxpayers of the Nation.

Mr. THORNBERRY. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. Speaker, today the House of Representatives has before them the question of whether they will consider the so-called Farm Surplus Reduction Act of 1960. There is no question that the Congress has much work yet to be done before its adjournment.

I have studied closely H.R. 12261 and I strongly urge that the rule be rejected and that the House refer this matter back to the Committee on Agriculture with instructions to bring legislation to the floor that will provide a sound solution to some of our agricultural ills.

There is no question that the wheat situation is critical and without corrective legislation it will get worse. However, the proposal that has been reported by the committee is not a sound solution to the wheat problem. In fact, it not only fails to solve the critical wheat situation, but would pose new problems for other agricultural producers.

Earlier this year I, along with my colleague, the gentleman from California, HARLAN HAGEN, introduced wheat legislation that would provide a sound solution to this problem. My bill, H.R. 11699, would do four things:

First. Eliminate all Government controls by terminating wheat acreage allotments and marketing quotas effective with the 1961 crop.

Second. Base the price support for wheat on the support level for corn, but at not less than 120 percent of corn supports in 1961.

Third. Provide adequate protection for farmers from the competition of sales of wheat stocks acquired by the Federal Commodity Credit Corporation.

Fourth. Expand the soil bank conservation reserve program substantially to provide a cushion for the producers of wheat and feed grains against the effects of reducing the support level and eliminating controls on wheat production.

This is the kind of a wheat program that I believe must be enacted. I am greatly disappointed that the House Committee on Agriculture did not see fit to favorably report this particular proposal. I would hope that the rule on H.R. 12261 would be defeated and that the committee would report legislation as I have outlined. My proposed wheat legislation would be of benefit to farmers, but it would also benefit all taxpayers.

Some of my colleagues have suggested that in an election year the way to assure the farm vote for our party is to have a bill that provides higher price supports and greater subsidies to farmers. I would urge my colleagues who come from districts like my own that have more nonfarm people than farm people that they reexamine this conclusion. There is no question in my mind that the consumers of agricultural commodities are rapidly growing tired of the great public costs involved in our farm program.

As a matter of fact, the proposed legislation would provide for increased cost to the Government. Under this bill there is a payment-in-kind program. The payment rates in this program are about twice as high per acre as under the conservation reserve program. It is estimated that the average payment-in-kind would be worth approximatly $25 per acre. This compares with the national average rate of $2.90 per acre under the conservation reserve program. There is no question that this program will be more costly than an expanded conservation research approach might be.

The second and unsound provision involves an increase in the support level for wheat. The support level would be increased from 75 to 85 percent of parity. This would mean an incerase of $114 million in the cost of our wheat export products alone. The higher price would add to the problems of our domestic feed market and increase the cost to the Goverment of this program.

The bill also provides a third provision dealing with feed grains which is completely unnecessary. Under this particular section there would be additional costs to the Government as a result of the responsibility for storing larger quantities of our feed grain supplies. Currently the present feed grain situation is good and if left alone will prove more sound as time goes on.

As I have indicated there is no question that the provision of this legislation will increase the cost to the Government. This is not the road that I feel we should be traveling.

From my own point of view, it is important that we have a sound farm program that protects the commercial farmers, but at the same time greatly reduces some of the Government costs that are borne by all taxpayers. I believe that my wheat proposal is sound even in an election year because it meets this test.

I strongly urge that the rule be rejected for I feel that if this is done the House Committee on Agriculture will understand more clearly that this Congress is in no mood to spend its time trying to improve a completely unsound farm bill. We have neither the time nor is the floor of the House of Representatives the place to try to draft constructive agricultural legislation.

Mr. THORNBERRY. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. LEVERING].

Mr. LEVERING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEVERING. Mr. Speaker, I am sure that the Members of this body are aware of the fact that our agricultural economy is in serious trouble and that it is imperative upon this Congress to approve a sensible program in the interest of our farmers, consumers, and taxpayers alike. Leaders on both sides of the aisle recognize that the downward trend of farm prices is endangering the overall welfare of the Nation's economy and that the unworkable programs now in effect must be eliminated.

Mr. Speaker, in view of the situation which prevails in agriculture today, this House would be derelict in its duty to vote down the resolution we are now considering and thus deprive this body of the right to work its will on farm legislation in this session of Congress.

Mr. Speaker, I recognize that the bill, H.R. 12261, is not a perfect bill and I intend to offer a number of amendments, if this resolution is adopted, to improve this legislation, particularly in the interests of family farmers. For one thing, I intend to offer an amendment which will give the family farmers of this Nation a real voice in determining the kind of a farm program to be adopted.

H.R. 12261 offers to the farmers of this country a choice between two alternative plans covering wheat, but would permit less than half of the producers who grew wheat for harvest in 1960 to vote in the referendum. This is undemocratic and un-American. Under the bill as now written producers of less than 15 acres could not vote on the question of which plan they prefer. My amendment would make them eligible to vote.

Mr. Speaker, in the democratic processes under which our Government operates, we deplore the idea of rule by a minority, and yet if the amendment which I propose to offer is not adopted, we will be putting our stamp of approval on just such a practice.

Mr. Speaker, I also propose to offer amendments in opposition to the reduction of the 15-acre exemption for wheat quotas, because any provision which impairs the 15-acre exemption will in my opinion affect adversely the interests of a great multitude of our smaller farmers, particularly those who grow Soft Red Winter wheat such as that which is produced in my State of Ohio. The reduction in small farm wheat acreage would be disastrous for the Soft Red wheat-growers in the eastern half of the United States where we have never had a surplus of this type of high quality wheat.

It would also endanger the cookie and biscuit industry which relies on soft wheat flour for the making of its products. Any restriction in the production of this type of wheat would work a severe hardship on this industry by imposing on them the necessity of changing their milling operations drastically. Of course, the farmers who traditionally produce this kind of wheat would ultimately suffer from a substantial loss of this cookie and biscuit market.

Mr. Speaker, these amendments which I propose to offer are designed to do what I believe the majority of this House thinks is proper to do, namely, protect the interests of the family farmer in America.

Mr. Speaker, it seems to me that any legislation that attempts to achieve this desired objective should at least permit the family farmer to participate in the formation of such a program.

Perhaps the most practical reason for maintaining the family farm, is that it is still the most efficient type of operation in the farming industry. I am referring to the kind of farm, regardless of the number of acres involved, where the family that lives on it furnishes the greater portion of the labor required to operate it.

The Voice of America, in regular broadcasts in many languages to other nations, emphasizes one central point which we in this country frequently seem to forget.

This is the fact that, dollar for dollar and item for ite, the groceries we buy at the store are cheaper in the United States than in any other nation on

earth. When the Queen of England came to Washington 3 years ago, she commented on the variety of goods in a supermarket she visited. Even Russian leaders visiting our food stores gasped at the quality and the quantity of the food available to shoppers.

The average American worker has to work fewer hours each week to feed himself and his family, than the workers of any other country on earth. In 1958, 1 hour of factory work paid for 11 loaves of bread, 2.9 pounds of butter. In 1929, an hour of factory work bought only 6.4 loaves of bread and 1 pound of butter.

Mr. Speaker, as I indicated, the one big reason why American housewives are able to buy food cheaper than shoppers anywhere else in the world, is the efficiency of those who operate the family farms in this country. I feel dutybound to do everything I can to promote their welfare.

Mr. THORNBERRY. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, at this stage of the discussion the question is not whether you agree with this bill or whether you do not. The question presently before us is whether we should consider farm legislation this year or whether we should tell the people that we really did not mean it when we said that we wanted to revise an antiquated and discredited farm program—and both parties have said in effect that a revision of the existing program was of paramount importance. Now, the only way to get a revision is to vote for this rule. It is an open rule. I hope you will like the bill the committee has brought in, but if you do not like it, this rule gives you every opportunity to alter or strike out sections with which you disagree. The Agriculture Committee has tried hard to bring you a democratic measure. One on which you can work your will, and one which, if adopted, will in fact give to farmers that opportunity for self-expression which Vice President NIXON has so eloquently pleaded when he said last night that—

> A method must be developed whereby the farmers themselves have a greater opportunity to choose the kind of farm program they want.

There is not a thing in this bill which forces any program on anybody until it has been approved by two-thirds of the producers of the commodity affected. On wheat, this bill gives a clear-cut choice between substantial supports and controls on the one hand and no controls and very low supports on the other hand. On feed grains it allows farmer selected committees to work out programs which must then be submitted first to this Congress and then to feed grain producers—and two-thirds of the producers must vote in the affirmative before any controls can be enforced. What could be more democratic?

One of the great farm organizations says they are for the bill as it is written. One says they neither support nor oppose. The third which sent you a letter on this subject last night says that they are opposed to everything in the bill except their own wheat plan which is presented word for word as option (b) in part 1. They suggest that rather than submit the choice to producers that this Congress decide the issue in favor of their proposal. But even so they recommend action on the bill. For fear that you did not follow the communication to its conclusion, let me read from page 5 of the statement.

> In view of the foregoing, we recommend the adoption of the amendments necessary to strike out everything in H.R. 12261 except the enacting clause and subtitle B of title I, and that the amended bill be passed.

Of course, I would not agree with the desirability of such drastic surgery on the bill, but I cannot emphasize too strongly the fact that almost everyone agrees we need farm legislation and that the only practicable way to get any kind of farm legislation is to pass this rule.

Mr. METCALF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Speaker, as far as Montana's biggest cash farm crop, wheat, is concerned, this bill as reported is an improvement over the existing program and over the measure passed by the other body.

It is built upon the principle that any successful farm program must be equally fair to farmers and consumers alike. As a pattern for the future, it includes faith in the ability of farmers themselves to develop or select programs based on this principle.

As reported, the measure has three major parts, dealing with wheat, feed grains, and surplus food.

Title I would give farmers a choice between a program based on strict production controls—75 percent of present allotments—with price supports at 85 percent of parity—about $2.03 per bushel, compared with $1.77 under existing law—and payment in kind for retiring cropland at 55 percent of normal production and a program of no production controls with the support price of wheat at approximately the feed grain levels—$1.27 in 1961, $1.15 in 1962.

My H.R. 11919 would have provided for price supports at 100 percent of parity, a 30-percent reduction in planted acreage and payments in kind based on 60 percent of the average yield of the retired acres.

Title II of H.R. 12261 authorizes election of a farmer committee to develop for feed grains—corn, grain sorghum, oats, barley, and rye—a program which would bring production into line with demand, return feed grain producers between 85 and 100 percent of parity, and authorize retirement of up to 50 percent of cropland on the farm in return for payment in kind in feed grains.

Title III authorizes an increased program of distribution of dairy, poultry, and meat products to the needy, charitable institutions and the school lunch program.

As our committee pointed out, the conditions in agriculture demand action. The net income of farmers in 1959 dropped to the lowest level—in relation to the volume of their sales—of any year since the Agriculture Department started keeping books in 1910. A further decline is predicted for 1960.

Average farm prices in December 1959 hit bottom, in terms of parity with other prices, for any December since 1933.

The per capita annual income of people living on farms in 1959, including Government payments and for off-farm work—dropped again to less than half that of nonfarm workers. The per capita income of farm people was $960, compared to $2,202 for nonfarm people.

Net farm income in 1959 was 24 percent below 1952, although the national income increased by 35 percent in this same period.

Last year, farmworkers—operators and labor—received an average 71½ cents an hour, 13 percent less than in 1952. In contrast, hourly earnings of industrial workers in 1959 averaged $2.22, up 33 percent from 1952, and 1959 corporation dividend payments exceeded those in 1952 by 47 percent. The net income of farmers in the past 7 years has been $20 billion less than in the previous 7 years.

The administration's policy of unlimited production at low prices has returned many farm families to depression levels at a time when many other Americans are prospering as never before.

During the past 7 years, the President has sent many messages to Congress urging abandonment of the parity principle for agriculture, the removal of production controls, and the reduction of price supports. His reference to delivering our taxpayers from the "mounting failures and staggering excesses of the mandatory farm price support and production control program" reminds us that the program for the major crops operated for 20 years prior to 1953 at a profit to the Government of $13 million, that during 11 of these years the average price level of all of agriculture was at or above 100 percent of parity each year, and that at the end of 1952 the Government investment in farm commodities amounted to some $2.5 million.

With "the change" voted in 1952, came the departure from a program which had been a success. During the past 7 years, farm prices and income have fallen, farmers have been caught in a cost-price squeeze, surplus has piled upon surplus, Federal investment in farm commodities has almost quadrupled, and farm program costs have multiplied manyfold.

A study by the Library of Congress discloses that appropriations or expenditures of the Department of Agriculture since January 1, 1953, have exceeded the combined total of such expenditures or appropriations during the 90 previous years of the history of the Department. The total for the period 1862 through 1952 is $35.8 million, compared with $37 million for the period 1953 through July 1, 1960.

The present administration has had more authority to deal with the farm problem than any of its predecessors. It has had more money to do so than all of its predecessors combined. It has had

more employees in the Department than ever before.

As it comes from committee, this bill is not the sole answer to all the problems of our farmers. But it does seek to reduce Government holdings of farm commodities, bring down the cost of farm programs while adhering to the principle that farm income must be protected while surpluses and costs are reduced.

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. COOLEY. 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. 12261) to amend the Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, with respect to market adjustment and price support programs for wheat and feed grains, to provide a high-protein food distribution program, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12261, with Mr. IKARD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. COOLEY. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, that we need farm legislation is known to everyone. The farmer points to his dwindling income and his greatly increased costs. The taxpayer points to the enormous expenditure that this program is imposing on the Government, while giving the farmer less and less.

Just a few years ago, with a program of relatively high, rigid supports on all our basic commodities, the Commodity Credit Corporation books showed a modest profit. That was on all of the price-support programs on the six basic commodities; that is, controlled commodities. I would not at this time try to say what might have happened had we continued the program which was working so successfully. The fact is that we did not continue it; instead we embraced the so-called sliding scale or variable supports. And supports since that time have varied but in one direction, and prices have varied in that same direction—down, down, always down.

This is not the time nor the place to try to fix the responsibility. When a man is abandoned by his own candidate for the Presidency I am not going to add my condemnation. I just want to make it very clear that neither I nor the majority of my colleagues on the Agriculture Committee ever approved this flexible program of low and still lower supports and prices.

Surely I need not dwell on the ruin which this program has brought to farmers across all this broad land. Surely I need not describe the decline of the small towns of this Nation—the bankruptcy along Main Street. No; the 1960 census figures can describe these tragedies better than I.

Surely I need not call the attention of the Members of this House to the cost this program has placed on the backs of our taxpayers.

In the 7 years just passed the Department of Agriculture spent $1,174,414,704 more than had been spent by that Department during all its previous existence from its founding 91 years before.

Maybe these stupendous expenditures would be justified if they had brought prosperity to our farmers. But we know that they have not done so. Maybe they would be justified if they had brought comparable benefits to our people as consumers. But let us look at the record.

Under "rigid" supports—and I want my city friends to listen to me—under "rigid" supports the American farmer received $2.40 or more for a bushel of wheat and the American housewife paid 13 cents a pound for bread.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. ANDERSEN of Minnesota. I know the gentleman wants to be fair. Last year I made a speech on the floor of the House blaming both parties for the situation we are in in agriculture today; the Republicans because of keeping a man like Ezra Benson in power as Secretary of Agriculture, and the Democrats because they have had control of both Houses of Congress more than 8 years. They should have done something. But we are both to blame.

Mr. POAGE. I am not placing blame. I said a moment ago I was not going to kick a man when his own candidate for President went to North Dakota to kick him. I am not blaming anybody. I am just reciting the facts.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to my chairman, of course.

Mr. COOLEY. Mr. Chairman, I want to call the attention of the House to the fact that we did try to deal with the wheat problem during the last session. Both Houses of Congress passed a very good wheat bill and sent it to the White House, only to have it vetoed by a Republican President.

Mr. POAGE. And there have been four other vetoes of farm bills I can recall in the last few years.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. HALLECK. That wheat bill was passed in the House and went to the other body. They enacted it in different form. It came back here in a conference report and the House of Representatives defeated the conference report.

Mr. POAGE. And we later passed the House bill and sent it to the President, who vetoed it. We sent a bill to the President, enacted by this Congress, and he saw fit to turn it down.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. POAGE. I yield.

Mr. HALLECK. The fact of the matter still is that after the conference acted on that wheat bill, the House of Representatives, with an almost 2-to-1 Democratic majority, turned down the conference report.

Mr. POAGE. And passed a much better bill. I cannot see the relevancy of the gentleman's observations, unless it is to divert attention from the fact that the President did veto the wheat bill which we passed.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. COOLEY. Certainly the distinguished gentleman from Indiana has not forgotten the fact that President Eisenhower vetoed the wheat bill. I am sure he does not want to leave the impression that the President did not veto the wheat bill, along with a tobacco bill and other bills, during the last session of Congress.

Mr. POAGE. He has, I believe, vetoed five farm bills in the last few years. But let me go back to what I was saying.

Just a few years ago under rigid supports wheat brought $2.40 a bushel or more, and the housewife at the same time purchased bread for 13 cents a pound or less. Today, with wheat selling at $1.80 a bushel or less, the housewife is paying 20 cents or more for a one-pound loaf of bread.

Before any of my friends from the big cities see fit to let some country slicker soft-soap them into opposing this bill, let them ask him to explain that phenomenon. Unless he can give a good explanation, then I suggest that it would be well to stay with the Committee on Agriculture and try to give a fair price to the farmer and establish fair prices for the consumer.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. BELCHER. We can all agree that President Eisenhower did veto that wheat bill, but as a member of the committee from the wheat area I thank God for that, because if he had not we would take 25 percent more from our production and send it down to Louisiana to be raised in the bayous and further raise the surpluses to be stored. If it had not been for the President we would have had a greater cut made.

Mr. POAGE. I am sorry Members feel they must take my time in trying to place the blame or to explain actions of other branches of government. I have not been trying to blame anybody. I have just tried to explain the facts, just tell the facts. I have not tried to explain the blame. I had not mentioned a veto when Members began to apologize for it. I am sorry others feel they must excuse somebody for what has been done. I hope no one has a guilty conscience in connection with this matter.

I should like to proceed with the discussion of the bill.

Of course, I know many of you are asking yourselves, "If low supports are costing us so heavily, how could higher supports possibly cost us less?" I think that is a fair question, and I think you are entitled to a fair answer. I think I should point out that most of us who have championed higher supports have

at all times firmly insisted that those higher supports be coupled with effective controls. Were it not for the fact that I am not trying to fix any blame I could tell you why we do not have effective controls. I never did subscribe to the idea that the Congress should repeal or could repeal the law of supply and demand. On the contrary, I have always recognized, and so has a majority of the Committee on Agriculture, that Congress cannot repeal or even amend economic laws. Instead, we have tried to make those laws work for the benefit of our people rather than work against them. We have sought to make those fundamental laws help farmers just as those same laws have been used to help labor and help industry and help business. We have sought the same help from our Government to control the excess of unneeded production which has so long been extended by Government to oil producers through our proration laws.

Time and again we have sought more effective controls of production only to meet with positive opposition from both influential governmental as well as farm sources.

We can all remember the support of noncompliance corn. That was the straw that broke the cornstalk and overflowed the storage bins. You remember what happened. Those who produced corn in plain violation of their allotment were supported at a price almost as high as those who complied. This was not done at the request of Congress. How could you expect to have a program function under that kind of administration? Well, it did not function, of course. But let us get to the question.

I am convinced we can control farm production to equal market demand just as we control the production of crude oil or just as the automobile industry controls the production of automobiles. We have failed in the past for three basic reasons. I do not want to pass the buck. I accept my share of the responsibility, at least for the first of these reasons, which has been our failure to bring the overall acreage floor low enough. In the case of wheat that floor is 55 million acres. While this is a cut of 30 million acres from the former plantings of 85 million, it is not enough. This bill allows an additional cut of 25 percent from the present floor, and it requires it if producers are to enjoy the 85 percent supports provided in part A.

In the feed and grain section of this bill, it is required that any support program adopted by producers shall bring supply down to demand. It does not give supports without any cooperation from the producers.

The second reason why our present control program has not functioned adequately has been the fact that we have tried to give unworkable exceptions in behalf of certain small growers.

In the case of wheat, we have allowed anyone to grow up to 15 acres with no control. This has resulted in the production of surplus wheat. Whether that wheat was good or bad quality was beyond the question. It has produced more wheat than we have needed.

If the committee's plan is adopted, these small growers will be given allotments just exactly as everybody else, allotments figured from a base of the highest they have grown in the last 3 years. These bases will be subject to exactly the same cuts which are imposed on the allotments of other growers, and those small growers will be given the same voice in the program that is given to other growers, in other words, we treat them all alike under this bill except that we do not require these small growers to take the 30 to 40 percent cut which present allotment holders have already taken.

The third weakness in our present wheat program, at least, has been the failure to enforce sufficient stringent penalties. Cotton and tobacco have always had far more severe penalties and they come a whole lot nearer keeping a balance between supply and demand.

This bill, if producers accept supports under part A, will approximately double the penalties for overplanting.

In short, I think we are offering you a bill which will allow wheat producers to actually balance supply and demand. If they vote for part A, they will get 85 percent support for their wheat. They will be privileged to receive payments in kind; that is, in wheat out of the Commodity Credit Corporation surplus stocks equal to 55 percent of the wheat they could expect to grow on the acres they retire from wheat. But, they would be required to cut their total wheat acreage by at least 25 percent.

Now to you laboring men that means only a 6-hour working day for which the farmer will be paid. That is equivalent to working 6 hours a day and being paid about 85 percent of a fair wage for those 6 hours. And in addition they will receive unemployment compensation at the rate of 46¾ percent of a fair wage for the 2 days they are unemployed. Actually, that illustration is not quite accurate because they will not be unemployed. They must work the retired acres so as to conserve the soil in order to get the 46¾ percent of a wage. But, there will be no soil bank taking whole farms out of production and destroying whole towns nor will there be any opportunity for any city man to buy up several farms and let the Government pay for them through soil bank payments, that is, not if the producers adopt plan A.

Of course, if they adopt plan B, which is the program sponsored by one of the great farm organizations, the soil bank will continue to take whole farms out of production. There will be unlimited production of wheat. The Government will still provide storage and the farmers will, after next year, receive no more for wheat than for corn, adjusted to food value.

I do not recommend this program, but like the Vice President said in North Dakota last night, I believe in letting the farmers make their own decisions. I do not believe the farmers will select any such program, but if a majority of our farmers are actually willing to give up effective supports in order to have the privilege of growing unneeded and unusable surpluses, then it is time we knew it. I know of no way of finding out except to let the farmers themselves vote, and that is what this bill does. It allows a clear-cut choice, but I have been astounded to find the very organization which has so long claimed that most all farmers wanted freedom is now opposed to this referendum. Frankly, I am not for their low price program, but I have enough confidence in democracy to submit the question to the farmers and to abide by their decision.

I have but one request. If you agree that we should have a clear-cut test, by all means help us keep it just that; a clear-cut test, between high rigid supports on the one hand with strict controls, and low supports and no controls on the other hand. Please do not amend this to the point where the choice will be some controls and low supports or no controls and low supports, like we had in the corn referendum. That is not a meaningful choice. We ought to have a clear-cut choice between the two ideas, and this bill gives you just that.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. ANDERSEN of Minnesota. In the referendum of 1958 the farmers had no choice. The base was so low that they could not get along on it, and they went all out. In regard to this 25 percent under this proposal, that is going to be taken out of the allotment nationwide? I understand the producers can get payment in kind for that?

Mr. POAGE. If he sees fit.

Mr. ANDERSEN of Minnesota. If he sees fit?

Mr. POAGE. Yes.

Mr. ANDERSEN of Minnesota. Then, if he does not see fit, can he put in corn and compete with my corn products?

Mr. POAGE. I think he can, but the economics of the thing would generally induce him to take the payment in kind.

Mr. ANDERSEN of Minnesota. Would it not be better if we made it mandatory that he should take payment in kind?

Mr. POAGE. I see the gentleman from Oklahoma is questioning my answer.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. ALBERT. The gentleman is correct in part. There is no penalty, but he loses the price support. He loses price support on allotted acreage and payment in kind.

Mr. ANDERSEN of Minnesota. If a farmer has a 100-acre allotment and cuts it down to 25, he can put it in corn if he sees fit?

Mr. ALBERT. Yes; but he loses price support.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. At the present time, if he wants to, he can reduce to 25 acres, but he would still get price support. Under this bill he would not do so.

Mr. POAGE. Yes. This bill makes it more difficult to engage in that kind of practice.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Kansas.

Mr. AVERY. The gentleman is discussing the option that the farmers have. He would have a clear choice of high support and controls, opposed to no acreage control and no price supports. Is there anything in this bill that would make controls on a lower average than in the present law?

Mr. POAGE. Yes.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. ALBERT. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. AVERY. I did not understand the gentleman's reply. What is the difference in this bill?

Mr. POAGE. The penalties for overplanting are nearly doubled.

Mr. ALBERT. Mr. Chairman, will the gentleman yield further?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. ALBERT. But the farmer has to prove his actual production. In addition to that, the penalty rate is raised from 45 to 65 percent on the excess.

Mr. POAGE. There is a very substantial increase in the penalties.

There are two other sections of the bill deserving of attention. Title 2 simply allows feed grain farmers to develop their own program to balance supply and demand. It says:

> Such a program shall not cost more than 10 percent of the value of the crop—

Far less than at the present time. I think we owe the taxpayers a break.

This feed grain producers program must cover all feed grains; not simply corn, and must not result in any further Government acquisition of additional surpluses. It stops the increases of surpluses in Government storage, and I believe most Members of this House as well as most citizens of this country want to bring a stop to that. Again, we are trying to protect the taxpayer. I do not have time to go into the feed grain situation further than to point out that the present buildup of corn and other feed grains poses a continuing threat to the livestock industry in all of its forms—including chickens and dairying. Everyone knows that cheap corn makes cheap hogs and cheap feed makes cheap beef—and cheap red meat will destroy the chicken business. I can see nothing but disaster to livestock producers in unlimited production of cheap feed. I know an effort will be made to take this section out of the bill. Before you vote for it, I would suggest that you ask yourself how you propose to deal with the livestock industry.

We have maintained the livestock market right well in recent years, really because we have had a feed grain program. Now, if you should abandon your feed grain program, if you fail to use these vast surpluses of feed grain you are going to affect the livestock market just as you have seen other markets affected. If we want to maintain a sound rural economy we must have the feed grain program.

The third and last title of this bill provides machinery whereby the Secretary of Health, Education, and Welfare may distribute protein foods, meats, milk, eggs, and such, to needy people, to the same people who are presently eligible to receive cornmeal and flour from the Secretary of Agriculture. But since we know that you cannot produce these protein products without there being substantial consumption by animals of these feed grains which are presently in surplus, does it not make sense to allow the Secretary to distribute to these needy people the foods that are more palatable, that will give them greater health than to simply give them cornmeal? Is it not better, from the standpoint of the needy, to get some bacon instead of cornmeal? From the farm standpoint does not the production of the bacon involve the use of the corn which otherwise might have gone into meal? So we provide that the Secretary of Agriculture may sell in the open market a bushel of feed grains for each $2 worth of protein feed that the Secretary of Health, Education, and Welfare distributes.

To my mind we have here a sound and reasonable use of our agricultural surpluses for the needy people of America, and we do it without doing any harm to any farmer in America. I cannot see why you should seek to strike this out, why you should want to deny to the people of America who cannot buy even cornmeal, the opportunity to use protein foods. But there will be efforts to take this section out of the bill. I hope these efforts will be turned back. I want this bill to help every living person it can. This title does not open any doors to raids on the Treasury. It requires a congressional appropriation approved by the Appropriations Committee of this House before any funds can be used for protein food.

I think we have been able to bring the House a well-rounded bill. It is not exactly what I would have preferred. I do not think it is perfect. It is not all-inclusive, but if approved by producers, it could deal with 85 percent of all of our surplus crop, and with well over half of all the tilled acres in the United States. It imposes no program of itself. It is democratic. It does protect taxpayers and consumers as well as farmers—and it is in truth a farm bill—a farmers' bill—a bill which can be used to raise farm income.

Mr. HOEVEN. Mr. Chairman, I yield myself 5 minutes.

Mr. HOEVEN. Mr. Chairman, it is quite apparent that we are following the same old pattern, in involving the farm problem in politics. I am one of those who has tried desperately hard to keep the agricultural problem out of politics.

The farm problem has no business in politics. This idea of getting up on the floor of the House and castigating somebody, calling names and finding fault, will never solve the farm problem. Let us be realistic in facing a most perplexing problem. The American people expect us to do exactly that. It is quite apparent to me also that some on the majority side apparently prefer an issue rather than a solution.

My efforts have been directed during the past several months in trying to pass a wheat bill which can actually be enacted into law. Anything less is simply shadowboxing. The President of the United States in his farm message to the Congress said he did not want a political poultice. The bill under consideration is in that category.

Agriculture is the Nation's basic industry. Every segment of our economy is dependent upon the welfare of the American farmer. We stand pretty well together when it comes to foreign affairs. We stand united for the defense of our country; but when we consider the Nation's basic industry, to wit, the farm problem, it seems as if it has to be dragged into politics. The American farmer is getting sick and tired of being kicked around in this political arena.

I want a wheat bill. I think it is incumbent upon us to send a wheat bill to the White House which can be enacted into law. If we do not do that we are not true to our obligations to the American people.

The committee vote on this bill was 20 to 13, the Rules Committee reported the bill by a vote of 5 to 4, which certainly indicates it is very controversial, to say the least. In this connection, I hope you will carefully study the minority report on the bill.

I find no demand for this legislation. Representatives in the Congress from the wheat sections of this country, as far as I can determine, are not for the bill. I have not had a single letter from my feed grain people urging me to vote for the feed grain section or the bill.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. For a question.

Mr. ALBERT. Will the gentleman support the proposal of the wheat farmers of this country as made through the National Wheat Growers' Association as offered to the Congress?

Mr. HOEVEN. That proposal was fully explored in the Committee on Agriculture and was turned down.

Mr. ALBERT. The gentleman knows no other proposal has been supported by it.

Mr. HOEVEN. Let me call the gentleman's attention to the fact that his own Party having control of the other body passed a wheat bill which was referred to the House Committee on Agriculture. It should be given some attention by the House Committee on Agriculture. The committee then could work its will and present a bill to the House which I hope could be enacted into law.

Mr. Chairman, I find no clamor for the bill. The Farm Bureau is opposed to the bill, the National Grange is opposed to the bill and, up until today, at least, I understood the Farmers Union was opposed to this bill. I doubt that they are very much enthused about it.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HOEVEN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, even some of the sponsors of the original Poage bill have run out on it. The first version of the bill was a grandiose proposition. It took in every agricultural commodity. It was the answer to the maiden's prayer. It was supposed to solve the farm problem. Then it was suddenly discovered the bill would not do the things being claimed for it. Even the sponsors were unhappy, and different commodity groups affected started to "get out from under." The cotton people said, "We don't want to be covered." The tobacco people said, "We don't want any part of this." And other commodities disclaimed ownership. So those commodities were finally eliminated, with the exception of wheat and corn and other feed grains.

But when the representatives on the committee from the Corn Belt and the feed grain sections of this country attempted to eliminate the feed grain section they were outvoted. The third and last version of the bill now before us has gotten to be a face-saving operation.

The original bill was called the Family Farm Income Act of 1960. In the second version they cut it down to size and made it the Family Farm Act of 1960. They forgot about the income. Then in the third version, which is before us now, they forgot all about the farm family, all about the farm income, and it is now the Farm Surplus Reduction Act of 1960. So we have gotten down now to a face-saving operation.

Mr. Chairman, this bill is more costly than the program under which we are now operating. Title I will cost approximately $104 million more. Title II, the feed grain section, as closely as I can estimate, will cost $250 million more. Title III, relating to the distribution of protein food, will cost $500 million more, making a total of about $850 million increase. Certainly this should be of concern to the taxpayers.

The passage of the bill will mean placing more employees on the Federal payroll. Many more people will be needed to police the referendum and control provisions of the bill. The most glaring defect in this bill is the abdication of legislative authority by the Congress. For the first time in the history of the Congress, I believe the bill will permit nine men from different sections of the country to write a farm bill. Eight of them can outvote the representative from the Corn Belt, for instance. They can operate in secret if they choose. They would have the authority to formulate a farm bill which might well encompass the Brannan plan of production payments. It might well be something else. Who knows? Whenever a plan is formulated by this committee of nine, the proposal is sent to the Secretary of Agriculture who then sends it to the Congress. If the Congress does not take affirmative action in disapproving the proposal, within 30 days, it is submitted in a referendum. I wonder what would happen if such a proposal, in the closing days of this session and within the 30-day period, had come to our attention. The Congress would have no voice in the matter whatsoever.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Illinois.

Mr. ARENDS. I am very pleased that the gentleman has called attention to this particular bill and to prove how absurd some of the provisions in this legislation are. It is a complete abdication of power on the part of the Congress.

Mr. HOEVEN. I thank the gentleman. Authorizing nine people to formulate a farm program would set a very bad precedent. If we start on this kind of an operation of delegating legislative authority, why not permit nine individuals to formulate a program for Federal employees; why not permit nine members of labor organizations, or nine members of a teachers' organization to enact legislation in this same fashion? Furthermore, I seriously question the constitutionality of that kind of a provision. How can the Congress legally surrender its legislative authority in this field?

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I should like to finish my statement.

Mr. POAGE. Does the gentleman refuse to yield?

Mr. HOEVEN. I hope the gentleman will not press me as I would like to complete my statement.

Mr. POAGE. I merely wanted to get it clear; I do not understand.

Mr. HOEVEN. I did not interrupt the gentleman and would like to proceed.

Mr. POAGE. If the gentleman refuses to yield, I shall not ask him to.

Mr. HOEVEN. Not at this point. Going back to the delegation of legislative authority, why should not you people from the industrial centers of this country, the big cities, have something to say about farm legislation? Are you willing to delegate your authority to a group of nine people and have nothing to say about the format of it, or anything else?

Furthermore, the bill is going to mean higher export subsidies in the amount of about $150 million.

The bill also provides for "back-door spending," if you please. Section 207, in the feed grain section, provides that funds can be made available out of Commodity Credit Corporation funds. Of course, the Congress must reimburse Commodity Credit Corporation so we wind up with "back-door spending" which, if I sense the temper of the Congress, is something that most Members of Congress are very much opposed to.

In summary the bill before us simply cannot be enacted into law. That is my frank opinion.

I assume several amendments will be proposed and Members are going to have the opportunity to vote on the bill that passed the Senate the other day. After the House has worked its will, if the bill has not been perfected to make it at least reasonably palatable, I propose to strike section 2 and section 3 so that we can go to conference with the Senate and work out a wheat bill. In my humble judgment, that is about all we can expect at this late date in this session of Congress.

Other members of the committee on our side will discuss the different provisions of the bill. I did want to point out some of the practical difficulties which confront us. May I express the hope that we now get down to brass tacks. Let us enact a wheat bill which can become law. If that can be accomplished, I think the country will applaud us for having tried to accomplish something for agriculture.

Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. BELCHER].

Mr. BELCHER. Mr. Chairman, Members who serve on other committees have no idea what a problem we have on the Committee on Agriculture. In the first place, we have several different commodities to consider and we have several different types of farmers within any one commodity. That is what makes it so difficult to write a wheat bill. In the first place wheat is the only commodity, the production of which we did not actually control from the beginning. The history of price supports and the control program for agricultural commodities is that you try to balance production with consumption. As far as wheat is concerned, we have not had control of production. Although 30 million acres have been retired from the traditional wheat areas of this country we are going to produce more wheat this year than we ever have produced in the history of America.

This is due to the fact that under the wheat program a farmer in a traditional wheat area that used to farm 100 acres of wheat is now reduced about 45 acres, but that 45 acres does not go out of production. It is split up into three 15-acre patches and spread out in other States of the Union where they never have raised wheat before. On these 15-acre patches more wheat is raised than was raised in the original wheat producing area. So as we reduced acres in the traditional wheat areas we transplanted them to Louisiana and various other States and they produce more wheat than was produced in the beginning.

This Congress and the Committee on Agriculture have never had the courage to face that situation. The day is coming when we will either face that situation or we are not going to have a wheat program.

I know a lot of Members of this House would like to see the agricultural programs eliminated and the cost of the agricultural programs saved. If that is what you would like to do, all you need to do is to continue to cut the wheat acreage in the wheat areas, instead of eliminating the 15-acre exemption and preventing the spread of wheat. This bill merely brings the 15-acre farms in as traditional wheat acres. Now instead of permitting them to raise 15 acres and sell the wheat without penalty, which they used to do, whereas the traditional wheat farmer if he raises a bushel of wheat over his allotment pays a $1.07 penalty before he can market that bushel, whereas a farmer who has never raised wheat can sell the entire production without paying a single cent of penalty.

This bill not only does not prevent that, it brings the new farmers into the wheat program and gives them a price support just the same as is given the traditional wheat farmers. Over the

past number of years at the very time we have had too much wheat, and members of the committee have continuously come to the floor and talked about the high storage costs and the huge surplus, we were puting 100,000 new farmers into the production of wheat each single year until up to the present time there are 1,200,000 of those new farmers producing wheat against the 600,000 farmers that used to depend and still depend on wheat for their entire source of income.

If you want to split up the wheat area and spread the acreage all over the United States, all you need do is just completely break the wheat areas and take them over, but just bear in mind that when we go out of wheat production we might produce something your area has to produce.

It has always been my theory, in view of the fact that we can raise wheat more cheaply than you folks can, the traditional wheat area ought to be permitted to raise the wheat and the other areas permitted to raise the crops they can raise best on their farms, but that is not what we have done. We have permitted you to keep your acreages of cotton, tobacco, rice, sugarcane, and all the others, and at the very same time take our wheat acreage. We have not taken any of the sugarcane from Louisiana or taken any of the tobacco acreage from the chairman's home district. I think it is just a practical proposition that we ought to raise wheat where wheat is a profitable crop and you ought to raise tobacco where tobacco should be raised, and cattle where cattle should be raised, and dairying the same. But that is not the program we have been following. If you continue to split this up and spread it out all over the country, we will not have any wheat area but we will have to compete with your tobacco, cotton, rice, or some other product in order for our farmers to stay in business at all. I think until this Congress faces up to the proposition and eliminates the 15-acre exemption and put the wheat acreage back in the traditional wheat area, we are not going to solve any wheat problem ever with any kind of program that continues to cut acreage in the traditional wheat area. I realize the problem that some of you ladies and gentlemen of this committee face when you have a group of these 15-acre farmers in your districts. I recognize how hard it is to vote to eliminate that. But just keep one thing in mind. If you do not vote to eliminate that, you are going to some day have to vote to eliminate the entire agricultural program. It might be bad and it might hurt your areas.

One more thing. The 15-acre farmer is not a small farmer. He is a corn farmer or a cotton farmer or a farmer engaged in some other activity for his source of income. He merely plants the 15 acres for a little cash crop in the summertime. He is not the little farmer. He is another farmer who has horned in on the wheat farmer.

I recognize how tough it is for some of you folks to vote for that kind of a program, but until you are ready to do it, you might just as well vote to repeal all agricultural programs.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. McGOVERN].

Mr. McGOVERN. Mr. Chairman, a few minutes ago, one of the most distinguished members of our committee warned that the committee should not deal with this problem before us in a political vein and that we should not devote our time this afternoon attempting to fix responsibility for the difficulties in which we find ourselves today. Having made what I thought was a very commendable opening statement, he then proceeded to spend most of the next 15 minutes ridiculing those some two dozen Members of the Congress who are sponsors of the Family-Farm Income Act of 1960. This was a piece of legislation which was introduced in good faith by a number of Democratic Members of the House to accomplish three basic purposes: To give the producers of any farm commodity an opportunity, if they wanted to use it, to establish a market stabilization program, but only after two-thirds of them had agreed that that was the kind of program they wanted. I cannot see anything undemocratic about that, and I cannot see any regimentation or anything objectionable about giving the producers an opportunity to establish the kind of program that two-thirds of them want. We further provided that the program would have to be reviewed by the Congress and the Department of Agriculture, and that it could not go into effect if there were action by the Congress to disapprove it. The gentleman made a great point about the fact that we removed a number of commodities from the bill during the course of discussion in the committee. That is true, but it must also be recognized we did that because of the storm of criticism and propaganda that was set up by the Department of Agriculture and organizations such as the American Farm Bureau that really want no program at all. The only concrete suggestion we have had from the Farm Bureau and Secretary Benson to date is that we increase the amount of acreage in the soil bank from 28 million acres to 60 million acres by throwing whole farms into the soil bank and taking them out of production. If we were to do that, we would be destroying most of the communities in rural America and we would undermine agriculture itself. It was our further purpose in this legislation to reduce the costs of the program and to reduce the accumulation of surpluses. Those who have really been playing politics with American agriculture are not to be found here in the Congress of the United States—those who are really playing politics with American agriculture reside in the White House and in the Department of Agriculture. These are the gentlemen who came out to South Dakota and to other parts of rural America and promised the farmers in 1952 that they would work not for 90 percent of parity but for 100 percent of parity.

After 7½ years of this administration, farm commodities are down to about 75 percent of parity. What is at stake in this legislation before us at this time is this fundamental question: Do we want the wheat farmers of America to produce 55 million acres of wheat per year in the coming 5-year period or do we want them to produce 41 million acres while protecting their net income? That is the basic question.

If we kill this bill before us the farmer will again plant 55 million acres of wheat at a time when we already have 1.3 billion bushels in Government hands. If we pass this bill we enable our farmers to participate in a referendum that will enable them to cut back their production to about 41 million acres, but at the same time protect them against disastrous drops in income.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. McGOVERN. I yield to the gentleman from North Dakota.

Mr. SHORT. Would the gentleman state for the benefit of the Members whether or not he believes a 25-percent cut in acreage and a 10-percent increase in the price-support levels, plus 55 percent payment in kind, will maintain the wheat farmers' income at the present level?

Mr. McGOVERN. I think it will result in a very slight increase. I have no way of knowing for certain what the income level would be, but the best information I have is that it would result in a slight increase. In any event, we are giving the farmers a choice to take no controls at all or to take the route suggested by the committee.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. BELCHER. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Chairman, I want to call attention to title II of this bill, which deals with the program designated as the "national stabilization program for feed grain." These are areas of agriculture that are interested in this legislation aside from those that are just producers of feed grain.

I realize the importance of price stability in feed grains, as well as the importance of price stability in other lines of American agriculture, but so that the members of the committee will understand what we are dealing with in these areas of the country that are deficit feed grain areas, I would like to bring to your attention a few facts.

First, let me say that the items we are dealing with, with the exception of corn—the other items of barley, grain sorghums, oats, and rye, are already operating within the framework of price stability under title III of the Agricultural Adjustment Act of 1949, as amended. In order that you would get the proper perspective, the price support on these items are as follows:

Barley 61 percent of parity; corn 65 percent; grain sorghums at 61; oats at 60, and rye at 60 percent of parity.

In the very first part of this title, section 201 of this bill, it states that the objective is to raise the price support level of those commodities to 85 percent. This is roughly a 20 or 25 percent increase in price.

Let me call attention to a few of the feed grain deficit States. While I appreciate these figures are generalities, nevertheless they are approximately correct.

The State of California has an annual feed cost of $412 million. The cost of this stabilization program to California will be approximately $100 million per year.

Let us turn to the State of Florida. The increased cost is about $18 million. For the State of Georgia it is about $35 million. For the State of Mississippi, $20 million; for the State of Virginia approximately $15 million. For Pennsylvania there is approximately a $50-million increase in the cost to the producers of dairy and poultry products of that State on their food grain costs. For the State of New York the increase will be about $40 million; for the State of Massachusetts $10 million.

In my own State, Maine, which of course is a deficit feed grain area, there will be an increased cost of $10 million; for Vermont $9 million, for West Virginia $6 million.

Feed costs represents 30 to 40 percent of the cost of production of milk and poultry products. This legislation, if it is effective, will increase the cost of feed grains in these feed deficit States.

I think in order to be fair, those of us in feed deficit States must recognize the problem in the feed surplus States; however, I think we need to give this legislation very careful consideration, and I certainly do not think we should support this measure which increases feed grain cost in feed deficit States.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Chairman, I am one of the score of Democratic Members of Congress who are sponsoring this Farm Surplus Reduction Act of 1960. It is the kind of comprehensive program that has been needed by American agriculture for a long time.

I think it is unfortunate that opponents of the bill are trying to make it appear as an election-year football. It emphatically is not. A small, representative group of Democratic House Members—and I was one of them—first got to work on this legislation last August, after it became clear that we could expect nothing concrete in the way of action from Agriculture Secretary Benson to help the family size farmer. We worked diligently on it and had the bill ready for introduction the day after the President delivered his farm message to Congress last February 9.

That legislation has since been under study by the House Agriculture Committee. Lengthy hearings were held on the measure during which numerous experts on farming along with representatives from farm organizations testified.

Some 11 Governors appeared either in person or sent in statements supporting the measure. The committee then combed through the hundreds of pages of testimony and made changes accordingly in the original structure of the bill. The legislation before us today is the result of the weeks of study by the committee. I wish to take this opportunity to commend the members of that great committee for their tireless efforts in perfecting a bill that would benefit the family size farmer.

In the President's farm message, as I recall, he referred to the plight of the family farmer as a most vexing domestic problem, and he invited the Congress to come forward with a solution.

Let us not forget that the President was not the only one who was throwing out a life preserver when it comes to the farm situation. It is a fact that the Nation's 4.5 million family farmers, who make up the backbone of our great Nation, have been throwing out life preservers for almost 8 years now. It is also a fact that no help has been forthcoming to them in all that time. The record shows that the President has vetoed five major farm bills so far. And Secretary of Agriculture Benson is operating a policy that has the clear-cut aim of driving the family farmer off the land, which is his heritage, and into the overcrowded job scrambles now taking place in our major cities.

This is hardly the way to treat such a large and important segment of our citizenry—a citizenry that has made the American breadbasket into the largest and richest in the world.

A brief look at the plight of the family farmer today explain readily enough why this legislation was prepared. The net income of farmers has dropped from $15.3 billion in 1952 to less than $10.3 billion today, and the trend is continuing downward. The parity ratio has gone down from 100 percent to about 77 percent during that period. Farm indebtedness at $14 billion in 1952, is now above $20.8 billion today. Interest rates paid by farmers have increased sharply during these same years. The farmers share of the food dollar has dropped from 47 to 37 cents. Farm population, moreover, has declined from 24.3 million to under 20 million today. And the number of farm units has gone down from 5.4 million to under 4 million today.

Net income to the farmer as a whole, is at a 19-year low at the present time. And, as everyone in this body knows, we have the weird situation of the Nation's farmers literally drowning in the plenty they are producing.

After this brief look—and I could have cited even more unhappy statistics—it is reason enough to explain the need for a new attack on the farm problem.

The Family Farm Income Act of 1960, which has been amended and is now cited as the Farm Surplus Reduction Act of 1960, is designed to raise the income of the family farmer and protect him from ruin. It would reduce our fantastic farm surpluses which, in the President's own words, are costing the taxpayers more than $1,000 a minute to store. And the new program would cost only a fraction—about a half billion dollars a year—compared to the more than $5 billion that the administration is now spending to shore up its existing patchwork agriculture stabilization programs.

I will not go into the other details of the bill because it is being well covered here by other speakers. But, in conclusion, I want to urge the Members of the House to support this legislation. It is must legislation to fill the vacuum which exists in our agricultural policies today.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I offer a privileged motion.

The CHAIRMAN. The Chair will advise the gentleman that his motion is not in order at this time.

Mr. ANDERSEN of Minnesota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ANDERSEN of Minnesota. Mr. Chairman, as long as I cannot get time from my side, I wonder if the gentleman from North Carolina may have 5 minutes for me at this time?

Mr. COOLEY. Mr. Chairman, I will yield the gentleman 3 minutes.

Mr. HOEVEN. Mr. Chairman, may I say that all of the time was allotted on this side before the gentleman from Minnesota requested time.

Mr. ANDERSEN of Minnesota. I am meeting a realistic situation, that is all.

The CHAIRMAN. Is the gentleman from North Carolina yielding 3 minutes to the gentleman from Minnesota at this time?

Mr. COOLEY. Mr. Chairman, I yield 3 minutes to the gentleman at this time.

Mr. ANDERSEN of Minnesota. Mr. Chairman, we are faced with what kind of a situation here today? We are faced, first, with the problem of trying to bring to the farmers of America a little bit higher price level for what they produce. We are faced with a situation where we have $9.1 billion worth of commodities owned by the Commodity Credit Corporation which are coming to the point where they are becoming unbearable from the viewpoint of storage costs to the general public.

What can we do in reference to this? Personally, I am willing to say to the wheat farmers: "Here, you have two alternatives, take your pick."

I am going to offer an amendment when we get to the feed grain section which would say to the farmers: "Now, if you like this committee proposal that the Committee on Agriculture has brought before us today, you can choose between that and the so-called green acres proposal which the gentleman from Iowa [Mr. JENSEN] and I have been proposing during the last 2 months."

That is all I am asking, and I intend to try to get that before the House for action so that we in the feed grain part of it will be able to give to our farmers a choice between two alternatives. I would really prefer to see three there. I would like to see the Farm Bureau proposal put in there and give the farmers an opportunity to choose between Mr. JENSEN's and my green acres proposal. The Farm Bureau proposal of wide open production, or, as the committee has made it, leaves it up to nine members, a committee of nine, who have nothing whatsoever to do with the Congress. Let the farmers decide; that is all I am asking. I think here today, if we are reasonable men and women, we can do something good for agriculture in America. I feel if we do not, we will be falling down on our job.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSEN of Minnesota. I yield to the gentleman from Iowa.

Mr. JENSEN. I am sure the record will show that the gentleman from Minnesota and I have always helped the cotton and the tobacco farmers.

Mr. ANDERSEN of Minnesota. And the peanut farmers.

Mr. JENSEN. And the rice farmers of America.

Mr. ANDERSEN of Minnesota. All through my 22 years. And, the same thing applies to the gentleman from Iowa. We have helped you gentlemen from the South to get a fair break for your commodities, but we have no fair break in this bill as far as corn and feed grains are concerned, my friends.

Mr. JENSEN. That is what I was coming to. It just seems to me in all fairness that since many of us on this side from the agricultural States and many from the large cities have supported legislation to give the cotton and the tobacco farmer a break, the same consideration should be accorded those of us who are constantly and sincerely trying to help the farmers of the Midwest.

Mr. ANDERSEN of Minnesota. I thank the gentleman for his contribution.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HOEVEN. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, I repeat it appears to us in all fairness and sincerity that we from the corn and feed grain producing States, the large breadbasket area of these United States, should have something to say about the kind of farm legislation which we know will be good for our farmers. And, if it is good for the farmers, it is good for every American. The Andersen-Jensen green acres bill, if enacted into law, will be beneficial to every farmer in America over the long pull.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Chairman, I would like to urge the House to reject H.R. 12261 because its net affect would be to aggravate rather than to solve the farm problem. I shall offer as a substitute S. 2759—the wheat bill passed by the other body.

The wheat problem today is terribly serious. During the past 5 years the net realized cost for the stabilization of wheat prices and income amounted to about $2.9 billion. This is 30 percent of the net realized cost for all commodities although wheat represents only 6 percent of the cash receipts of all agricultural products.

It is incredible that Congress has permitted this problem to grow to the proportions that we now face. Our wheat surplus is now 2½ times greater than the annual entire U.S. consumption of wheat for food.

The fundamental reason that the problem has grown to this magnitude has been Congress' unwillingness to face the problem realistically. The majority leaders in the Congress have constantly fought for high price supports, and yet they have been unwilling to cut production sufficiently to bring it into line with consumption.

It is obvious that incentive level price supports of 75 percent combined with the 55 million minimum national acreage allotment, and the 15-acre exemption should produce far more wheat than we need.

H.R. 12261 would repeat this identical blunder—

First. By raising the price support of wheat from 75 percent to 85 percent it would discourage the development of new markets for wheat which is a key to a real solution of adjusting demand to supply. It would price wheat out of the market. Raise wheat 25 cents a bushel.

Second. By raising price supports it will raise incentive for greater production for more intensive production of the land which is still permitted to be used for wheat.

Third. Instead of lowering the cost of the wheat program which is the crying demand of the taxpayers it would raise the annual cost about $104 million a year and $230 million over S. 2759 which I am offering as a substitute.

Fourth. In addition to this raise in cost to the taxpayers it would raise the price of wheat and in all probability the price of bread and its products to the consumer. It is just another bread tax. Raises bread about 1 cent per loaf and flour ¾-cent per pound or 10 percent.

Fifth. The idea of setting up commodity committees to determine programs for the feed grains seems to be an unconstitutional delegation of power by Congress.

Sixth. These commodity committees could set up programs for feed grains which could damage other segments of agriculture. What guarantee is there that our poultry, dairy, sheep, cattle, and swine producers would be protected against artificially high priced feed grains?

Hugh Colton, president of the Utah Cattle Association, has advised me that most cattlemen throughout the Nation are unalterably opposed to this kind of treatment of the feed grain segment of agriculture. I have similarly received dozens of letters and wires from other livestock people.

The proceeds from livestock amounted in 1959 to 55.9 percent of all of the agricultural proceeds and certainly their needs must be taken into account in this legislation. By contrast the proceeds from the feed grains amounted to only 7.4 percent. There can be no justification in any sense for permitting the feed grains to establish programs which could damage the livestock industry.

Seventh. The House bill would extend the area of controls.

Eighth. The House bill would set up a costly, difficult to administer and discredited food stamp plan.

Considering all of these regrettable deficiencies in the House bill, I would like to move that we replace the House bill with the Senate bill, S. 2759, which, although it is not perfect, is from every important standpoint a much better bill than the House bill.

In essence the Senate bill would continue the present level of price supports at 75 percent for wheat for 3 years. It would require reduction of 20 percent in acreage for those who comply with the program. The marketing quotas would have to be adopted by a two-thirds vote of all those who are permitted to vote. Those permitted to vote are restricted in the Senate bill—similar to the House bill—to those subject to marketing quotas. The wheat growers are given 50 percent of the previous 3-year average yield of wheat for the 20-percent acreage that they reduce their production. They are also permitted to reduce their acreage by more than 20 percent and collect the 50 percent acreage in kind.

Let me point out that this is a generous provision. The estimates that I have been able to gather indicate that for most wheat farmers they would make a good deal more money by receiving the 50 percent payment in kind than they would if they had to grow wheat on their land. Consequently, this bill can certainly not be said to hurt the wheat farmer in any immediate sense, but to the contrary helps him and, of course, in the long run it helps him even more because it helps in adjusting supply and demand.

The Senate bill reduces the 15-acre exemption to the highest acreage produced in the years 1956 to 1960, not to exceed 12 acres. The Senate bill also raises the penalties for noncompliance as does the House bill.

In summary, the Senate bill is infinitely preferable to the House bill and should be adopted by the House for the following reasons:

First. It eliminates the unpredictable, potentially dangerous and probable unconstitutional program for feed grains.

Second. It eliminates the costly and unwieldy food stamp plan.

Third. It does not raise price supports and thereby dry up market expansion.

Fourth. It does not raise price supports and thereby greatly raise the already exorbitant cost of the wheat program.

Fifth. It does not raise price supports and thereby become a bread tax to the consumers.

Sixth. The 50-percent payment in kind will be attractive for wheat farmers but much less costly than the 55-percent payment in kind provision of the House bill.

Seventh. The administration will accept the Senate bill. Consequently, House passage of the Senate version will insure at least a partial solution for the wheat problem.

Mr. JOHNSON of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. JOHNSON of Colorado. Earlier today I showed the House that the flour that goes into one loaf of bread brings to the farmer 2.3 cents. The Poage bill would bring the farmer 2.6 cents for that flour that goes into one loaf of bread. A loaf of bread sells for 21 cents and the farmer is only getting 2.3 cents. If we

passed a bill that would give him 2.6 cents, I do not see why that should increase the price of bread.

Mr. DIXON. Mr. Chairman, I cannot yield further. I merely wish to say that there is a considerable number of people, thrifty people, who make their own bread, and this would raise the cost of the flour to them by 10 percent. That is a major factor. Let thrifty housewives save the difference between the 2.3 cents which the farmers receive and the 25 or 27 cents which the consumer pays for bread.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. LANGEN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Minnesota.

Mr. LANGEN. Mr. Chairman, I thank my distinguished colleague from Minnesota for yielding and ask unanimous consent to extend my remarks in the RECORD following the remarks of the gentleman from Minnesota [Mr. QUIE].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. QUIE. Mr. Chairman, in the brief time that I have, I should like to point out some of the things I dislike about this bill. First, let's take the wheat section. About 70 percent of the people who raise wheat today would not be allowed to vote in the referendum on whether they supported subtitle A or subtitle B. In the past it has been argued that not all the people who raise wheat should be allowed to vote, because those who raise less than 15 acres have the choice of taking part in the program, if they wish, or of not taking part in it if they so desire.

Under this bill all farmers who raised wheat in the past would be subject to quotas whether they have been raising 15 acres or less than 15 acres, and I think this is as it should be, but I believe all farmers subject to quotas in 1961 should have the right to vote in the referendum and unless this bill is amended 70 percent would be denied their right to vote.

A second thing about this bill which I think is faulty and will prevent it from becoming law is that the price support is set higher than the President would accept. We have been arguing price supports for a long time. If we are going to help farmers who raise wheat we must pass a bill which can become law. I am more concerned about increasing the amount my farmers will receive in dollars and cents than I am in what the price support will be. One reason why there is opposition to increasing the price support on wheat from 75 percent to 85 percent of parity, as in this bill, is that it will greatly increase the export subsidy which is necessary if we are to continue the present great export of wheat and we all hope it will continue. I do not believe we should saddle the American taxpayer with a further expense of this nature when it isn't necessary.

The bill has been designed as a means of helping the farmer through a payment in kind. Properly used, the payment in kind can greatly assist farmers' income while reducing production and reducing surpluses of wheat without the use of higher price supports. I think a payment in kind of 60 percent coupled with the present support of 75 percent of parity would be a good compromise. If this had been done, I think we all know that the wheat section of this bill could become law.

Going into the feed grain section, I just cannot agree at all with this effort to completely abdicate our congressional responsibility and authority and give it to nine men who can no more easily agree than nine men in Congress could agree. We have the opportunity here through our committee system to hear the testimony of the farmers all over the Nation and come to grips with this whole situation and draft legislation of benefit to the farmers. Under this proposal nine men would set up a program. They would not just turn over their suggestions to us. If we did not veto their proposal in 30 days, it would become law. If we should be tied up in such action as we were earlier this year such as consideration of civil rights, or the tieup in the last days of the session, it would be impossible to bring their proposals up and consider them and they become law without congressional action. Surely the Congress should have to take positive action before any proposal by individuals who have not been elected by all the people of this country would have the effect of becoming law.

It is not only the farmers who raise feed grain who have an interest in the feed grains. There are the people of whom the gentleman from Maine spoke who are in deficit feed producing areas. Surely these people do have an interest and should be represented. The reason laws must be passed by Congress and should continue that way is that we represent all the people rather than any special group.

We are concerned about the welfare of feed grain producers. Under this bill, no proposal of the nine-man committee in all probability would take effect for 2 years after the passage of this bill if all goes well. I have an amendment to this title which would be beneficial to the feed grain situation next year directly and an indirect immediate beneficial effect.

Mr. LANGEN. Mr. Chairman, the legislation that is the subject of debate before the House today possibly is designed to fill as great an area of need as any legislation that has or will come before us during the course of this session. This need can be emphasized just as effectively in terms of its significance to the taxpayer, the consumer as well as our farm populace. Therefore, I should want to emphasize that we are not only considering the degree of benefit that this legislation has to the American farmer, the producer of our Nation's food and fiber, but that we are also considering legislation that is of equal importance to our Nation's economy, our supply of nutritious foods, and even the much discussed matter of a balanced budget.

I shall not take the time of the House to present a long and intricate, statistical report of the need that legislation be enacted in order to stabilize and improve the farm economy, for this fact has been set forth so emphatically on numerous occasions by Members of this House, by the Department of Agriculture and by statistical reports from a wide variety of sources. All of them portray very vividly the almost continuous decline in farm income matched by comparable increases in the cost of farm operation as well as the cost of the everyday living expenses in the same proportion as has been experienced by our entire national populace. Likewise, it is just as common knowledge to the membership of this House that there is a need for our concern of this legislation from the taxpayer's standpoint. For here again, the cost of the present farm program and its many provisions have been sufficiently and adequately emphasized. The committee report sets forth this need most emphatically. With regard to the need for our concern of this legislation in relationship to the consumer, history has revealed to us over the years that any nation's strength economically, morally, and militarily has never been any better than the extent to which the nation has had available adequate supplies of nutritious foods and fibers. Therefore, this legislation must supply the opportunity for the producers of food and fiber to produce adequate supplies and to do so in a manner that will grant them the assurance of a livelihood that is comparable to other segments of our populace, and at the same time, to do so without any unnecessary burden to the taxpayer.

I am sure that every farmer throughout the Nation has no desire other than to enjoy an equal and equitable participation in the wealth of individual opportunity and standard of living that this Nation can offer. All of our attempts to achieve this goal and objective over the past 30 years have been found lacking in many degrees. Our latest experience with present regulations is a very real example of the degree to which this problem can become burdensome to the segments of our populace that I have previously referred to.

I should want to express my compliments to the Agriculture Committee for the effort they have expanded in seeking a solution to this problem, and to the Rules Committee for having brought this legislation before us under a rule that offers ample opportunity for debate and expression. The legislation before us, however, fails to meet the criteria that, in my humble opinion, are essential if we are to entertain any hope of arriving at a solution that might provide the answers to the already established needs. May I point to a few of them.

First, may I say that I find the legislation as reported lacking in the sense that it places further restrictions and regulation upon the individual farmer's activities and operation without giving to him sufficient opportunity, responsibility, and the assurance of an improved income. Regulations provided by the different titles would have the tendency to divide producers of wheat and feed grains into separate groups, with each being subject to regulation by separate authorities. My experience as a farmer,

together with a number of years in the administration of existing farm programs, has very firmly convinced me that the responsibility connected with the reduction of surpluses needs to be brought closer to the farmer himself rather than by the penalized direction of the Federal Government. I am just as firmly convinced that this responsibility the farmer both can and will accept if he has the assurance that his efforts will produce the desired results. It is not my purpose to say that I have the only or the foolproof answer to this suggestion, but I have introduced legislation that does provide for entirely voluntary participation by the farmer in return for an assured stability in his income. This legislation offers and provides for the following 11 goals:

First. It offers opportunity for the farmer to achieve full parity prices and his rightful share of our gross national income.

Second. It offers less Government control to the farmer and provides him with the opportunity of voluntarily curtailing production to meet demands.

Third. It offers sufficient incentive to the farmer which will encourage a very high percentage of compliance. Experience has surely proven that no program will be effective to any greater degree than the extent to which we can expect to get compliance.

Fourth. It presents no problem of administration. All of the provisions of the bill can be successfully and effectively administered through the township, county, and State committees and the regulations which govern our present program.

Fifth. It permits the law of supply and demand to function within the provisions of the legislation so that acreage shifts from one crop to the other will be governed by prices as determined by supply and demand.

Sixth. It deals with the entire national productive unit of wheat and small grain feed crops and reductions are required from actual planted acres, giving assurance that compliance will produce a reduced total production.

Seventh. It offers a reduced price support on wheat to those who make no contribution to a reduced production and eliminates the present loophole permitting anyone to seed 15 acres by permitting him to collect a payment in kind if he selects to keep these acres out of production entirely.

Eighth. It does not permit the acres taken out of production to be used in producing other crops that can further enhance the surplus situation.

Ninth. It provides that the President shall institute an investigation whenever it would appear that agricultural commodities are being imported in such amounts as to interfere with the laws and price-support programs for those crops.

Tenth. Compliance with this program will be less costly to the Government in that it will reduce surplus costs and so be beneficial to consumers and taxpayers as well as to farmers.

Eleventh. It will permit the law of supply and demand to again function as soon as present surplus stocks have been diminished to a point of having only adequate supplies in cases of emergency.

That these provisions would be acceptable to the farmer might well be emphasized by his willingness to participate in the many programs that he has been exposed to up to the present time. The reason that many of these programs have not produced the desired results, by my interpretation, has been because the relation the individual farmer has had to them has been entirely without any responsibility on the part of the farmer himself. It is surely in keeping with the American tradition, established by our great Constitution providing for the rights of the individual in a free enterprise system, that growth and progress can best be achieved by adequate means of developing our full potential of individual responsibilities and talents. This goal can be achieved in the field of farm legislation to the advantage of the entire Nation.

A second item that I find completely lacking in the proposed legislation is that no consideration seems to have been given to factors that are beyond the control of the farmer himself. May I mention in passing that I note no reference to the amount of dollars that are referred to as expenditures of the Department of Agriculture which have no relationship or benefit to farm income. But more important is the fact that there is no reference or consideration given to the extent to which the farm income, the volume of surpluses, and the cost of caring for these surpluses, together with resulting increases in the total Government expenditures, have been affected by imports of agricultural products.

I have previously called to the attention of the House how in three of the main crops in my area we have had substantial surpluses and Government expenditures, even though the American farmer has not produced a single bushel of surplus in any of these crops during the past 12 years. During this period, we have constantly had large storage expenditures plus a most depressing market and a continuous reduction in support prices with the application to the Nation that our farmers were the cause of these surpluses as well as expenditures, while the actual truth of the matter has been that the farmer was rather the victim of an import situation over which he had no control. It seems completely futile to me that we should even attempt to curtail production of crops in which our own production has actually been below total disappearance. This same problem has been emphasized by other Members of this House, particularly Congressman E. Y. BERRY, of South Dakota, concerning the extent to which imports have played a part in the entire livestock industry. When this entire scene is surveyed, actually we have no farm or surplus problem within our Nation's boundaries, for if we were called upon to produce quantities sufficient to meet all of our domestic and export needs, our total productive capacity might well be found wanting.

The production of sugar beets and cane is another very lucid example of the same principle. For here is a product in which we produce only 30 percent of our continental needs, and something over 50 percent of our needs in the 50 States. In view of these glaring examples of factors that affect the surpluses and economic problems pertaining to agriculture, how can we possibly expect that the American farmer is going to accept a standard of income that is far below the rest of our citizenry without his expressed and just concern.

I would hope that each of these items might be a substantial part of our consideration today. While I could continue for a more extended time to cite comparable and factual examples of these many inequities, in the interest of time, I shall not do so, for I think that these items alone provide sufficient reason for the Congress to respond to the need of this legislation. In conclusion, may I emphasize one further point. I have noted during the course of today's discussion, in addition to the many long hours of previous deliberations, an element of fear that we had not ought to enter into new fields of legislation pertaining to agriculture and that we might rather admit defeat and hope that by some miracle the problem will go away. I should emphatically state that I do not share this fear, for rather it would seem to me that our experience with the problem over the years should rather encourage us to try and to explore every possible avenue of correction and improvement, and that surely we need have no fear in so doing, for I do not see how we could possibly do any worse than we are now doing. The only possible way that the situation could get worse would be by our neglect to meet our responsibilities as a Congress, to face up to the problem that is before us, and I have every confidence that if we do, we can come forth with a solution that will more adequately serve the needs of the farmer, the consumer and the taxpayer to the complete advantage of the entire Nation's economy. It would be a folly to assume that this can be done overnight, however. I think we need necessarily to assume that it can be done only over a period or years, for we can not correct all of the problems pertaining to surpluses and inequities that it has taken the entire period since World War II to accumulate. We definitely need an adjustment period during which we can work our way out of the dilemma that we now face. This period might require a greater degree of direction and regulation than what will be needed after we get back to a normal balance of supplies and needs for agricultural products.

Because of the great variation in agricultural practices throughout the Nation, I know that it is most difficult to arrive at a unanimity of opinion as to how we ought best to legislate in this field. May each of us today, whether we represent agricultural or metropolitan areas, display our most cooperative and compromising attitudes, for there is no plan that can possibly serve every last little need of a specific segment of the

Nation. But there is every possibility that by proper consideration of the many amendments that will be proposed we can come forth with a plan that will better serve American agriculture, the taxpayer and consumer, and in this manner add strength to our entire national economy.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. JOHNSON].

Mr. JOHNSON of Colorado. Mr. Chairman, I take this time to try to answer two or three cost estimates cited this afternoon that I think are of unusual interest. Taking them in reverse order, the gentleman from Utah mentioned that this would be a tax on wheat flour. This could only raise the price of wheat going into flour by some 3 mills a pound. If flour is selling at 7 cents that could not be an increase of about 10 percent. The really important question is, What would be a fair price to the farmer? If it takes 3 cents instead of 2.7 cents to produce the wheat, I think we should get a fair price for the farmers.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from Utah.

Mr. DIXON. With regard to whether or not this is a bread tax, most of the thrifty housewives make their own bread from flour. This bill would raise the cost of flour three-fourths of a cent a pound. Flour sells at approximately 7.5 to 8.5 cents a pound. Therefore the bill would cost the housewife approximately 10 percent more for her bread, because outside of the little salt and yeast the flour is the main ingredient, and she saves the spread in the bakery bread due to the high labor cost.

Mr. JOHNSON of Colorado. My own wife bakes bread from flour. Raising the price of wheat would increase the raw material by 10 percent, but I see no reason why it should increase the finished product by 10 percent.

The suggestion was made by the gentleman from Maine, speaking about title II, that this would increase the cost to the consumers.

I would call to the attention of the Members section 205 of the bill, pages 20 and 21, which points out that any different income stabilization method individually or in combination may be used, in order to achieve a fair price to the producers at the lowest possible cost to the consumer or the taxpayers. This is the criterion to be used. I do not see how under those circumstances the figures cited by the gentleman can be supported, and unless supporting evidence is given in the RECORD, I shall have to retain a doubt with respect to those figures.

Finally, the gentleman from Iowa [Mr. HOEVEN] speaking earlier on the overall cost, gave some figures which he did not substantiate. I would like to take the remaining time to review the estimates made by the senior specialist in agriculture for the committee on the data involved in program A of the bill.

At the present time we are producing 1,200 million bushels of wheat and only using for both domestic utilization and export about 1,050 million bushels, which means that we are increasing stocks annually at the rate of 150 million bushels. It is estimated that the reduction of 25 percent in allotments would cut production to 960 million bushels or 240 million bushels below present levels. This assumes a 20-percent reduction in output for a 25-percent reduction in acreage, a not unreasonable estimate. Therefore, we actually will not only not be adding to surplus, but we will be taking 90 million bushels out of surplus. The 150 million bushels we are currently putting into storage each year, at a cost of $1.75 per bushel, will provide a $265 million savings to the taxpayers at the outset. In addition to that, there will be savings on storage of 240 million bushels of reduced output at 30 cents per bushel, which provides a $72 million saving; or a gross annual saving of $337 million.

Against that gross saving, there is some increase in cost. For example, exports overseas would have a net increase under the terms of the bill. After taking into account the increased value of wheat under the 85-percent support figure, the increased subsidy is 10.5 cents per bushel, and figured on 450 million bushels exported, there is a $47 million increase in the export subsidy payments.

Then there is the payment in kind on reduced acres. The payment in kind needs to be figured on a net rather than a gross basis, because we are saving the cost of storing additional bushelage that would otherwise be added to it. So we have, against a 149 million bushel payment in kind, we have a reduction in stocks under this program of 90 million bushels. So that the net would be some 56 million bushels at $2.03 a bushel or $121 million.

The increased payments in kind, and the increased export payments come to $168 million, against savings of $337 million. Consequently, the net saving in governmental outlays or costs would be some $155 million to the taxpayers as a direct result of the adoption of the bill, which is pending before the committee as it stands. I fail to see, unless the gentleman from Iowa can enlighten the committee, how one can say it will be a $500 million increase.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. SHORT].

Mr. SHORT. Mr. Chairman, a Congressman representing a State which produces roughly 10 percent of the wheat produced in the Nation finds himself in a rather peculiar position on the day that we bring before the House a bill that can so very drastically affect the income of a very large percentage of our population in the State of North Dakota. Most of the things, Mr. Chairman, that I intended to say have already been said by some of my colleagues.

I just want to make one further comment on the remarks of my colleague, the gentleman from Oklahoma [Mr. BELCHER] when he mentioned briefly the 15-acre aspect of our present wheat legislation. I think, perhaps, few people realize fully the ridiculousness of the situation that we have been in in our present wheat program.

As most of you know, we presently have a wheat-production control program. That is true so far as the original traditional wheat producers of this Nation are concerned. The wheat producers in my State that have been producing wheat for 50 years, and in all other States, have been reduced from their traditional production acreage about 35 percent. This was a curious aspect of our present wheat legislation. While we were attempting to apply controls that would to some degree balance supply and demand, what did the Congress do? They left the door wide open to every farmer in the United States that was not already producing wheat to grow up to 15 acres of wheat without any penalty. He was not eligible to participate in the Commodity Credit Corporation loan program, but he could grow up to 15 acres of wheat and sell it without any penalty.

I just wanted to inject this little aspect into consideration today as it relates to our overall farm and agricultural situation. We have been advised many times that wheat or any other feed grain, when it was in surplus would immediately contribute to a vastly increased supply of livestock. We were told last fall when hogs were selling as low as $10 and $12 per hundred that we could look forward to nothing but a continuation of that same price level. Today I am happy to report that hogs are selling today at 18 cents a pound. We did not pass any legislation last year that would have attempted to control hog prices or production. I think we can be thankful that we did not. I think the hog producers can be thankful that we did not.

Being primarily a cattleman, I want to say a word or two about cattle production and cattle prices. As most of you know, the livestock people of the United States, largely the cattle people, have resisted with everything at their command any attempt to include cattle prices or cattle production under any price support or production control program. What has happened? To me this points up an important aspect of our entire consideration of agricultural problems. Without any controls, without any supports, cattle enjoys the highest parity level of any agricultural commodity produced in the United States today. The livestock people still stand firmly behind their traditional position of wanting no part of any attempt on the part of our Government to control or subsidize or support the price of the commodity that they produce. The experience they have enjoyed has proven beyond any doubt that they are right in their contention, that the price of their commodity will enjoy a better level if left alone.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Chairman, it is certainly true that every Member of this body is desirous of reaching an effective solution to this very, very perplexing problem, but I hope that in so doing we

are not going to create another type of problem that can very well plague us in the days ahead.

Reference has been made in the course of the debate to title 2 of H.R. 12261 and its proposal that there shall be established a nine-member committee which shall have the power to determine upon a program which shall be reported to Congress by the Secretary of Agriculture. In the event either body upon receiving a report of its action does not disapprove within 30 days the recommendation shall become final. This approach is clearly an improper delegation of authority. In addition to being unwise, as has been pointed out by my colleagues, it does not permit proper representation of all segments of our Nation directly concerned with this program. It does involve a delegation of authority which appears to be unconstitutional. We certainly should not adopt a procedure which has been demonstrated by prior action not to have the approval of the courts and not to be in keeping with the responsibilities of this body.

While it is true that we should seek and should welcome the advice of those who actively engage in the particular field with which we are dealing, we should not forget the taxpayer and the consuming public. However, their roles should be purely advisory. We have a Department within the executive branch of the Government which is charged with protecting the agricultural interests of this great Nation. This not only includes the adequacy of our food supply but also the livelihood of the farmer himself.

The recommendations of the Department of Agriculture should reflect this broad approach, and should be of great assistance to this body, enabling it to formulate a legislative program recognizing a precedent we can follow in dealing with every other similar phase of our economy.

Do we intend to say to all groups plagued with a problem of income or supply that they shall come to us, state their problem, make their recommendations, and they will be enacted into law unless we veto it? Can this be applied as a pattern in dealing with labor, in dealing with industry, in dealing with all phases of our economy producing something that may go into surplus? I think you will agree with me that such cannot be a continuing practice. Then why should it be the practice here?

I should like to call your attention, Mr. Chairman, to two cases dealing with the constitutional question of the delegation of legislative power to private persons.

The Bituminous Coal Conservation Act of 1935 provided that the producers of more than two-thirds of the annual tonnage in the preceding year and more than one-half of the mine workers could fix wages and hours for all producers and mine workers in the district. The act was declared unconstitutional by the Supreme Court in *Carter* v. *Carter Coal Co.* (298 U.S. 238, 311), wherein it was said:

> The difference between producing coal and regulating its production is, of course, fundamental. The former is a private activity; the latter is necessarily a governmental function, since, in the very nature of things, one person may not be entrusted with the power to regulate the business of another and especially of a competitor. And a statute which attempts to confer such power undertakes an intolerable and unconstitutional interference with personal liberty and private property.

By way of contrast the Bituminous Coal Act of 1937 provided for the determination of prices by a commission appointed by the President with the advice and consent of the Senate. The constitutionality of the act was upheld in *Sunshine Anthracite Coal Co.* v. *Adkins* (302 U.S. 381, 399), wherein the Court said:

> Since lawmaking is not entrusted to the industry this statutory scheme is unquestionably valid.

In *Schechter* v. *United States* (295 U.S. 495, 537), in which the Supreme Court declared invalid the "Live Poultry Code" promulgated under the National Industrial Recovery Act, the Court, speaking through Chief Justice Hughes, made the following statement:

> The Government urges that the codes will "consist of rules of competition deemed fair for each industry—by representative members of that industry, by the persons most vitally concerned and most familiar with its problems." * * * But would it be seriously contended that Congress could delegate its legislative authority to trade or industrial associations or groups so as to empower them to enact the laws they deem to be wise and beneficent for the rehabilitation and expansion of their trade or industries? Could trade or industrial associations or groups be constituted legislative bodies for that purpose because such associations or groups are familiar with the problems of their enterprises? And could an effort of that sort be made valid by such a preface of generalities as to permissible aims as we find in § 1 of title I? The answer is obvious. Such a delegation of legislative power is unknown to our law and is utterly inconsistent with the constitutional prerogatives and duties of Congress.

These precedents should inject a note of warning respecting adoption of the approach outlined in table 2, and I hope this improper procedure will be disapproved.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Chairman, as a member of the great House Committee on Agriculture I believe that this is the time when we must speak out in behalf of the American family farm. It is a way of life that we are attempting to defend here, the family farm.

Much has been said today about the fact that we should take the agricultural problem out of politics. I am one of the first to agree that this should be done, it must be done, and it should be done today. I believe every one of us who can assume any stature at all should assume the stature of a statesman. That applies to the Members of the House and it applies to the Members of the other body as well. It also applies to those who are candidates for the Presidency of the United States, including the candidates of both parties.

If we would look at the situation today we would find that there are those on both sides of the aisle, in both political parties, who are attempting to play politics. They are not confined to the Democratic side.

In this morning's press it is stated that Vice President NIXON attempted to reassure the farmers in North Dakota that if elected President he would support a new kind of a farm program different from both the Eisenhower and the Democratic proposals, which would sustain farm income. The Vice President refused, according to the dispatch, to discuss the crucial issue of farm price supports while Congress is still debating the President's proposal, but he promised to do it later.

I say that today, the sooner the better, we need to do something for the American family farm for it is in the best interest of the entire citizenry of this country that we do. It is time that we have people stand up here and take a stand and quit waiting until it is politically expedient to do that which needs to be done.

A few weeks ago I was called home to my district. I was asked to return by a group of bankers of Winnebago County. The county of Winnebago is the richest county in the State of Iowa, bar none, and Iowa is one of the richest agricultural States in the Union.

These bankers, who are not necessarily political friends of mine, asked me to come there and talk about the serious situation that confronts the family farmers who live in that county. Winnebago County has never had a drought that has been cataclysmic to the farmers, it has never had a total crop failure for any reason. But here in this richest county of Iowa the bankers, not the farmers, asked me to come there, sit down and talk about the problems of the family farm. I believe it is high time that we quit blaming one or the other, but if we have a solution to come forward with it, and this includes Mr. NIXON.

We who are members of the Committee on Agriculture of the House have worked diligently, we have worked long and hard, and we have come forth with this bill, a bill that is not perfect but it does do some constructive things.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. COAD. I yield to the gentleman for a question.

Mr. ANDERSEN of Minnesota. I want to ask the gentleman if in his opinion the farmers of Iowa and Minnesota can make both ends meet with 95-cent corn?

Mr. COAD. They cannot make both ends meet with 95-cent corn; no. I know that the farmers, the bankers, and the Main Street merchants are concerned about the problem of 95-cent corn. And I know what it is to listen to the haunting chants of an auctioneer selling out a family farm.

We have heard some here today from farm States who are most concerned about higher consumer prices. I regret to say one of my colleagues from Iowa is seemingly most concerned and is worrying about the consumers. I am worrying about the consumers, too, but I am first worrying about the farmers. If the farmer has a strong economy the con-

sumer will receive a reflection of that stronger economy. In the wheat section of this bill there is a realistic referendum choice. I believe it is sure, I believe it is sound. Let the farmers select what they really want. The feed grain section does not impose legislatively anything upon the backs of the feed grain farmers. It simply presents guide lines that the feed grain farmers can set up in the way of their own programs; then the Congress has the right of veto. If it is not a wise program the Congress has 30 days effectively to veto it. Then in section three of the bill is a program distributing protein food to the needy. The cost of this entire bill will be low to the consumer and greatly beneficial to the farmers. I urge its adoption.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BROCK. 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 Nebraska?

There was no objection.

Mr. BROCK. Mr. Chairman, as we approach the closing days of this final session of the 86th Congress we are again at the crossroads in earnest deliberation to legislate a sound and workable farm program, one that will attempt to satisfy all elements vitally interested in this very important segment of our national economy.

There should be no question in the mind of any Member of this House in that we are faced with a very serious farm problem, one that represents a very definite challenge to resolve. This problem has been growing steadily worse for the past 7 or 8 years and has resulted in continual mounting surpluses of agricultural commodities, lower prices for farm products, and the constant dropping of annual net income for the average American family farmer.

It is the direct result of a series of impractical and unworkable theories and farm proposals that have not taken into consideration the technological advances made in the field of agricultural production, but instead have brought the average family farmer to the brink of bankruptcy.

I can tell you from personal knowledge and observation in my own Third District of Nebraska, which is wholly comprised of agricultural and rural communities, that we in the Midwest farm areas are in a serious economic condition.

This depressed economic situation can be better illustrated by reviewing the farm income status—for the past, present, and the future—in a very few simple and detailed steps that defy contradiction.

First. Farm prices at 75 percent of parity—the lowest in 19 years.

Second. Farmer's share of the consumer's food dollar at 37 cents—the lowest in 20 years.

Third. Net farm income, $10.3 billion for the year 1959—the lowest in 17 years.

Fourth. Farmers' out-of-pocket net income losses since 1951—over $24 billion.

Fifth. Farm production expenses at new peak of $26 billion in 1959, using up 68 cents out of each gross farm dollar—that is almost as bad as in the year 1932, the peak of depression.

Sixth. Accurate forecasts of even lower farm prices and net income for the present year 1960.

Seventh. Five Presidential vetoes of major farm bills in 7 years.

That, Mr. Chairman, tells part of the story but not all of it. While it was not, and is not, my intention to burden you and this House with statistics and figures, it is sometimes very difficult to present a constructive picture without them.

The loss of net income to the farmer started in 1951 in the amount of $2.3 billion for that year. It has progressively increased until the year 1959, when the total reached an accumulated net income loss of $24.1. The net income loss for that year, 1959, cost the farmers and the businessmen in my own State of Nebraska $800 million.

To further bring out the depressed economic situation in which the average family farmer finds himself today, we need only to look at the records of per capita income for the various segments of our national economy. You will find that in the year 1959, some 21 million people living on the farm averaged only $960 of per capita income, whereas the rest of our national population had a per capita income of $2,202.

The total national income has risen from $279 billion in 1951 to $398 billion in 1959, an expansion of $119 billion, in our national economy. Wages and salaries represented $98 billion of this expansion. Meanwhile, total farm income for the same period dropped $4.5 billion. These figures are enough to make the average farmer weep.

While the farmer has been forced to bear the increased costs of living, reflected in his purchases of farm equipment and other necessities, increased labor costs, education of his children, stipulated and the many other hidden taxes, he has been very definitely shortchanged on the distribution of the increased national wealth.

As the per capita income of the industrial worker and the other segments of the national economy moved steadily upward, the net income of the average farmer steadily declined. This lack of equal distribution of the national wealth has brought upon us the "farm problem" with which we are faced today. Unless it is solved, and promptly, we will be faced with a further and unsurmountable problem that can only result in national economic depression.

There are other reasons for the existing "farm problem" that must be taken into consideration. Of prime importance is the constant increases in our importation of livestock and red meats. During the past 2 years I have made a thorough study of this related problem and have made numerous objections to our Department of Agriculture, the Tariff Commission, and the White House, requesting them to use their constituted authority to invoke quotas that would impede or halt these increasing imports that were threatening the very existence of some of our domestic markets, particularly so when these domestic markets were in a depressed condition.

Figures compiled by the National Livestock Feeders Association indicate that in the year 1958 we imported a total of 1.154 billion pounds of beef products, livestock and the equivalent, which represented 8.2 percent of our domestic production. In the year 1959, there was a very slight drop, to a total poundage of 1.067 billion, or 7.5 percent of our domestic production. We might also refer these figures to the year 1956, when we imported a total of only 182 million pounds of beef products.

It is interesting to note that while this Nation is the world's greatest hog producer—one of the principal agricultural commodities of the Midwest States—we actually import more pork products than we export. During the 12-month fiscal year period of 1959, we imported a total of 196 million pounds of pork products, whereas our exports for the same period amounted to only 60 million pounds.

Lamb and mutton represented by far the largest percentage gain in meat imports, rising 165 percent in 1959 over the 1958 figure. This gain resulted from the imports of over 42 million pounds, as compared to less than 16 million pounds in the year 1958. The importation of these particular lucrative products have become so important to the down under countries of Australia and New Zealand that the importers have chartered innumerable freighter ships, have embarked on a shipbuilding program of larger refrigerated vessels, and have now resorted to flying in their product.

Similarly, the same products are being flown in from Iceland, and other cold countries who have realized that our wide-open import policies beckon them to greater profits than they could possibly realize in their own countries, all to the detriment of our domestic producer.

To add insult to injury, kangaroo meat, not generally used as food even in Australia today, has been imported into some of our Eastern States, in large quantities, labeled as "eating meat," to the unsuspecting public. It almost belies description when you think that our Department of Agriculture would be so lax in the performance of their duties to permit such a situation to happen. It required action on the part of the Attorney General's office to halt this corrupt and vicious import practice.

To fully understand the danger of this increased importation of meats into the United States, its effect on the economy of our domestic producers, as well as its contribution to our already mounting agricultural surpluses, it is necessary to discuss some of the problems involved in the production, and feeding of livestock, and particularly beef. Across the Nation generally it requires the annual production of an average of 20 acres to produce a beef. It also requires an average of 2 years to put that beef on the market. The beef imports alone last year supplanted the production of more than 80 million acres of land. These 80 million acres of land had to be used for some other purpose, which naturally resorted to the raising of crops

that are now branded as a surplus agricultural commodity.

While on the subject of agricultural surpluses, we might recall to mind the subject of farm subsidies. When the average persons hear the word "surpluses" and "subsidies" they immediately think of agriculture and the farmer. Far too many of our good and conscientious citizens labor under the delusion that the average farmer is the beneficiary of tremendous subsidies, all at the expense of the other taxpayers.

Actually, nothing could be further from the truth, as factual evidence will bear out. The farmer is charged with much more subsidies than he actually receives and what he does get is comparable to a drop in the bucket when you stop to consider the other enterprises subsidized by the Federal Government.

The fiscal year budget for 1959 included an item of $6.8 billion, which was supposed to subsidize agricultural activities. Many people who were fortified with adverse publicity, thought it all went to the farmer. Upon analysis we find that $2.1 billion went for losses on price supports, other supports, and the acreage reserve, all properly chargeable to the farmer.

Now, let us look at the other side of the ledger and bring it into balance. One and four-tenths billion dollars included payments for conservation, loans for rural electrification, and so forth—repaid with interest to the Federal Government—and agricultural research and education. These make the farmer more productive and efficient and the benefits accrue to the consumer in the future.

Three billion three hundred million dollars, or about half of the agricultural budget, went for foreign disposal of surpluses, storage and interest charges on surplus agricultural commodities, donations of food, free school lunches, and reserve for future losses. In a sense, this group indirectly helps the farmer by expanding the market but the majority of the benefits therefrom go to others than the farmer.

This indicates that hardly more than 50 percent of the so-called farm subsidy for that year went directly into the hands of the average farmer.

Subsidies do not have to be a direct Government handout but public acceptance is often dependent upon how well the subsidy is disguised or hidden. Very substantial subsidies are paid to the commercial aircraft and shipping industries, but the biggest and most concealed subsidies are paid out in the form of business reconversion payments, including tax amortization, which has amounted to almost $50 billion since that tax writeoff went into the statute books.

If I be permitted to use a Biblical phrase, the subsidies directly paid to the average farmer could be well-called a "Peter's Pittance" compared to the tremendous amount of subsidies paid out by the Federal Government in the field of amortization in the form of tax grants or exemption.

Today, we are considering the Surplus Reduction Act of 1960, introduced by my good friend and colleague from the State of Texas, a sincere and dedicated friend of agriculture. His bill is a step in the right direction, one that will provide for reductions in our future anticipated surplus production of agricultural commodities. In some features of the bill, we will find variance with our colleagues on the Senate side of the Capitol, particularly so in the problems of our production controls and price supports on wheat.

As previously stated, this is a good bill and one that was reported after considerable deliberation by the House Committee on Agriculture. In the absence of any other agricultural bill for this purpose, I will support it. My concern, however, does rest in my own State of Nebraska and the other Midwest States that place much dependence on the production of feed grain. It is a must with me that the producers of feed grains in my own Third District and the rest of my State and the Middle West be protected in this legislation.

With this thought in mind, I refer you to my own farm proposal, H.R. 11799, introduced in this House on April 19, this year, that will provide a new farm program for 13 basic agricultural commodities, which includes corn, wheat, oats, cotton, barley, flax, tobacco, rice, grain sorghums, soybeans, peanuts, rye, and wool.

My bill would provide for the more orderly marketing of agricultural products at reasonable process, creation of a national food and fiber reserve, price supports that would yield an average of 100 percent of parity for agriculture, and necessary controls of production that will eventually lead to reduction of our present surpluses.

In behalf of my proposal, may I say that people generally recognize that agriculture must conform to the practices of industry and produce in accordance with the demand for any or all of the basic agricultural products.

This was uppermost in my mind when drafting this legislation.

However, this cannot be conceived by the farmer himself at this time, simply by throwing him on the slogan rule of the law of supply and demand. It must be accomplished in measured steps, with the help of the Federal Government, until such time as we reach a goal of diminished surpluses of agricultural commodities, a return to a fair and just market price for farm products, aided and abetted by orderly marketing processes, and a control of production that will meet the law of supply and demand.

My bill also provides for the protection of our domestic agricultural markets by the imposition of import quotas and tariff fees on commodities imported from foreign countries. Such tariff fees collected under the authority of this bill would be deposited in a special account and credited to the nation where such imports originated for the purchase of goods produced in the United States. This would have the effect of giving us a balance in the area of reciprocal trade and would be to the advantage of the domestic producer.

One of the abject failures in our recently administered farm program has been the falling off of our exports of agricultural commodities. As a record-producing nation in the field of agriculture we naturally should be exporting far more of these products than we would import. Unfortunately, this is not true in official statistics recorded by the Departments of Agriculture and Commerce.

Any attempt to restore farm prices by curtailment of production or higher price supports will be ineffective unless we prevent an excess of farm imports. On the other hand, we cannot have any prosperity on the farm until we achieve a greater balance of exports over imports. To achieve such a balance it is necessary that our exports of agricultural products reach a figure of not less than 1½ percent of our total national income. If this ratio was maintained at the present time, we would dispose of some $6 billion in export goods which would spell the difference between prosperity and depression in the agricultural areas.

In the period 1943–52, 90 percent price support legislation resulted in 100 percent average parity for agriculture. The parity price, as defined in my bill, H.R. 11799, shall be based on an average of not less than 90 percent, or more than 110 percent of parity.

Parity prices for the 13 basic agricultural commodities under the provisions of this bill would approximate the following:

Wheat, $2.19 per bushel.
Corn, $1.67 per bushel.
Oats, 93 cents per bushel.
Barley, $1.43 per bushel.
Soybeans, $2.92 per bushel.
Rye, $1.77 per bushel.
Sorghums, $2.65 per hundredweight.
Butterfat, 78 cents per pound.
Milk, $4.91 per hundredweight.
Eggs, 49 cents per dozen.

If you will compare these given prices with the prevailing prices today for the same commodities, you will readily see the difference between prosperity and depression on the farm.

There are, however, some among us who advocate the theory of removal of all price supports and production controls of agricultural products.

With your indulgence, I will now outline the future prices that would prevail under such conditions.

A recent study completed by the economists of the Department of Agriculture and the land grant colleges, on the theory of the total elimination of price supports and acreage controls on agricultural products, will not come as a surprise to the majority of practical farmers and others in the rural areas. It should not be a surprise to the many Members of this House who are the representatives from the agricultural areas.

The conclusions reached in these economic studies indicate that farm income would fall to about $7 billion by the year 1966. if all price supports and acreage controls are removed. This represents a drop of 46 percent from the 1958 level and less than half that of 1952.

There was a difference in the related studies as to the actual prices that would prevail for the various products. The

USDA economists came up with prices projected to 1965, as follows: Wheat, 90 cents; corn, 80 cents; hogs, $11.20 and cattle, $15. The land grant economists projected their figures to the years 1962–63, and produced the following prices; wheat, 74 cents; corn, 66 cents; hogs, $10.80; and cattle, $11.51.

Now, even the figures submitted by the USDA economists would bankrupt most of the farmers and a good portion of commercial agriculture would have to go through a complete reorganization to survive. If present standards of living were to be maintained on family farms, land values would have to be assigned zero value. Farmers owning their land and other property outright, free of mortgages, would have nothing left above operating and living expenses. Their real income would be zero.

Further analysis of these studies indicate that the wheat farmers would have their net income reduced by 50 to 75 percent; feed grains and hog producers by 50 percent; and cattle producers and feeders, 25 to 35 percent.

The net result of these economic studies clearly shows the end of the low price road in a high price country, and points up the unbalanced national economy that presently exists.

Prosperity for our farmers can be brought about only by passage of good, workable farm legislation that will boost the net income of farm families, and by changing our lopsided national economy into some semblance of balance between the annual incomes of the urban industrial workers and other high-paying occupations, and the farmer who toils in our agricultural areas.

Lack of equal prosperity for the farmer will not only destroy small business in the rural communities but will be reflected in considerable measure throughout the industrial and manufacturing areas of the rest of the Nation.

In visiting with some of my colleagues who represent various industrial and manufacturing areas of the Nation, I find that they are genuinely concerned with the economic depression in the agricultural areas, particularly so, due to the adverse effect it is having on the production of the industries in their areas.

The pinch has been getting deeper as time progresses and now has become a major factor in the planning production of these industries. This has vitally affected the steel industries in Pennsylvania, Indiana, Ohio and other States, as it has also affected the tire and rubber productions in Akron and the other rubber manufacturing centers.

To realize the enormous purchasing power of the agricultural areas one needs but to turn to some of the official statistics compiled at the end of 1958:

There were more than 12 million trucks, tractors and cars on the farms.

Agriculture consumed more than 15 billion gallons of petroleum products, more than any other segment of the national economy.

Agriculture consumed more electric power than the combined total of the cities of Chicago, Detroit, Houston, Baltimore, and Boston.

Agriculture purchased over 6½ million tons of steel.

Agriculture purchased enough rubber tires to equip over 6 million cars.

Agriculture purchased more than 50 million tons of chemicals.

Agriculture and rural America represented a purchasing market of $40 billion for the national economy.

The cities of America depend on agriculture for an abundance of food and raw materials, for part of its expanding markets, much of its labor, its management and its genius.

Let us legislate wisely in this area and not cast aside the returns that come to us annually from this very important segment of our national economy.

We have made mistakes in the formulation and administration of some of our previous farm programs but it is not too late to correct them.

Mr. HOEVEN. Mr. Chairman, I yield 6 minutes to the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Chairman, for this Congress to pass H.R. 12261 would be a public admission that it cannot cope with the surplus agricultural problem that it itself helped to create. By the passage of this legislation, the greatest legislative body in the world would hope to relieve itself of the responsibility of finding an adequate and just solution to one of our greatest domestic problems.

For this Congress to attempt to delegate authority and responsibility which the people have imposed in it, would certainly be construed to be an admission of incompetency on the part of the membership to deal with this difficult problem. I personally am not ready to make such an admission and I know many other Members of this House are not ready to do so either. We need no other reason than this to strike the delegation of power from this bill.

Let us now examine what this bill proposes to do to the small family-type farmer. Even the former title of this bill, "The Family Farm Act," which in itself was a misnomer has been stricken, can now in all frankness be referred to as the act to eliminate the family-type farmer.

This bill would deny a small family-type farmer a voice in the basic referendum which is provided for herein.

The wheat section, title I, calls for a referendum in which growers would decide by a majority vote between a program of high price supports and strict controls and a program without controls and unlimited acreage with lower price supports. Such a referendum would obviously be of vital concern to the small wheat producer; yet some 70 percent of all wheat producers are denied the right to vote because they produce 15 acres or less of wheat. It seems utterly ridiculous to exclude these small wheat producers from participating in a referendum that could possibly head the Nation's wheat program in a direction in which both the producers and consumers want to go. Such a provision can only be intended to favor the large commercial wheat producer, who produces a type wheat which is causing our surplus, and assure him a dominant voice in the wheat referendum.

We also have discriminated against the small producer in the feed-grain provisions of this bill.

Under the feed-grain title, after a program has been drafted by a farmer committee, a referendum of feed-grain producers would be held to determine whether the program should take effect. The authors of this bill have denied a vote in this referendum to all farmers whose annual production of feed grains amounts to less than $500, unless the feed grains total more than 50 percent of his farm output.

This provision not only would deny many farmers the right to vote on a program that would vitally affect their family livelihood, but it would involve a cumbersome and costly chore by government people in trying to determine voting eligibility.

Lack of fairness in voting eligibility is only one of the many undesirable features of this proposed legislation. It would increase the amount of export subsidy and would create many new, costly administration problems. It could conceivably resurrect the discredited Brannan plan.

In short, the wheat and feed-grain sections of this bill would aggravate—not eliminate—our farm problem.

This bill continues the unrealistic approach to the wheat problem by failing to take cognizance of the fact that all classes of wheat are not in surplus and for this reason should not be treated in the same manner as the classes of wheat which are in surplus. Let me now direct your attention to the chart which I have prepared showing the wheat carryover by classes since 1952 to date. It is obvious to anyone examining this chart that could we eliminate but one-half of the surplus of one class of wheat, we would go far in solving this problem.

Notwithstanding the fact that our normal carryover of Soft Red Winter wheat since 1943 has been 19 million bushels and that the carryover of this class of wheat on July 1, 1960, will be but 8 million bushels—not 10 million bushels as shown on this chart according to new figures to be released on June 28, 1960, by the Department of Agriculture. This bill would apply the same reductions to this class of wheat which would be applied to the Hard Red Winter class. In view of the fact that Hard Red Winter is used primarily for the making of bread, and that Soft Red Winter wheat is used primarily for pastries, there is no justification for applying these reductions similarly as contemplated in this bill.

Another feature of this bill which does not show up on its face which is detrimental to the consumer of Soft Red Winter wheat is the fact that the 15-acre farmer who produces most of this type wheat is asked to take a larger reduction in his production than are the large farmers of the West who are producing Hard Red Winter wheat—the type wheat which is causing the lion's share of our surplus. On this hastily sketched map, I have attempted to divide the United States by the classes of wheat grown in the various regions. From examining this map, one can easily determine where the greatest production has been and

which class of wheat will be reduced the most. For example, in my State of Ohio, 123,000 of the 153,000 wheatgrowers operate under the 15-acre exemption; in Indiana, 99,000 of the 121,000 wheat farmers operate under the 15-acre exemption; in Illinois, 108,000 of the 137,000 wheat farmers operate under this exemption; in Arkansas, 18,000 of the 19,000 wheat farmers operate under this exemption; in Tennessee, 33,000 of the 35,000 operate under this exemption; in Pennsylvania, 80,000 of the 88,000 wheatgrowers operate under this exemption; in New York, 32,000 of the 38,000 operate under this exemption; in Virginia, 46,000 of the 49,000 operate under this exemption; in North Carolina, 77,000 of the 79,000 operate under this exemption; and so on throughout the entire eastern half of the United States. Yet these are the farmers who are growing the class of wheat which is not contributing to our surplus but are asked to take a greater reduction than the growers of Hard Red Winter wheat which is causing our surplus. Does such a proposal make sense?

Mr. ABBITT. Mr. Chairman, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Virginia.

Mr. ABBITT. I want to commend the gentleman for the fine statement he is making. Will you agree with me that the little 15-acre farmer is not the one that is producing these surpluses?

Mr. LATTA. I agree with the gentleman, and I want to show the committee at this time a map to substantiate that statement.

Mr. ABBITT. And will you not also agree with me that this bill should be known as the big producer bill, a bill to take care of the big producers?

Mr. LATTA. The gentleman is absolutely correct.

Mr. POAGE. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Chairman, at the outset of my remarks, let me say that I represent one of the largest wheat-producing districts in the Nation. The economy of the 33 counties comprising the Fifth Congressional District of Kansas are based primarily upon wheat. What happens to the wheat farmer affects the fortune of every man, woman, and child in the district.

Therefore, my great interest in the legislation now before the House is understandable. What the House does here today can, in great measure, affect the welfare of all the people of my district.

I have insisted since first coming to the Congress that the overriding consideration of any wheat legislation should be the protection of the income of the wheatgrower. I plead with you to keep that consideration in mind as we debate H.R. 12261 by the gentleman from Texas [Mr. POAGE] and the various amendments which will be offered under the 5-minute rule.

There has been a lot of loose talk, particularly by persons and publications outside the wheat areas, about the earnings of wheatgrowers. We are told they are riding the gravy train, that wheat farmers are making a killing each year at the expense of the U.S. taxpayer.

This is dangerous talk—because many well-meaning people who know absolutely nothing about the facts believe it. That explains in great part, I believe, the demand in some quarters for a drastic downward revision in support levels and, as a consequence, a decline in the income of the wheat farmer. People look at the present supply of wheat in Government warehouses and they demand Government action—without any thought given to what possible effect alternative programs might have on wheat producers.

Wheatgrowers have not insisted that the present program be continued. In fact, they recognize that changes must be made to reduce the cost to the taxpayers. Last year, wheatgrowers almost unanimously supported legislation that would have reduced production and cut about $250 million from the cost of the program during a 2-year program.

Unfortunately, the President, upon the advice of Secretary Benson, vetoed the bill.

Earlier this year, the National Association of Wheat Growers took the lead in drafting legislation to revise the wheat program. The National Grange, the Farmers Union, and a number of other farm and commodity groups approved a marketing plan under which producers could have achieved full parity and at the same time taken the Government out of the wheat storage business.

This was a bold, new proposal—the type of thinking we must have to solve a most difficult problem. Mr. Benson opposed the proposal. Unfortunately, neither the House nor the Senate Agriculture Committee saw fit to report this bill.

The House committee instead reported H.R. 12261 by the gentleman from Texas [Mr. POAGE]. I make no claims that H.R. 12261 is the answer to all wheat problems. Frankly, I would much prefer the wheat marketing plan of the national association as I introduced it in H.R. 11011.

But as an interim measure, to help us over an extremely difficult period, wheat farmers can live with subtitle A in the Poage bill. This subtitle calls for reducing the national wheat allotment of 55 million acres by 25 percent. The support level would be increased from 75 to 85 percent of parity and farmers would receive a payment in kind from CCC stocks equal to 55 percent of the average production on the idled acres.

I realize full well the Department of Agriculture and the White House have both let it be known they oppose increasing the support level. During the course of the debate I am sure we will hear threats of a veto.

My answer to that is simple. The House should do what it thinks is right for the country and for wheat producers. Then if the President in his judgment believes the legislation is unsound he should exercise his constitutional prerogative and veto the bill. But let us not legislate under the threat of a veto.

H.R. 12261 provides for a referendum at which qualified wheatgrowers will choose between two alternatives.

The first alternative is subtitle A which I outlined earlier in my remarks. Subtitle B—the second alternative—would tie the price of wheat to the support level for corn and pegging it at 120 percent of the corn price support for 1961, which means $1.27 per bushel or 50 cents per bushel below today's price.

Frankly, Mr. Chairman, I have no doubt that if this bill becomes law and wheat producers are permitted to vote, they will choose plan A instead of plan B. They will so choose because of cold, hard economic necessity.

Plan B would cut the price of wheat to ruinously low levels. Farmers in my part of the country simply could not survive. If farmers in commercial wheat areas are to continue in business they must have a higher price than plan B offers them.

Also, Mr. Chairman, I would like to comment on the bill the Senate passed last week. It is my understanding that opponents of H.R. 12261 will offer the Senate bill as a substitute for the Poage bill.

In all honesty, Mr. Chairman, I must say that the Senate bill, calling for a reduction of 20 percent in acreage with supports to remain at 75 percent of parity, is wholly unacceptable to wheat producers in my area.

This formula—including payment in kind of 50 percent—would drastically reduce farm income, already at the point where it can hardly support the ever increasing costs of doing business. For example, on a 100-acre wheat allotment, farmers would receive a gross income of $3,916 under the present program.

Under the Senate bill, this gross income would be reduced to $3,523.40—a decline of almost $400. That may not sound like much, but to a wheat farmer who is hard pressed to make ends meet, it can mean the difference between profit and loss.

Under the Poage bill, the farmer's income would be protected. He would have a gross income of $3,900 on the 100-acre allotment.

I plead with you not to be misled by propaganda about all the money wheat farmers are making. The truth is that all through the western wheat area people by the dozens are selling out and leaving the farm. I hold in my hands 25 sale bills advertising auction sales, all of which were collected by one man in a week's time in one county of my congressional district. I ask you, is this the sign of unprecedented prosperity? Are forced sales the sign of good times?

Mr. Chairman, I urge this House to accept the Poage bill as reported. It will protect the farmer's income. It will reduce production substantially, and remove almost 170 million bushels of wheat from CCC stocks. This means less cost to the taxpayer.

This is interim legislation. It offers protection for the farmer as we work off our surplus stocks and approach the time

when supply will permit larger plantings and a free market. But we simply cannot abandon the wheat farmer to ruinously low prices while he waits for the law of supply and demand to provide him once more with a decent price for the product of his toil.

If you strike out subtitle A—which affords income protection while it reduces supply—or if you substitute the Senate bill, you will have seriously injured the wheat farmers of my area. I plead with you not to do this, but instead to support the Poage bill.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, we have heard a good deal of talk about the family farm. I presume that in the Midwest the family farm is one where they milk the cows, feed the pigs and the steers, and the entire crop is produced on the farm and fed on the farm. My farm is exactly that type of operation. I have never sealed a bushel of grain in my life. I never negotiated a loan of any kind, and I have operated my farm successfully.

There are 156 million acres of land in the United States where the crops are produced and they are retained on the farm. We have a little better than 187,000 farmers in the State of Minnesota, and 75 percent of them have never participated in any crop price support program whatever. It seems to me that when we are dealing with the farm program we spend a lot of time talking about individual commodities like wheat or corn or tobacco or cotton or whatever it may be and we forget that actually the thing we must do is consider the total tillable acres that produce the crops that produce the surplus. If we have 156 million acres of land that produce crops to be fed on the farm, it seems to me here is an area in which we should move with a voluntary payment-in-kind program.

I regret that in this committee bill, when all commodities were included, little by little items were taken out, and finally we are having forced on us in the feed grain areas a bill that nobody else wanted.

I should like to suggest at this time that we give some thought to amendments that will be offered later. The gentleman from Minnesota [Mr. QUIE] and myself have an amendment patterned after our payment-in-kind bills. The gentleman from Minnesota [Mr. ANDERSEN] has a bill, associating himself with the gentleman from Iowa [Mr. JENSEN], in the payment-in-kind approach. I believe in the payment-in-kind approach especially for the small dairy farmer as I have mentioned. If he could idle acres and then take from surplus what he would have raised he then would not have to sell off his dairy cows. He could continue to operate as he has in the past. If he takes 20 percent of his acres out of production, he at the same time will be replacing that 20 percent out of surplus, and you have gained 40 percent in the overall picture.

I am of the opinion we are spending too much time talking about support levels, especially since 75 percent of the average family farms in an average agricultural State like Minnesota get no direct benefit whatsoever from crop supports.

I think more time should be spent in trying to figure out a plan to reduce the surplus that is producing, as the aviator says, "a low ceiling" that we cannot penetrate. The farmer never gets an opportunity to enjoy some of the surges we find in a normal economy.

I believe the payment-in-kind amendments that will be offered have greater merit than some of the provisions that are in this bill. But I also believe the committee has worked hard, and I compliment the committee whether they agree with my point of view or not. I think it is high time we recognize that something must be done.

When we talk about the family farm, I would like to call attention to the fact that one of our problems is the cost of operation. When I started farming, way back in 1935, I bought a three-bottom plow for $140 brand new. I thought I was really going into business in a big way. Last year I bought a four-bottom plow—$918. Tractors and equipment and taxes have risen year by year by year, and the little family farm has received very little benefit under the legislation that we have had in the past and that we are talking about at this moment. The only way you can help them is to replace what the little family farm loses in idle acres so that they can continue their normal operations. Then I think you will have voluntary participation that will be more effective than all the policing you can put into any kind of bill, because here is an area where you can make headway.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOLEY. Mr. Chairman, I yield myself the balance of the time remaining.

Mr. Chairman, I think this debate has been very well conducted. I think the bill before us has been very well discussed and presented. I want to say that the Committee on Agriculture has worked faithfully and diligently trying to solve some of the problems of agriculture.

Our committee brought the wheat bill before the House in the last session. The bill finally went to the White House and was vetoed. Still we continued our efforts.

The gentleman from Oklahoma [Mr. ALBERT], as chairman of the wheat subcommittee, held extensive hearings. On the bill we have before us, which started out as the Poage bill and ends up as the Poage bill in a different form, the Committee on Agriculture held hearings for about 15 days. Everybody desiring to be heard was given an opportunity to be heard. All of the farm organizations presented their views and their plans and their programs.

The Poage bill before you now is quite different from the original Poage bill, which was a very comprehensive and all-embracing bill. Actually, it originally offered to the producers of just about all of the agricultural commodities grown in the country to develop programs to stabilize their production and income. It offered to crops that could use it advantageously a national marketing order provision. We eliminated one commodity after another. As the original bill became very controversial, we eliminated the national marketing order provision.

Now we are dealing with agriculture's problem No. 1, to wit, wheat. And we are dealing with the second most troublesome problem: the growing and costly surplus of feed grains.

The President has time and again reminded the Congress of the great magnitude of the problem presented to the American people by virtue of the manner in which the wheat program has operated. Most of you know we now have more than $3 billion invested in wheat. Something must be done about it. The President says so. Everybody else says so.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. Would the gentleman point out that this bill, as it now stands, deals with 85 percent of the total surplus commodities that the U.S. Government holds and it deals with 59 percent of the tilled acres of the Nation?

Mr. COOLEY. I thank the gentleman for that contribution, and that makes this a national farm bill because it does deal with the greatest problems of agriculture.

Mr. Chairman, I do not want to get into any politics about this thing.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. ANDERSEN of Minnesota. The bill would really, in my opinion, be a pretty fair bill if there were another alternative so that the farmers could choose between them on the feed-grain portion of it.

Mr. COOLEY. I want to say to my friend, I have considered his green acres proposal. I have no devotion to the language in this bill to the exclusion of alternatives which might improve the bill. What our committee had in mind was to try to provide some alternatives for the farmers so that they could present their views to the Congress of the country.

Mr. ANDERSEN of Minnesota. I think that is good procedure.

Mr. COOLEY. Speaking only for myself, I have no objection to having the green acres proposal placed in the bill, but I cannot speak for the committee.

Mr. ANDERSEN of Minnesota. I thank the gentleman.

Mr. SCHWENGEL. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. I have listened all afternoon to this discussion, and I am impressed with the fact that the committee has worked diligently. I noticed what you said about hearing the people who wanted to be heard. You said every farm organization was heard on this legislation. You mean the Farmers Union, and so forth? Can you tell

me which of those organizations support this legislation?

Mr. COOLEY. Unfortunately, the farmers' organizations have not been able to agree on any legislation in the last several years. It is difficult for us to say which organization recommends and approves any particular provision of this bill, but I will say this, that the bill does provide that the Farm Bureau proposition on wheat shall be submitted to the farmers in a referendum, and if two-thirds of the farmers approve the Farm Bureau provision, then they come back to the Congress and it becomes the law of the land.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. It only requires a majority.

Mr. COOLEY. That is correct. I stand corrected.

Mr. SCHWENGEL. Does any one of these farm organizations support this legislation?

Mr. COOLEY. I am not in a position to say that any farm organization supports it in its entirety. We heard a lot of talk about the lack of leadership. The Congress has presented the leadership with at least one wheat bill which was vetoed. We are now presenting another one.

On February 18, the Secretary of Agriculture, Mr. Benson, presented a wheat bill in our committee room. I challenge any Republican in the House to stand up now and say that he is the author of that bill. Mr. Benson has shopped around for 7 years trying to get Members of Congress to introduce legislation for him. Never has he been able to get any Member to introduce legislation on general farm policy. Mr. Marvin McLain, the Assistant Secretary, presented Mr. Benson's wheat bill to us again on March 14. Why has not some faithful Member of the minority party placed his name on this bill? Where is the administration bill? Where is the bill of my friend the gentleman from Iowa [Mr. HOEVEN]? He criticizes everything under the sun, but he has not presented a bill.

You can talk about bills and sending this bill back to the committee and recommitting the bill, but you know this late in the session you either take this to begin with or we will have no wheat legislation at this session.

I am not wedded to this bill. I am willing to consider every amendment which may be constructive.

But as to the Eisenhower-Benson wheat bill, why is it not here? It has not even been introduced, and yet we are to be criticized because we have not enough votes to override a Presidential veto. The only reason we have not already dealt effectively with the wheat problem is that we have too many Republicans and not enough Democrats. We do not have enough Democrats to override a veto.

Now let us get down to the bill. The bill is here. It has three major parts dealing respectively with wheat, feed grains, and the distribution of protein foods, as follows:

WHEAT

Farmers would be offered in title I of the bill a choice between (A) a wheat program, developed by the committee, based on strict production controls—75 percent of present allotments—with price supports at 85 percent of parity and payment in kind for retiring cropland at 55 percent of normal production and, (B) a program of no production controls with the support price of wheat at approximately the feed grain level.

The (A) program follows the lines of the bill which was reported by the Committee on Agriculture last year and approved by both Houses of Congress, but was vetoed by the President. It makes substantial changes in that bill, however, by reducing the level of price support from 90 to 85 percent—approximately $2.03 per bushel—increasing the payment in kind for retiring cropland from one-third to 55 percent of the average yield per acre, and providing acreage allotments for the 15-acre growers, those not now subject to marketing quotas, making them subject to marketing quotas, but permitting them to participate in the acreage retirement and payment-in-kind program and to vote in the referendum which will be held on the approval of marketing quotas.

The (B) wheat program was proposed by the American Farm Bureau Federation. It would repeal all acreage allotments and marketing quotas on wheat and would depart from the parity formula in determining a fair price for wheat and set the level of price support at the level of price support for corn, adjusted for the relative feed value of wheat and corn. It carries a proviso that the level of support for wheat, for the 1961 crop only, will not be less than 120 percent of the level of price support for corn, adjusted for feeding values. This means about $1.27 per bushel for wheat in 1961 with about $1.15 per bushel in 1962 as compared with the present level of $1.77 a bushel under existing law. This wheat proposal also extends the conservation reserve part of the soil bank for another 3 years, authorizes the expansion of this program to 60 million acres, with payments to be made in cash rather than in kind, and emphasizes that the greater part of the expansion is to be achieved in the first year of its operation.

FEED GRAINS

The feed-grain provisions—title II of the bill—authorizes the election of a farmer committee to develop, with the assistance of the Department of Agriculture, a program for feed grains—corn, grain sorghum, oats, barley and rye—which would bring production into balance with demand, return feed grain producers between 85 and 100 percent of parity, and authorize the retirement of up to 50 percent of cropland on the farm in return for payment in kind in feed grains. A salient feature of the feed-grain part of the bill is that it would prohibit any program entailing Government purchase or storage of grains and would limit the overall cost of any such program to not more than 10 percent of the value of the crops involved.

PROTEIN FOOD

Title III of the bill authorizes a substantially increased program for distribution of dairy, poultry, and meat products to the needy, to charitable institutions, and through the school lunch program. The program would be carried out under the general direction of the Secretary of Health, Education, and Welfare, but supplies would come not only from stocks of the Commodity Credit Corporation but also from purchases made in local markets by CCC as the agent for HEW. The cost would be charged to the Department of Health, Education, and Welfare and not to Agriculture.

The bill directs that this program be carried out in such a manner as to assist and effectuate the price support programs established under other portions of the bill. Recognizing the close interrelation between feed grains and livestock products, the bill authorizes the sale of 1 bushel of feed grains from CCC stocks for each $2 expended in the procurement of livestock products for distribution under the protein food distribution program, but the bill does not in any way authorize any controls on the production of livestock or poultry.

Mr. Chairman, H.R. 12261—the Farm Surplus Reduction Act of 1960—opens the way for effective farm programs on 198,206,000 acres, or approximately 60 percent, of all the 324,892,000 acres devoted to cultivated crops in the United States. Wheat and feed grains, which are dealt with directly in this legislation, accounted on January 1, 1960, for 80.8 percent of all Government investments in farm commodities—or $7,385 million of a total of $9,154 million of such investments.

This bill proposes to bolster the whole farm economy, at a time when farmers, caught in a depression while the remainder of the economy is experiencing unparalleled prosperity, are confronting desperate circumstances.

It seeks to reduce Government holdings of farm commodities.

It will bring down the cost of farm programs.

It adheres to the principle that farm income be protected and improved while Government surpluses and Government cost are reduced. It incorporates the principle that existing income protections must be continued until the producers themselves work out improved programs for stabilizing supplies and prices of their various commodities.

It sets up the machinery whereby wheat and feed grain producers, with the help of Government, can balance their supplies with markets available and exercise a degree of bargaining power in the marketplaces.

It seeks to remove unneeded land from production and in that way contribute to the balance of production and demand and save soil fertility for future generations.

It will provide for distribution of additional high protein food to needy people, to public institutions, and to schoolchildren.

It improves the status of the family farm through greater bargaining power, resulting from a balance in the supply and demand of farm commodities.

The bill, with these accomplishments, is not a complete answer to all the hard circumstances that again have settled upon our farm people. The committee, at the outset of its considerations of general farm legislation, sought to offer the producers of all major crops opportunities to develop programs enabling them to adjust their output to effective market demand and to command reasonable prices in the marketplaces. I regret to report that in this undertaking the committee received no cooperation from the Secretary of Agriculture who, with others who oppose the parity principle for agriculture, created such misunderstanding and confusion among farmers and friends of farmers that the committee cannot at this time develop wide agreement upon an overall commodity-by-commodity approach to the general farm problem.

However, H.R. 12261 deals directly with major surplus and cost problems of agriculture, and it establishes the guideposts on the road back to general farm stability and prosperity.

The bill is built upon the principle that any successful farm program must be fair to farmers and consumers alike. It embraces, as a pattern for the future, faith in the ability of farmers themselves to develop or select programs based upon this principle.

Mr. Chairman, with special reference to wheat, I must point out that during the last 7 years, 1953–59 inclusive, American farmers have produced less, not more, wheat than in the previous 7 years. The 1946–52 inclusive production amounted to 8,217 million bushels, whereas in the last 7 years the output has totaled 7,637 million bushels. Meanwhile, both domestic use and export of wheat have declined in the last 7 years.

During these most recent 7 years, while there has been a severe reduction in the price supports for wheat farmers, domestic use of wheat has declined to 4,269 million bushels, from the total of 4,936 million bushels consumed in the previous 7 years. A lower price has not brought about greater use of our wheat.

During the last 7-year period U.S. exports of wheat amounted to 2,708 million bushels, a drop of 138 million bushels from the total of 2,846 million bushels exported in the previous 7-year period.

World movement of wheat from 1946 through 1952 amounted to 6,524 million bushels and 44 percent of the total was American wheat; in the 1953–59 period exports of wheat by all countries amounted to 8,036 million bushels, and our share of the world movement of this food grain declined to 34 percent.

The decrease in our share of the world's market has occurred despite the fact that in 1954 the Congress gave to the Secretary of Agriculture virtually unlimited and unprecedented authority (a) to deliver wheat abroad for the currency of the country receiving the wheat, (b) to barter wheat for strategic materials needed in our own country, and (c) to donate wheat to friendly and needy peoples in other nations.

Meanwhile, Russia's wheat production now again has surpassed the United States' production and U.S.S.R. exports of wheat, although still small by comparison to ours, have increased substantially in the last 3 years.

Now, the statement has been made in this debate that so-called soft wheat, used in crackers, cookies and such, is not in surplus supply, and the acreages of the producers of soft wheat should not be reduced. I have checked the Department of Agriculture on this point.

The Department advises that production of soft wheat has been running at 160 million to 200 million bushels a year, while domestic consumption amounts to 130 million to 140 million bushels. We export from 20 to 40 million bushels of this wheat annually, most of it under the Public Law 480 programs which amounts to virtually a giveaway proposition.

There recently has been a drift away from soft wheat production, entirely apart from any production control program, largely because the small farmers are finding they get better yield and price in the production of hard wheat. An improvement of price for soft wheat no doubt would bring about the production of any amount of soft wheat that ever may be needed in the United States and for export.

Mr. Chairman, in conclusion, I feel it to be my duty to review briefly for the House the distressful conditions now prevailing in agriculture.

Farmers' net income in 1959 dropped to the lowest level, in relation to volume of their sales, of any year since the Department of Agriculture began keeping records in 1910. A further decline is predicted for 1960.

Average farm prices in December 1959 reached their lowest, in terms of parity with other prices, for any December since 1933.

The per capita annual income of people living on farms in 1959—including Government payments and, also, their earnings from off-farm work—again dropped to less than one-half that of nonfarm people. The per capita income of farm people totaled $960, compared to $2,202 for nonfarm people.

Farm net income in 1959 was 24 percent below 1952, while in this 7-year period the national income increased by 35 percent.

In 1959, farmworkers (operators and labor) received an average of 71½ cents an hour. Farmworkers' hourly earnings were down 13 percent from 1952. Farm operators actually paid their hired help 80 cents an hour which was more than they themselves received. In contrast, hourly earnings of industrial workers in 1959 averaged $2.22 an hour, up 33 percent over 1952, and corporation dividend payments in 1959 exceeded such 1952 payments by 47 percent.

The net income of farmers in the last 7 years has been $20 billion less than in the previous 7 years.

Mr. Chairman, the conditions in agriculture demand action. I hope that we may have the wisdom here today to reaffirm our faith in the parity principle for agriculture, so that the farm families of America, now so hard pressed, may make a start on the road back to recovery and stability, so that they may look forward again to sharing equitably in our economy where their contribution is so large and is such a blessing to all of us.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

All time has expired. The Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Farm Surplus Reduction Act of 1960".

Mr. DIXON. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. DIXON: On page 1, line 3, strike out all afer the enacting clause and insert:

"That this Act may be cited as the 'Wheat Act of 1960'.

"TITLE I—PRICE SUPPORT AND ALLOTMENTS

"SEC. 101. Title I of the Agricultural Act of 1949, as amended, is amended by adding the following new sections:

"'SEC. 107. (a) Notwithstanding the provisions of section 101 of this Act, for each of the 1961, 1962, and 1963 crops of wheat price support shall be made available as provided in this section. The support price for each such crop shall be 75 per centum of the parity price therefor. Price support under the foregoing provision of this section shall be made available only to cooperators, only in the commercial wheat-producing area, and only if producers have not disapproved marketing quotas for the crop. In case marketing quotas are disapproved, price support to cooperators shall be as provided in section 101(d)(3).

"'(b) If marketing quotas are in effect for the particular crop of wheat, wheat of any such crop, and any other commodity produced on a farm to which a wheat marketing quota is applicable and in the calendar year in which wheat of any such crop is normally harvested, shall be eligible for price support only if—

"'(1) the farm is in compliance with the farm wheat acreage allotment for such crop;

"'(2) the total acreage on the farm devoted to the production of nonconserving crops as determined by the Secretary which would normally be harvested in the calendar year in which such wheat crop is normally harvested does not exceed the total average annual acreage on the farm devoted to the production of such nonconserving crops for harvest in 1958 and 1959, less an acreage equal to 20 per centum of the farm acreage allotment for such crop of wheat which would be in effect for the farm except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended; and

"'(3) the producers on the farm in accordance with regulations prescribed by the Secretary—

"'(1) designate an acreage on the farm equal to the 20 per centum reduction in the

farm acreage allotment required under section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended, for the particular crop of wheat, and

"'(ii) do not produce any crop thereon which is normally harvested in the calendar year in which the particular crop of wheat is normally harvested and do not graze such acreage during such year.

A farm shall be deemed in compliance with the requirements of clauses (1) and (2) if no crop not subject to acreage allotments is produced on the farm for harvest, and the farm is in compliance with the farm acreage allotments. In accordance with regulations prescribed by the Secretary, the acreage of such nonconserving crops for harvest in 1958 and 1959 may be adjusted to the extent the Secretary determines appropriate for abnormal weather conditions, established crop rotation practices for the farm, changes in the constitution of the farm, participation in soil bank or Great Plains programs, or to give effect to the provisions of law relating to release and reapportionment or preservation of history, and such other factors as the Secretary may deem appropriate. For the purposes of eligibility for price support a producer shall not be deemed to have violated any of the foregoing conditions unless the producer knowingly violated such condition, but the Secretary may provide by regulation for adjusting any payment in kind under subsection (c) or (d) on account of any violation of any such condition or any other condition of eligibility for such payment. For the purposes of this section a wheat marketing quota shall not be deemed to be applicable to any farm exempt from wheat marketing quotas under item (7) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(7)) or exempt from wheat marketing penalties under section 335(f) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1335(f)).

"'(c) Producers of wheat meeting the foregoing conditions of eligibility for price support for any calendar year shall be entitled for such year to a wheat payment in kind from Commodity Credit Corporation stocks equal in value to one-half of the average annual yield in bushels of wheat per harvested acre on the farm for the three years immediately preceding the year for which the designation is made, adjusted for abnormal weather conditions and as determined under regulations prescribed by the Secretary multiplied by the number of designated acres. Such wheat may be marketed without penalty but shall not be eligible for price support. The payment in kind shall be made by the issuance of a negotiable certificate which Commodity Credit Corporation shall redeem in wheat equal in value to the value of the certificate. The certificate shall have a value equal to the number of bushels determined as aforesaid multiplied by the basic county support rate per bushel for number one wheat of the crop normally harvested in the year for which the acreage is designated and for the county in which the designated acreage is located. The wheat redeemable for such certificate shall be valued at the market price thereof as determined by Commodity Credit Corporation. The Secretary shall provide by regulation for the sharing of a certificate among producers on the farm on a fair and equitable basis. The acreage designated under this section shall be in addition to any acreage devoted to the conservation reserve program.

"'(d) If marketing quotas are in effect for the 1961 crop of wheat and the producers on the farm agree to meet the requirements of subsection (b) for 1961, 1962, and 1963, and, in accordance with regulations prescribed by the Secretary—

"'(1) designate an acreage on the farm equal to not less than 20 per centum nor more than 100 per centum of the acreage allotment which would be in effect for the farm for the 1961 crop of wheat except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended, and do not produce any crop thereon which is normally harvested in the calendar years 1961, 1962, and 1963 and do not graze such acreage during such years, but devote such acreage to soil and water conserving uses;

"'(2) reduce by the number of acres so designated the acreage of wheat on the farm in each such year below the acreage allotment which would be in effect for the farm for such year except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended; and

"'(3) reduce by the number of acres so designated the acreage of nonconserving crops on the farm in each such calendar year below the average annual acreage on the farm devoted to the production of such nonconserving crops for harvest for 1958 and 1959 adjusted as provided in subsection (b), such producers shall be entitled to a wheat payment in kind, in lieu of the payment provided by subsection (c), for each such year from Commodity Credit Corporation stocks equal in value to one-half of the average annual yield in bushels of wheat per harvested acre on the farm for the three years 1958 through 1960, adjusted for abnormal weather conditions and as determined under regulations prescribed by the Secretary, multiplied by the number of designated acres. Such wheat may be marketed without penalty but shall not be eligible for price support. The payment in kind shall be made by the issuance of a negotiable certificate which Commodity Credit Corporation shall redeem in wheat equal in value to the value of the certificate. The certificate shall have a value equal to the number of bushels determined as aforesaid multiplied by the basic county support rate per bushel for number one wheat of the crop normally harvested in the year for which the payment is made and for the county in which the designated acreage is located. The wheat redeemable for such certificate shall be valued at the market price thereof as determined by Commodity Credit Corporation. The Secretary shall provide by regulation for the sharing of a certificate among producers on the farm on a fair and equitable basis. The share of any producer in certificates issued under this subsection with respect to any year and with respect to all farms in which he has an interest, based on the face value of the certificates, shall not exceed the greater of (1) $10,000, or (2) such producers' share of payments made under this subsection for acreage required to be designated either in 1961 or in such year as a condition of price support. If such producers fail to comply with the requirements of this subsection for all or any part of the three year period, such producers shall forfeit or refund in cash all or such part of the payments provided for by this subsection as the Secretary determines to be fair and equitable and prescribes by regulation. The acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of wheat by reason of designation under this subsection shall be considered acreage devoted to wheat for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended. In applying the provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), and section 326(b) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1326(b)), relating to reduction of the storage amount of wheat that part of the acreage designated under this subsection in excess of the 20 per centum reduction required under section 334(c)(2) of the Agricultural Adjustment Act of 1938 on any farm shall be regarded as wheat acreage on the farm of normal production as that term is defined in section 301(b)(9) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301(b)(9)).

"'SEC. 108. Notwithstanding the provisions of section 101 or 107 of this Act or any provision of the Agricultural Adjustment Act of 1938, if marketing quotas are disapproved for the 1961 crop of wheat, the level of price support to cooperators and noncooperators for the 1961 crop and each subsequent crop of wheat shall be 50 per centum of the parity price of wheat and no national marketing quota or acreage allotment shall be proclaimed with respect to any subsequent crop of wheat: *Provided*, That if price support at 50 per centum of the parity price is in effect under this section, the current price support for wheat, for the purposes of section 407 of the Agricultural Act of 1949, as amended, shall be determined on the basis of a price support level for wheat of 75 per centum of the parity price therefor.'

"SEC. 102. (a) Item (1) of Public Law 74, Seventy-seventh Congress, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(1) If a national marketing quota for wheat is in effect for any marketing year, farm marketing quotas shall be in effect for the crop of wheat which is normally harvested in the calendar year in which such marketing year begins. The farm marketing quota for any crop of wheat shall be the actual production of the acreage planted to such crop of wheat on the farm less the farm marketing excess. The farm marketing excess shall be an amount equal to double the normal yield of wheat per acre established for the farm multiplied by the number of acres planted to such crop of wheat on the farm in excess of the farm acreage allotment for such crop unless the producer, in accordance with regulations prescribed by the Secretary and within the time prescribed therein, establishes to the satisfaction of the Secretary the actual production of such crop of wheat on the farm. If such actual production is so established the farm marketing excess shall be such actual production less the actual production of the farm wheat acreage allotment. Actual production of the farm wheat acreage allotment shall mean the actual average yield per harvested acre of wheat on the farm multiplied by the number of acres constituting the farm acreage allotment. In determining the actual average yield per harvested acre of wheat and the actual production of wheat on the farm any acreage utilized for feed without threshing after the wheat is headed, or available for such utilization at the time the actual production is determined, shall be considered harvested acreage and the production thereof in terms of grain shall be appraised in accordance with regulations prescribed by the Secretary and such production included in the actual production of wheat on the farm. The acreage planted to wheat on a farm shall include all acreage planted to wheat for any purpose and self-seeded (volunteer) wheat, but shall not include any acreage that is disposed of prior to harvest in accordance with regulations prescribed by the Secretary.'

"(b) Item (2) of Public Law 74, Seventy-seventh Congress, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(2) During any marketing year for which quotas are in effect, the producer shall be subject to a penalty on the farm marketing excess of wheat. The rate of the penalty shall be 65 per centum of the parity price per bushel of wheat as of May 1 of the calendar year in which the crop is harvested.'

"(c) Item (3) of Public Law 74, Seventy-seventh Congress, as amended, is amended,

effective beginning with the 1961 crop of wheat, to read as follows:

"'(3) The farm marketing excess for wheat shall be regarded as available for marketing, and the penalty and the storage amount or amounts of wheat to be delivered to the Secretary shall be computed upon double the normal production of the excess acreage. If the farm marketing excess so computed is adjusted downward on the basis of actual production, the difference between the amount of the penalty or storage computed on the basis of double the normal production and as computed on actual production shall be returned to or allowed the producer or a corresponding adjustment made in the amount to be delivered to the Secretary if the producer elects to make such delivery. The Secretary shall issue regulations under which the farm marketing excess of wheat for the farm shall be stored or delivered to him. Upon failure to store, or deliver to the Secretary, the farm marketing excess within such time as may be determined under regulations prescribed by the Secretary the penalty computed as aforesaid shall be paid by the producer. Any wheat delivered to the Secretary hereunder shall become the property of the United States and shall be disposed of by the Secretary for relief purposes in the United States or foreign countries or in such other manner as he shall determine will divert it from the normal channels of trade and commerce.'

"(d) Item (7) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(7)), is amended to read as follows:

"'(7) A farm marketing quota on any crop of wheat shall not be applicable to any farm on which the acreage planted to wheat for such crop does not exceed fifteen acres: *Provided, however,* That a farm marketing quota on the 1961 and subsequent crops of wheat shall be applicable to—

"'(i) any farm on which the acreage of wheat exceeds the smaller of (1) twelve acres or (2) the highest number of acres planted to wheat on the farm for harvest in the calendar years 1956, 1957, 1958, 1959, or 1960; and

"'(ii) any farm on which any wheat is planted if any of the producers who share in the wheat produced on such farm share in the wheat produced on any other farm.'

"(e) Item (12) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340 (12)), is repealed, effective beginning with the 1961 crop of wheat.

"(f) Section 326(b) of the Agricultural Adjustment Act of 1938, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(b) If a farm is in compliance with its farm acreage allotment for any crop of wheat and the actual production of such crop of wheat on the farm is less than the normal production of the farm wheat acreage allotment, an amount equal to the deficiency may be marketed without penalty from wheat of previous crops stored by the producers on the farm to postpone the payment of marketing quota penalties.'

"SEC. 103. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

"(a) Section 334 is amended by inserting '(1)' after '(c)' and adding a new subparagraph (2) following subparagraph (c) (1) to read as follows:

"'(2) Nothwithstanding any other provision of law, each old or new farm acreage allotment for the 1961 and subsequent crops of wheat as determined on the basis of a minimum national acreage allotment of fifty-five million acres shall be reduced by 20 per centum. In the event notices of farm acreage allotments for the 1961 crop of wheat have been mailed to farm operators prior to the effective date of this subparagraph (2) new notices showing the required reduction shall be mailed to farm operators as soon as practicable.'

"(b) Section 334(e) is amended to read as follows:

"'(e) If, with respect to any crop of wheat, the Secretary determines that the production of any kind of wheat will be inadequate to provide a sufficient quantity of that kind of wheat to satisfy the demand therefor, the wheat acreage allotment (and the number of acres which may be planted under item (7)(i) of Public Law 74, Seventy-seventh Congress, without making a farm marketing quota applicable to the farm) for such crop for each farm located in a county which has produced such wheat for commercial food products during one or more of the five years immediately preceding the year in which such crop is harvested, shall be increased by such uniform percentage as he deems necessary to provide for such quantity. No increase shall be made under this subsection in the wheat acreage allotment of any farm (or in the acreage which may be planted without making a farm marketing quota applicable to the farm) for any crop if any kind of wheat other than that for which the increase is made is planted on such farm for such crop. Any increases in wheat acreage allotments authorized by this subsection shall be in addition to the National, State, and county wheat acreage allotments, and such increases shall not be considered in establishing future State, county, and farm allotments. The provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340 (6)), and section 326(b) of this Act, relating to the reduction of the storage amount of wheat shall apply to the allotment for the farm established without regard to this subsection and not to the increased allotment under this subsection, except that any farm in compliance with its increased allotment under this subsection shall be considered in compliance with its farm acreage allotment for the purposes of said section 326(b). Any farm receiving an increased allotment under this subsection shall be excused from complying with clauses (2) and (3) of section 106(b) of the Agricultural Act of 1949 to the extent deemed appropriate by the Secretary to provide for the increase in allotment under this subsection, and no farm on which acreage is designated pursuant to section 106(b)(3) or 106(d) of the Agricultural Act of 1949 in a greater amount than required as a condition of price support for any crop shall be eligible for an increased allotment under this subsection for such crop.'

"(c) Subsection (f) of section 335 is amended by striking out the semicolon at the end of item (1) and adding 'and shall not apply to other farms with respect to the 1961 and subsequent crops;'.

"(d) Section 336 is amended to read as follows:

"'SEC. 336. Between the date of issuance of any proclamation of any national marketing quota for wheat and July 25 of the year in which the proclamation is made the Secretary shall conduct a referendum by secret ballot to determine whether farmers favor or oppose such quota. Farmers eligible to vote in such referendum shall be farmers who were engaged in the production of the crop of wheat normally harvested in the calendar year immediately preceding the calendar year in which the referendum is held on a farm in the commercial wheat-producing area for such crop and on which more than twelve acres was planted to wheat of such crop if such crop was the 1961, 1962, or 1963 crop, or on which more than fifteen acres was planted to wheat of such crop if such crop was any crop other than the 1961, 1962, or 1963 crop. Any acreage considered as being devoted to wheat in establishing future allotments under applicable provisions of law shall be considered as wheat-producing acreage for the purpose of determining eligibility to vote. If the Secretary determines that more than one-third of the farmers voting in the referendum oppose such quota he shall prior to the effective date of such quota by proclamation suspend the operation of the national marketing quotas with respect to wheat.'

"(e) Section 362 is amended by deleting the second sentence thereof.

"(f) Subsections (b) and (c) of section 335 are hereby repealed and subsection (d) of said section is repealed effective beginning with the 1961 crop of wheat.

"(g) The first proviso of section 377 is amended by striking out '*Provided,* That beginning with the 1960 crop' and inserting in lieu thereof '*Provided,* That beginning with the 1964 crop in the case of wheat and the 1960 crop in the case of any other commodity'.

"SEC. 104. Section 101(d) of the Agricultural Act of 1949, as amended, is amended by—

"(A) striking out paragraph (5); and

"(B) amending paragraph (7) to read as follows:

"'(7) No price support shall be made available for any crop of wheat for which acreage allotments are not in effect and no price support shall be made available for any crop of wheat in any State designated under section 335(e) of the Agricultural Adjustment Act of 1938, as amended, as outside the commercial wheat-producing area for such crop.'.

"TITLE II—AMENDMENTS TO GREAT PLAINS PROGRAM

"SEC. 201. Section 16 of the Soil Conservation and Domestic Allotment Act of 1938, as amended, is amended as follows:

"(1) Paragraph (3) of subsection (b) is amended to read as follows:

"'(3) insofar as the acreage of cropland on any farm enter into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract heretofore or hereafter entered into under this subsection by reason of any action taken for the purpose of carrying out such contract and, under regulations of the Secretary, shall not be decreased, for such period after the expiration of the contract as is equal to the period of the contract, by reason of the maintenance of any change in land use from cultivated cropland to permanent vegetation carried out under the contract;'

"(2) Paragraph (4) of subsection (b) is amended to read as follows:

"'(4) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out any contract heretofore or hereafter entered into under the program or in order to maintain, for such period after the expiration of the contract as is equal to the period of the contract, any change in land use from cultivated cropland to permanent vegetation carried out under the contract shall be considered acreage devoted to the commodity for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended;'."

Mr. ABBITT (interrupting the reading). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ABBITT. Is this the Ellender bill which has already been passed by the other body?

The CHAIRMAN. That is not an inquiry the Chair can answer.

Mr. ABBITT. May I ask the gentleman from Idaho whether or not the bill has been printed and whether copies are available?

Mr. DIXON. This is the exact bill which the other body passed.

Mr. ABBITT. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The gentleman from Utah is recognized in support of his amendment.

Mr. DIXON. Mr. Chairman, I was very pleased to hear the gentleman from North Carolina, chairman of the Committee on Agriculture, say he was not wedded to any bill. I feel the same way. I do not think any of them is perfect. I do believe, however, that the bill which the other body passed is the best bill we have for consideration. I shall try to summarize briefly the reasons.

First, the Senate bill leaves price supports at 75 percent of parity, just as they are under present law, for the next 3 years.

Second, it reduces acreage allotments by 20 percent. It pays any man in kind who reduces his acreage by 20 percent, 50 percent of the amount of wheat he would grow on that acreage.

It will not pay any farmer more than $10,000; there is a limitation here.

Then, this reduction in acreage will place the maximum at 44 million acres of wheat that can be planted instead of the present 55 million under present law. It reduces the total number of acres, therefore, that can be planted by 11 million.

To some extent the 15-acre exemption has done most of the mischief. The bill reduces it to a 12-acre exemption, or the largest number of acres that had been used for this purpose over the last 5 years. If the largest number of acres were eight, for example, then the farmer cannot have more than 8 acres under this exemption.

It increases the penalty for overplanting, makes penalties far more severe, so we will not have farmers deliberately violating the principle of the act.

It takes away the 30-acre limitation which the farmer can plant for feed. Under the present law he can plant only 30 acres to feed his own livestock. Under the Senate bill he can plant whatever he wants so long as it is fed on the farm.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. ALBERT. The points the gentleman is discussing at the present time are also in the committee bill.

Mr. DIXON. Yes; but I will proceed further. It will reduce the production, and that is what the committee bill will not do, approximately 1,270 million bushels to about 960 million bushels.

It will permit us to dip into and move some of the surplus wheat. That is what we want to do. It costs the taxpayers $104 million less than the present law, and $230 million less than the Poage bill provides. The Poage bill will raise the price of wheat 25 cents and go that much further to price wheat out of the market in the export trade. If we export the wheat it will cost the Government 25 cents more so that we can compete with foreign countries.

It protects the consumer. The Poage bill is a bread tax. It will raise the baker's price by about 1 cent. It will raise the cost of flour to the thrifty housewives who make their own bread about 10 percent. There is not much else in bread than flour, except a little salt and a little yeast, and the housewife can profit by her own work, so if she is thrifty she can save this spread between 2.5 cents which the farmer receives, and 25 to 27 cents that a loaf of bread costs. That is what we ought to encourage our housewives to do.

It will not injure other branches of agriculture. The Poage bill definitely will. It will injure poultry and it will injure livestock; it will raise the price of wheat that we export under Public Law 480. Wheat already gets 65 percent of the money under Public Law 480 and if we have to tack another 25 cents a bushel on that to make it compete with foreign countries, wheat will get about 75 percent of all the money.

Where is that going to put cotton? Where is it going to put our other exports? It will just simply consume very nearly the whole appropriation and other commodities will not stand for such injustice.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. DIXON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

Mr. ANDERSEN of Minnesota. Mr. Chairman, reserving the right to object, and I do not intend to object provided, Mr. Chairman, that this policy will prevail all the way through the consideration of this bill. I hope that consideration of this bill will go over until tomorrow so that we may have ample and full discussion of this very important situation. On that basis and on that assumption I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. AVERY. Mr. Chairman, I have a question. That is in respect to payment in kind. I would like to have the record be abundantly clear as to what might be done with the payment in kind. I think we are realistic enough to know that the farmer is not going to drive his truck down to the commodity bin and get his payment in kind in form of a commodity. Undoubtedly he will get a certificate. What can he do with that certificate? Can that be sold on the open market the same as the 15-acre wheat without a marketing penalty? In other words, would it go to the open market or must he sell that to a livestock feeder for feed?

Mr. DIXON. I will ask the gentleman from Oklahoma of our committee to answer that.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Oklahoma.

Mr. ALBERT. A negotiable certificate will be given the producer on the price of wheat in the county in which it is produced, No. 2 wheat.

Mr. AVERY. A negotiable certificate?

Mr. ALBERT. To be deliverable at the price of wheat at point of delivery.

Mr. AVERY. At his local point of delivery?

Mr. ALBERT. Wherever the certificate is negotiated for the wheat. If in a certain county in Kansas you get a certificate, if the gentleman will permit me, the value of that certificate will be the value of wheat in your county in Kansas, the No. 2 grade.

The Government from its warehouse in Chicago will deliver wheat upon the basis of the price of wheat at the point of delivery in Chicago.

Mr. AVERY. Now, as to the negotiable certificate, I would like to pursue that just a litle further with the gentleman from Oklahoma, if the gentleman from Utah will permit.

Mr. DIXON. I should like to have the gentleman from Oklahoma take the "mike."

Mr. AVERY. As to this negotiable certificate, I presume that the same response that the gentleman is giving me now with respect to the Senate bill, as to payment in kind, would also apply to the House bill before the committee this afternoon.

Mr. ALBERT. The gentleman is correct. There is no difference in the procedure, as I read it, in the two bills.

If the gentleman would yield further, I would like to say that the amount of the payment in kind is 50 percent under the Senate bill for No. 1 wheat and 55 percent for No. 2 wheat under the House bill.

Mr. AVERY. I recognize that, but I am concerned about what happens to this negotiable certificate after it is issued by the Commodity Credit Corporation to the eligible producer. Then we are to accept the gentleman's statement as to this, that the negotiable certificate can be received and redeemed in cash by the wheat producer who has complied with the restrictions in this bill.

Mr. ALBERT. I think the normal manner in which it would be held, he would probably sell it to a miller or to some dealer in wheat, and he would redeem it in wheat at some point of delivery.

Mr. AVERY. Would he have to do that? Does it have a cash value?

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. I think what you are trying to say is that the Government will not redeem it in cash. The Government will redeem it in wheat. It is a negotiable instrument and he can get cash for it, but somebody will eventually have to take down wheat, and that is the good thing about both of these bills. It will take wheat out of the elevator eventually.

Mr. AVERY. I am not trying to say anything; I am trying to get the record straight.

Mr. DIXON. I refuse to yield any more time now. I think the matter has been well explained, and I thank the gentleman from Oklahoma [Mr. ALBERT].

Mr. JONES of Missouri. Mr. Chairman, if the gentleman will yield further, I wish the gentleman from Utah would explain one statement that he made. He left the impression that the Senate bill would bring about a 20-percent reduction in wheat; is that right?

Mr. DIXON. I conferred with the Department this afternoon relative to that.

Mr. JONES of Missouri. The bill says it will reduce it 20 percent.

Mr. DIXON. I have the statistics here that the bill would reduce the production from 1.27 billion bushels to about 960 million bushels.

Mr. JONES of Missouri. Well, that would be 20 percent.

Mr. DIXON. Yes; approximately.

Mr. JONES of Missouri. And you also left the impression—I do not think you did it intentionally, but you left the impression that the House bill would not reduce it that much, whereas the House bill calls for a 25-percent reduction and would actually reduce the production below consumption.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. JONES of Missouri. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think that what we have to get clear here today is this: We are either going to solve the wheat problem, or we are not going to solve it.

Now, the Senate bill goes just part of the way. The Senate bill does not bring about enough reduction, and you are still going to pile up wheat in the Government warehouses regardless of how you interpret this bill, because with a 20-percent reduction over what we are producing now, we will still produce more wheat than we can eat or sell.

Now, what are we trying to do under this legislation? I think we have a correct title on the bill before us today. We have a farm surplus reduction bill, and we are trying to bring down the amount that we have in the surplus. Of course, both of these bills have this payment in kind, and the theory is fine. I think that is something that should have been done a long time ago, because if you can encourage a man not to produce wheat and still give him wheat that would have been produced on that land, you are giving him some incentive and additional wheat will not be produced. Under the Senate bill, the only maximum you are getting there is a 20-percent reduction.

A 20-percent reduction in the bill will not reduce the surplus that you have. It will add to the surplus we already have.

I am saying to you in all good conscience that if we want to do something to help the farmer in this crisis we are going to have to get rid of the unconscionable surplus; we have got to reduce it to a reasonable reserve. We have to have a reserve of wheat just as we have to have a reserve of cotton. But whenever you have a surplus you are in trouble. Even a 5-percent surplus is enough to destroy the market price and to make these artificial supports necessary.

I am pleading with you today, if you really want to do something for the farmer, make this reduction sufficient to bring about some effect on the market. That is the reason I would have to oppose the Senate bill. I am here today not committed to any particular bill but unless we can do something to help somebody we are just kidding ourselves. We are not here to pass a political bill. We are here presumably today to try to help the American farmer—the wheat farmer; he is the one who is in the greatest trouble. But we have to recognize that the wheat farmer is tied in with the feed grain farmer. We are going to have to attack the problems of both at the same time. That is why your committee brought in a bill which tries to solve the two major problems facing us today.

The Senate bill will not do it. The Senate bill does not go far enough to do any good. It will not cure the evil. It will still cost you a lot of money without bringing you any benefits.

Mr. Chairman, I am saying to you in all sincerity that we would be making a great mistake to pass that bill. That is why I told you this morning, that if the Senate bill came to the Committee on Agriculture I feel sure that the committee would not report it. That is why I asked you to vote for this rule under which we are discussing this bill now. We have to do something to reduce the surplus and the Senate bill will not do it.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman.

Mr. THOMSON of Wyoming. The domestic consumption is only to 649 million bushels per year. The committee bill would fall far short of bringing production down to that level; would it not?

Mr. JONES of Missouri. It would fall short of bringing it down to the domestic consumption, but with the anticipated exports and the commitments that we have, I think we would still wind up having to take wheat out of surplus. Under the committee bill we will not produce enough wheat in 1961 to take care of all our needs. It would necessitate using a part of the surplus that we now have in storage. The Senate bill will not do that. That is why I oppose the Senate bill.

Mr. THOMSON of Wyoming. Of the over 400 million bushels exported, most of that would go into export under Public Law 480, or other Government-supported programs which amount to a subsidy. Would not the effect of the House bill be to increase the subsidy with a cost to the taxpayers on those 400 million bushels?

Mr. JONES of Missouri. No; I do not agree with the gentleman on that at all.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Oklahoma.

Mr. ALBERT. The gentleman would have to deduct from that every bushel of wheat taken out of Commodity Credit Corporation stocks on which the Government now pays storage. The Department figures on costs as explained here today apparently do not take that fact into account.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. JONES] has expired.

Mr. ALBERT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it seems to me that the objections to the Senate bill, which is the amendment under consideration, are twofold. In the first place, the adoption of this bill would reduce the income of wheat farmers at a time when their income is already at a 10-year low. The second major objection is the one suggested by the gentleman from Missouri [Mr. JONES], that is, that it will not reduce the surplus. Unless we are willing to cut the national allotment by 25 percent, we are not going to start getting rid of the surplus. This point I think we ought to keep in mind in considering this aspect of the bill. Both of these bills provide for a payment in kind. This means that every year about 20 percent of the total production, or some 250 million bushels, is going to be taken out of the stocks of the Commodity Credit Corporation. This wheat is going out into the market. Farmers are going to sell it. It cannot be returned to Government warehouses. It is not subject to price supports.

What is that going to do with the wheat the farmer has grown during that year? It is going to mean that 150 million bushels, grown during the year, if the cut is 20 percent, must go back into Commodity Credit warehouses. The result will be that the farmer will simply be trading wheat with the farmers. This just does not make sense.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield.

Mr. ANDERSEN of Minnesota. I think the gentleman will agree with me that the wheat bill as passed by the Senate is a very sorry thing for the farmers of America.

Mr. ALBERT. It will reduce their income, it will not take care of the surplus, it is an ill-considered bill, in my judgment.

Mr. ANDERSEN of Minnesota. The gentleman is absolutely correct; and beyond all else it reduces the income of the farmers.

Mr. ALBERT. It will unquestionably reduce the income of the farmers.

Let us now consider the house bill. Under plan A we have a high support, a strict control proposal. We have the farm bureau bill under plan B. The farm bureau bill takes care of this extra loss in income through an accentuated conservation reserve program of up to 60 million acres.

It seems to me that as we approach this problem we must first start cutting down production and, second, at the same time, we must try and not drastically curtail the income of the farmers of the country. The only way to do that is either by subsidies and a reserve program

or by price-support increases and drastic cuts. I think the two alternatives presented by the committee bill are the only sound alternatives. The Senate bill should not be enacted into law.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Oklahoma.

Mr. BELCHER. The gentleman was talking about a 20-percent cut. Do not the figures show that in 1953 there were 78 million acres planted in this country and we produced 1,141 million bushels of wheat, and this year the allotted acres in the United States are but 55 million yet we are going to produce between 1,300 and 1,400 million bushels of wheat. While acres have gone down from 78 to 55 million, production has gone up.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(By unanimous consent (at the request of Mr. BELCHER) Mr. ALBERT was permitted to proceed for 4 additional minutes.)

Mr. BELCHER. While we cut acreage 23 million acres, we produced 200 million bushels more of wheat. Is there any reason to believe that a cut of 20 percent would affect any further reduction in view of those figures?

Mr. ALBERT. I would say to the gentleman that is based on averages and that is the best we can do. We do not know what the weather is going to be. We may have a bigger cut or we may have no cut at all. But based on averages, a cut of 20 percent will not get rid of the surpluses.

Mr. BELCHER. And that is on the averages for the past 5 years, and further the bill we are discussing does not prevent an extra 100,000 new farmers from planting 12 acres of wheat in addition to the number of acres planted this year.

Mr. ALBERT. That is true. The Senate bill, for those who think the 12-acre farmer should take more of the cut, certainly does not go as far as the House bill does in that respect. But the House bill will give the 15-acre producer more income, and it will give him a vote.

Mr. BELCHER. But under the Senate bill, is it not possible for a brandnew farmer to start raising 12 acres of wheat?

Mr. ALBERT. No, I think it is limited to 12 acres or the highest planted, if I understand it correctly.

Mr. BELCHER. I think not.

Mr. ALBERT. I have a copy of the bill here.

Mr. BELCHER. I think a new farmer can produce 12 acres of wheat next year even if he never produced any wheat at all.

Mr. ALBERT. It is a 12-acre exemption, or the highest planted.

Mr. BELCHER. That is the House bill, but I do not believe that is the provision of the Senate bill.

Mr. ALBERT. No; the House bill requires him to cut after he takes his allotment.

Mr. BELCHER. The House bill requires that, if he produced 15 acres of wheat to reduce that to 12 acres.

Mr. ALBERT. It requires him to cut it 25 percent.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Ohio.

Mr. LATTA. If we were to adopt this substitute, we could make amendments to the substitute to take care of the very think that you are talking about; could we not?

Mr. ALBERT. You have to do that before you adopt it.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa.

Mr. JENSEN. I am sure the gentleman and I agree perfectly when he says we must reduce acres in order to cut down this great production capacity that we have. Your bill, as I understand it, will make a greater acreage reduction than the Senate bill; is that correct? Do I understand that the wheat producer will receive a sufficient price for his wheat to justify making this acreage cut?

Mr. ALBERT. The answer is definitely, "Yes." The 55-percent payment in kind and 85-percent supports should bring income just about even with or slightly above present income.

Mr. JENSEN. And the reason you want to make the additional cut in acreage is the fact that the minute you make this bigger cut, the price of wheat on the open market will immediately be increased?

Mr. ALBERT. Yes; there is no question about that. The payment-in-kind wheat under the House bill will sell for more.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I suspect it might very properly be said I am in the position of rushing in where angels fear to tread because I cannot claim to be too much of an expert in this field although I have tried as best I could to become at least fairly well informed about some of the issues that are involved.

In all my time here I have been voting for farm programs of one sort or another, recognizing, as I have that some sort of farm program is essential to the well-being of our agricultural economy, since if our agricultural economy goes down, then sooner or later the whole economy suffers.

There have been differences of opinion through the years as to what was best to help the farmers, but by and large I have supported measures that have been brought before us. The bill that the committee has reported refers to the fact that it is an amendment of the Agricultural Adjustment Act of 1938. That was enacted during the years of a Democratic Congress. By the same token, the Agricultural Adjustment Act of 1949 was also enacted during a Democratic Congress. As I remember it, I supported both of those measures.

I would like to say also at this juncture there is no question but what the farmer, by reason of the cost-price squeeze, is the low man on the totem pole as far as our overall country is concerned. There is no one who does not want to do everything he can to improve his situation and his lot. This particular legislation deals primarily with wheat. I realize that the wheat farmer, along with the cattle and hog and corn farmers in my area, have been caught in this cost-price squeeze. I wish we could guarantee the farmer by legislative action whatever he would like to have, but there are limits beyond which we just cannot go. I am supporting the bill that has passed the other body. It is before us.

I am sorry that the Committee on Agriculture did not see fit to report that bill. I want to tell you why. Everybody here is disclaiming any political motivation in connection with this measure, and I hope everybody who says that means it, because actually what we need is sound legislation and not just something for a political issue for next November. I think in the final analysis we are going to be measured in that regard.

Why do I undertake to point that up at this time? The substitute bill incorporates the exact provisions of the measure passed in the other body by a substantial vote. If it were to be adopted here today it would go to the White House tomorrow, and I am quite sure that as soon as the President got back he would affix his signature to the bill. Let us not say it is not any improvement over existing law. Reference has been made to overproduction. May I ask the gentleman from Oklahoma [Mr. ALBERT] whether it is not true that it represents a 20-percent reduction under existing law and it represents a reduction of the 15-acre allotment from 15 to 12 acres, which is about a 20-percent reduction?

Mr. ALBERT. If the gentleman will yield, I will answer his question in the affirmative, but it also represents a big cut in the farmer's income now, and a bigger one later when payment in kind runs out.

Mr. HALLECK. The gentleman refers to what might be a cut in the farmer's income. I agree that his income is low, but reference was made by the chairman of the committee to the $3 billion worth of wheat we have. So we have got to begin to work out of it. I realize what I am about to say may not fall pleasantly upon the ears of some, but I cannot help but believe that when you raise the support price from 75 to 85 you have a built-in guarantee of production increases.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. HALLECK] has expired.

(By unanimous consent, Mr. HALLECK was granted 5 additional minutes.)

Mr. HALLECK. So, unless we do something along the lines of this substitute proposal, whatever else we undertake here would be self-defeating.

I want to say further that earlier in the session—we are late in the session now—but earlier the President sent up recommendations which set up broad general guidelines. I believe the bill passed in the other body follows those guidelines and can become law.

I think it would be an improvement to the farm picture; I think it would be helpful all around. I have serious doubts

whether or not first of all if you pass the bill the committee has reported you can ever get it out of conference and get favorable action on the conference report. I am not at all sure you can pass the committee bill here in the House of Representatives. I am very sure that if the substitute prevails it will improve the existing situation.

We have been sending bills over to the other body, and it always pleases me to see them take the House version, not sending it to conference, in order to complete legislative action. They did that on the civil rights bill and on many others I might mention. So, I do not believe it would be out of order for us to take, on this occasion, the bill passed by the other body and hence complete legislative action and be sure, first, that the Congress will pass a piece of legislation which will be helpful and, second, that it will become law upon that enactment.

I asked for 5 additional minutes, but I think I have spoken my piece.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I will yield briefly, then I will yield back the balance of my time.

Mr. WOLF. What do you propose to do with the feed grains? Are you going to take no action on that this year or hope that something will be done about it later?

Mr. HALLECK. If the gentleman will permit me, I want to be as charitable as I can.

Mr. WOLF. I am all for charity.

Mr. HALLECK. I understand that, and the gentleman and I are good friends, and we are not going to fall out over this. Let me say to the gentleman that these recommendations for legislative action came up here in January, as I remember, or very early thereafter, and all this time until we are right down in what I hope are the closing days of this session, all of this time has elapsed before the committee brought the bill to the floor for action. In other words, I think everybody is hopeful at least, and expectant that this Congress will adjourn, if not July 2, then July 6, 7, 8, or 9. I want all of you Democrats to be able to go out to that convention. I am sorry you will not ask me to go along with you, but certainly we want you to get there for your convention, and I am going to be at mine. But I am simply saying that if this legislative process is complicated then we may well wind up with nothing.

Everybody has said there are many facets to the farm problem. The committee has not undertaken to deal with all of them. The debate here today indicates that the primary concern is with wheat, and this is heralded as a wheat bill. If that is the fact, let us deal with it by the adoption of this substitute.

Mr. Chairman, I yield back the balance of my time.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. ANDERSEN of Minnesota moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I was of the opinion that I had better offer this amendment while the bill was still in such shape that I could honestly support it.

Mr. Chairman, I would like to refer to the remarks of the gentleman from Oklahoma [Mr. ALBERT]. It is entirely correct that unless we do something in some way to start chiseling away this huge surplus we are going to accomplish nothing. The green acres proposal that the gentleman from Iowa [Mr. JENSEN] and I plan to offer as an amendment to title II will supplement what is in the first title having to do with wheat. It will do what that particular title does not do too effectively; it will help to cut down production.

We in our green acres proposal say that the farmers of America, nationwide, who produce feed grains must reduce their producing cropland acreage by 20 percent, put it in alfalfa, pasturage, or other green cover, and we protect the dairy and other cattlemen by saying that if they take that 20 percent completely out of production they can get payment-in-kind certificates to draw grain from the Commodity Credit Corporation at the rate of 25 percent of normal yield.

The amendment that will be offered by the gentleman from Iowa [Mr. JENSEN] or myself later in the day or tomorrow, if we can get the floor, will take 34 million acres of cropland that is now in production out of production.

If you will study it I believe you will see that that is one of the best plans that has been submitted. It is based in part on what is known as the "Virginia plan" and the "Illinois plan." It is not just CARL ANDERSEN'S plan or BEN JENSEN'S idea. It is a commonsense plan based on very practical principles. It would take 34 million acres of land out of production. It will help the entire situation. It will also help the wheat producer whose allotment will not be affected by this. It will be saying to the small 15- or 12-acre wheat farmers "If you have no place to put this wheat, you can put it into the green acres program and receive payment-in-kind. You do not have to grow that wheat."

It is just common sense, Mr. Chairman. We have to reduce this production. The proposal offered by the gentleman from Iowa [Mr. JENSEN] and myself will reduce it by 34 million acres according to the best estimates we can obtain.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ANDERSEN of Minnesota. I yield to the gentleman from North Carolina.

Mr. COOLEY. Am I to assume that the gentleman is not in favor of the pending amendment, which is the Senate bill?

Mr. ANDERSEN of Minnesota. The pending amendment would be ruinous to agriculture in America. I know that. If you will look at the rollcall on the bill passed by the Senate you will see there was hardly a Senator from the upper Midwest who voted for that particular bill. You see gentlemen like CLINTON ANDERSON, Mr. HOLLAND, and Mr. ELLENDER voting for it, dictating to the wheat farmers what should be done.

The substitute would take away from the wheat farmers of America a certain amount of what they have today, and they have little enough already.

What are we trying to do? Are we going to reduce production and at the same time reduce the income of the farmers of America by hasty action? Let us not do that. Let us do something that amounts to common sense. Let us take the first section, the first title of the House bill as far as wheat is concerned, and give the farmers an alternative. Give them also an alternative under the feed grain provisions. Let them say whether they want Mr. JENSEN'S and my proposal or whether they want the committee proposal. That is all we ask.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. ANDERSEN of Minnesota. I yield to the gentleman from Iowa.

Mr. WOLF. I would like to ask the gentleman what provision he has in his proposal to take care of the small town that might be suffering?

Mr. ANDERSEN of Minnesota. We are providing for them under this method. Raise the general level of farm income and you do as much for small-town business.

Mr. Chairman, on the Subcommittee on Appropriations which studies these matters and which has studied them for 18 years, we have experienced members such as the original authors of the soil bank proposal, the gentleman from Minnesota [Mr. MARSHALL] and myself. I have argued with Mr. Benson on this very point. I told him he did the wrong thing when he said you must take 100 percent of any farm out of production. That was never our intention.

Mr. BROWN of Missouri. Mr. Chairman, I rise in opposition to the pending motion.

Mr. Chairman, I want to talk to some of my city friends who may not know too much about this problem and who may be confused with all this agricultural discussion.

First of all, most city district Congressmen I know support a bill now pending before the Rules Committee, which raises the existing minimum industrial wage from $1 an hour to $1.25 an hour. Fair-minded people who want to see Americans live and labor at decent wages and enjoy a decent living standard support that bill. Yet, let me tell you about some 5 million Americans who are not even making $1 an hour for their labor. Net farm income in 1959 was 24 percent below 1952, while in this 7-year period the national income increased by 35 percent. Do you know that farm people who own their farms are making 71½ cents an hour for their labor? That is the average. In my area the dairy farmers, according to a study made by the University of Missouri, are making less than 50 cents an hour for their labor.

Now, legislators ask us to take the Senate version of a wheat bill that would cut the wages, the income of farmers another 20 percent. Now, is that fair? Do you really want to raise the industrial workers, even 15 percent to $1.15, or 25 percent to $1.25 and in the same

year, cut the wheat farmers in this country 20 percent in their wages, in their income? That is what you will be doing, because the Senate bill leaves the price of wheat at exactly the same level but cuts their volume by 20 percent.

Now, I think our House committee took the fair approach to this problem. They recognized that the cost of storing wheat in this country is absurd. We are piling up wheat in Government warehouses that is not necessary and that we cannot use. Storage alone is costing millions of dollars a year. So, we must cut down the volume of wheat production. But it can be done without forcing farmers to take a still further cut in their income. Here is the offer the House bill makes: Cut the acreage 25 percent, and we will give you a slight raise in price to 85 percent of parity, and at the same time we will pay you in kind for acreage not planted. In other words, we will take some of this surplus that we have stored up and give it back to wheat farmers to help supplement the income they have lost.

The question before the House is which is the fair thing to do for the 5 million American people who, as the gentleman from Indiana said, are the low men on the totem pole. Do you want to cut them another 20 percent, by adopting the Senate bill, or do you want to give them a fair deal, such as the House committee has done? I say that there is no comparison between the two bills. Our House committee did a fair job, a reasonable job, something we can go back to our people and support with pride, whether it is before city people or country people. This wheat bill will save $155 million a year that the taxpayers are now paying in the wheat program plus what will be saved through the feed grain program. This is a good bill as the House committee has prepared it. I wish it had something in it for milk. I wish it had a long-range program that could be adapted to poultry producers in this country, because that is going to be a serious problem come this fall. I wish there were more in it, but as far as it goes, this is a good, fair, reasonable bill. I think it is an effective bill. I think the farmers will live up to it and they will be proud that this Congress passed it.

Mr. Chairman, I hope the Committee will give it careful, fairminded consideration, vote down the Senate version, and pass the House bill.

The CHAIRMAN. The question is on the motion offered by the gentleman from Minnesota [Mr. ANDERSEN].

The motion was rejected.

Mr. HAGEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I serve on the Committee on Agriculture. I represent a farm area, a farm area that is the most productive in the United States. And, I represent wheatgrowers. And, I would like to see legislation passed by the House, which will become law and do something about this wheat situation which has become a terrible burden to the taxpayers and threatens to tear down the whole structure of price support programs in this country.

Some statistics were quoted here on farm income. These statistics showing real farmers to have incomes under $1,000 are false. Now, I do not know how many of you here in this Chamber know some farmers. I certainly do. And, I will say this, there are literally tens of thousands of farmers who make more money from subsidies than is conscionable and defendable. That is the simple fact of the matter. There are all kinds of farmers and these programs we have on the books do not recognize that fact. Until we make some effort to bring some equity into these programs, attempts such as H.R. 12261 to perpetuate them should be turned down.

The gentleman from Oklahoma [Mr. ALBERT], who is a very able Member of this body and who I know wants to write a fair wheat bill, pointed the finger at the Senate bill. He did not say this, but I will say it for him. He indicated that the only difference was a difference of 5 percent in this acreage cutback. If that is the only fault of the Senate bill let it be amended. But the Senate bill does not raise the price support from 75 percent to 85 percent and it will, therefore, produce a greater reduction of bushels of wheat than the higher House acreage reduction figure. It does not compensate the farmer at the rate of 55 percent of his average yield for cutting back, as compared to the 55 percent the House bill grants him. In referring to the wheat farmer, I do not say that there are no wheat farmers who are losing money. There are participants in any business who do not make money under the best sort of conditions. But I will say this: There are wheat farmers, and a great many of them, who are making money and who are making more money than you and I and more than many fine entrepreneurs who enjoy no Federal subsidy. In effect, we have a wartime wheat production plant in this country and a great many other commodities. Somebody has got to absorb the cutback to a peacetime plant. Is the Federal Government going to have to absorb all that burden, or are these people who made great amounts of money during the war going to have to absorb part of it?

Mr. Chairman, what I wish to say is this: I think it is absolutely vital that we pass some meaningful wheat legislation that has a chance of becoming law. If this committee bill is passed, I agree with the minority leader, it will not be accepted by the Senate. The whole issue will die. If we pass a wheat bill and get it down to the White House, if it is reasonably fair both to the Government—that is, the taxpayers, and to the wheat farmers, it will be signed. This is a matter of urgent necessity. H.R. 12261 does not meet this criteria.

This feed grain section is a mere Christmas card. I cannot visualize the producers of sorghums and corn and barley and oats, all sitting down together and devising a program that one group could vote the other into. I cannot see that. It is a Christmas card. As far as the protein section goes, we all know why that is in the bill. That is a sop to the city voters. It is supposed to gain votes for this basic wheat and feed grain proposition.

I say let us adopt the Senate bill and do something about wheat. If we fail to confine this bill to wheat or fail to make the wheat provisions reasonable we will have perpetuated the present failing program by inaction and the wrath of the taxpayers will pursue us. We know the kind of legislation which has a chance of becoming law; let us, then, provide it by adopting a substitute bill.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman just referred to title III of the bill. I am glad he did because I want to point out, too, that the amendment before us would also strike title III of this bill. The proposal is to substitute only a wheat bill. In this bill title III is an important part. Maybe the city folks would like to have it because, as he says, it is a sop. But the fact of the matter is anybody would like to have it if you believe in getting some of these storable goods into the stomachs of hungry people in this country. This is a provision that is properly labeled by some as a welfare provision.

As a matter of fact, this provision will give to the widows and orphans and the disabled and the blind and the elderly low-income people of this country some of this wonderful surplus we have. Most everybody talks about the surplus as if it is a curse, but we can do something about it here to make it something good.

We have heard a lot this afternoon about wheat. I want to remind the House here today there are more bushels of feed grains in storage than there are of wheat in the United States Government bins and in commercial storage rented by the U.S. Government. There is more money going out today to pay for storage on feed grains than on wheat. We cannot just slip away from this problem of feed grains lightly. We ought to deal with both of them because together they constitute 80 or 85 percent of the total Government investment in agricultural commodities today.

It was mentioned a while ago that Mr. NIXON made a speech last night in North Dakota. I notice he said we should have a program to distribute surpluses to the needy people in other countries. I say to you this is a worthy objective, but why not distribute some to the people in this country? If we can provide a way to get surpluses to the hungry people in other countries without hurting our markets, why in the world can we not do it in this country?

Mr. LEVERING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Ohio.

Mr. LEVERING. If the Vice President's proposal for sharing our great abundance with hungry people around the world is a good idea, and I believe it is, having worked and spoken in favor of it for a long time, is it not also true that title III, which is a sort of a domestic version of the Vice President's idea, will be good for our own folks at home who are in need?

Mr. SMITH of Iowa. Exactly; that is what it is.

I have a press release here that I have received dated June 17, and it shows conclusively the Department of Agriculture is not now distributing to the needy people in this country the protein foods that could be converted from these feed grains that are in storage today.

Mr. ANFUSO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from New York.

Mr. ANFUSO. Do I understand correctly that title III would permit youth organizations and charitable organizations who have camps, for example, to give this food to the children?

Mr. SMITH of Iowa. Title III permits the Department of Health, Education, and Welfare to distribute to needy folks through the various welfare agencies. If they come within the categories described, within their purview, that would be true.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Iowa.

Mr. WOLF. I should like to have the gentleman read that telegram to which he just referred.

Mr. SMITH of Iowa. It was a press release issued by the Department of Agriculture on June 17, and I believe it was sent to every Member of the House.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Minnesota.

Mr. QUIE. I think we also ought to bear in mind that in 1953 only 100,000 people in this country received surplus food from the Department of Agriculture. Now more than 5 million people receive surplus food. As was said in the report from the Department of Agriculture, we have been disbursing through relief agencies certain substantial protein foods, beef and beef products, 280 million pounds, pork and pork products, 180 million pounds, and poultry and poultry products, 135 million pounds. We have been doing a tremendous job but we could do more. Why does not our present program provide for the distribution of surplus food for the needy people throughout the country?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SMITH of Iowa. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. I may say to the gentleman that regardless of what has been done in the past we are not today distributing these foods and at a time when we have more abundance than ever before. I recall an experience in 1956 when I was chairman of a welfare board in Iowa, I was authorized to come to Washington to get some meat and gravy for people in that area, and do whatever was needed and to pay for the transportation of those goods. I was told at that time at the Department of Agriculture that they were not going to purchase enough food for any of the needy people, that what they would buy would only go to the school lunch program. At that time hogs were selling at 10 cents per pound and there was no surplus food for the widows and orphans and low income folks in this country. We can surely do better than that.

Mr. QUIE. The gentleman knows that when the price of hogs was down, the Department of Agriculture went into a purchase program not only on processed pork but also on frozen pork and distributed it through our various programs. Now when prices are up and there is a cutback on that program, do you feel the Department of Agriculture should continue buying pork and pork products and beef and beef products even when prices are at their present levels?

Mr. SMITH of Iowa. Under this program, they can buy any protein products which are converted from feed grains into protein food. Eggs, certainly, are not high. Cheese is not too high. There are plenty of high protein products available that needy people, people on welfare and relief, that widows and orphans and disabled people are never going to be able to buy in the amount needed in order for them to be on the kind of a diet that we think is proper in this country. We would not think of raising hogs in this country if they did not have a balanced ration. We give hogs a 10 percent protein diet. But do you know what? The needy people in this country do not begin to get that much of a protein diet. I want to point out also under this bill for each $2 spent, we take one bushel of grain in Government storage and sell it because, in fact, we have created a new market for one bushel of grain. Some people are going to convert it and merchandise it into $2 worth of protein food. As a result, that one bushel gets you more than a dollar back. In addition, the U.S. Department of Agriculture estimated it is going to cost us $1.52 for every bushel of corn we have in storage before we get rid of it. So you see, we get $2.52 back and actually we save future appropriations under this until the time when storable commodities are down to a normal supply.

Mr. FOGARTY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have sat here and listened to all of the debate here today. The longer I sit here, the more confused I get. The Committee seems to be divided. The Democrats on this side of the aisle, and the Republicans on the other side of the aisle are divided as to what kind of a program we should enact to help the farmers of our country. It seems that every speaker gets up and talks about this being necessary for all of the farmers of our country. But, it is my understanding that only 25 percent of the farmers of our country are affected by the subsidy program of our Government.

It seems to me that the bill before us today represents a pretty good example of how not to solve the farm situation. I could be wrong, but as I understand the situation one of our tremendous problems is a surplus of agricultural commodities, particularly wheat and feed grains, and the other difficult aspect is a drop in the net income of farmers.

Now then, we come along and we say—in this bill—that the way to stop all this trouble is to increase the already too high price support on wheat and on feed grains. We attempt to say that we will compensate for that high support price by taking land out of production, but I am sure that all of us realize land is only one resource in the production of any crop.

If we are willing to raise the price support of wheat from $1.79 to $2.03 a bushel, we also must be willing to face up to the fact that a lot of wheat growers are going to be doing all they can to increase their wheat yield per acre. Would not all of us here do just that?

How will all this solve the tremendous surplus problem?

Earlier, I mentioned the lowering net income of farmers. This particularly concerns me because farmers in my State and in all of the Northeast—as well as in other regions—buy tremendous quantities of livestock feed. They would buy wheat, too, if we, the Congress, had not priced it out of the livestock feed market long ago.

As my colleagues know, I spoke about this entire farm problem on June 9—particularly with regard to the manner in which the bill now before us—H.R. 12261—would affect New England. I now have had the opportunity to study this legislation even further, and I am more convinced than ever that it will do nothing to solve our farm situation.

There can be no question about the need for legislation to correct the wheat situation. But I am convinced this bill will only further aggravate the problem.

It not only fails to solve the wheat problem, but it also threatens to create new problems for the producers of feed grains, livestock, dairy, and poultry products. As my colleagues know, I am vitally concerned with dairy and poultry production.

I feel it will be a tremendous mistake to move in the direction of increasing the price support on wheat by 25 cents a bushel. The additional cost to the taxpayer—in taxes alone—would be about $114 million.

The payment-in-kind rates for cutting wheat acreage are fantastically high. It is obvious it would be more profitable not to grow wheat. It has been estimated that under this bill the average wheat farmer in Kansas would get a return of roughly $22 an acre, and in the higher yielding areas like Illinois, the payment could run as high as $33 an acre. All this money for not producing.

The feed grains provisions of this legislation provide for increasing price supports from 20 to 35 percent. If I understand the bill correctly, it could increase the price level on a bushel of corn from $1.06 to possibly $1.65. My farm constituents do not like this one little bit, and neither do my constituents who have to buy farm products.

I am for common sense in agricultural legislation—legislation that gradually gets the Government out of direct interference with production; legislation that

does not fix the prices of farm commodities.

Farmers in my State know of my keen interest in their affairs. They have not asked for any special favors, but, neither do they want special favors given to farmers of other areas.

My farmers compete, just like every other businessman does—like the grocer, the car dealer, the filling station owner, the hardware merchant, and so on. But, they do not want to have to compete against subsidized farmers elsewhere.

That is where I am, Mr. Chairman—for common sense in agricultural production. I do not believe that farmers anywhere in this country want to be thought of as a special class demanding special privileges.

Let us here in this Congress stop thinking of farmers as a special class. Let us give them the opportunity they desire—to compete, to grow, to prosper—not under the thumb of Government, but as a free and vital part of our private enterprise society.

Let us not add to our great domestic problem of our time—too much that consumers do not want.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. ANDERSEN of Minnesota. Mr. Chairman, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. ANDERSEN of Minnesota. The gentleman from Rhode Island has through the years been one of the Members of Congress most interested in the welfare of the people of America. I admire him for his work. The gentleman is also one of the strongest proponents of a bill shortly to come before the House and Congress to raise the minimum wage. I know the gentleman is going to work hard for that bill.

Mr. FOGARTY. You are right.

Mr. ANDERSEN of Minnesota. Now, if the gentleman is to be consistent he certainly will not object to raising the minimum wage for my farmers from about 50 cents—I think that is what they average—would he? I do not see how he could object to raising the minimum wage of my farmers, which will be the effect in a small way, of the passage of this bill.

Mr. FOGARTY. I am in favor of the farmers getting a decent annual wage, but I am not in favor of your farmers paying, as the gentleman from Missouri said a while ago, 35 cents or 40 cents an hours to farmhands that is being paid now. It just does not make sense to me. I do not think they have to pay that kind of slave wages in order to exist in that part of the country.

Mr. ANDERSEN of Minnesota. I may say to the gentleman that I have 42,000 farmers in my district, the most extremely agricultural district in America and those farmers, to buy the products manufactured in the district of the gentleman from Rhode Island have got to be able to make a little profit. So I cannot see the reason for the attitude the gentleman takes in always being against anything that helps my farmers.

Mr. FOGARTY. I am against it because the programs that you are supporting today are driving the farmers in the northeastern section of the country out of business. That is why I am opposed to it. It is costing the farmers of the State of Rhode Island over a million dollars.

Mr. ANDERSEN of Minnesota. Would the gentleman want his poultry raisers to use feed produced in my district and not pay my farmers the cost of production?

Mr. FOGARTY. I do not expect anybody to produce anything at a loss, not at all.

Mr. ANDERSEN of Minnesota. I still think the gentleman from Rhode Island is a fine gentleman, but cheap feed and the inevitable cheap poultry and livestock is no answer for either his district or mine.

Mr. FOGARTY. I think under a good administration you can do a good job. If you have a poor administration we should not be made to suffer for it.

Mr. COAD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman from Rhode Island is one of the best friends I have in the Congress. I feel that he is one of the most philanthropic Members we have. He has fought more battles in the well of the House for the welfare of the people of this country than any other person I know who has ever served in the Congress of the United States, living or dead.

But because of the statement he has just made, I would like to read from a recent editorial in the Des Moines Register concerning "Naive Reasoning on the Farm Policy," and this is directed to the attention of the gentleman. I quote the following:

> Opponents of Government farm income support program sometimes argue that farmers not receiving price support (or payments) for their products are "doing better" than producers of the major price-supported crops. Secretary of Agriculture Ezra Benson often has made this argument, and the Farm Bureau leaders frequently use it.
>
> For example, Charles B. Shuman, president of the American Farm Bureau, recently said that about 80 percent of U.S. farm products are now sold on a relatively free market, and that producers of those products which are "Government priced" are generally in the worst situation.

It is like saying that people receiving medical care for, say, arthritis, are in worse shape than those receiving no treatment. The reason for the price support program is to help farmers who have been afflicted with surplus and low price problems beyond their control as individuals.

Mr. Chairman, the reason the farmers are in trouble now is because there is a surplus, brought about because they are producing too much, and they are producing too much because the price is too low. Under the bill we have before us today there is to be a reduction in wheat production of 25 percent, but the price has moved up only 10 percent of parity. On this basis, the farmer actually is taking out of production a certain amount and getting a small increase in pay. In addition, to help make up some income deficiency a payment in kind is also made which comes out of the Government-held surplus.

I believe that the gentleman from Rhode Island has stated that he feels this kind of thing is necessary. He does not want farmers necessarily to go broke; he wants them to receive a decent and honorable wage. So we are going to cut back on the surplus that is Government held. We are going to increase the farmer's pay just 10 percent of parity, but for this he is going to cut production. The farmer is doing more than his share under the principles of the bill that we have before us today. In this bill the wheat farmers are contributing, and the consumers are contributing a small amount.

The feed grain aspect of this bill is merely a set of guidelines so that the grain people can come in and work out a program that is going to cut back on production, which will stabilize the farmer's income and keep all of the people—farmers and consumers—in a much more sound position than they were heretofore.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Am I not correct that last year the average farmworker in the United States received about 80 cents an hour while the average farm operator received less than 70 cents?

Mr. COAD. That is correct. When we look at the complete aspects of farm economics, we find that the farmers are living off of inventories. They are not living off of income in the whole of the Middle West, and if that goes on it will force corporation farming. That is the kind of thing that makes for worse relations. It gets into a kind of socialism of farming by corporations, and that is certainly not a good economic system.

Mr. ANDERSON of Montana. Mr. Chairman, I move to strike the requisite number of words.

Mr. ANDERSON of Montana. Mr. Chairman, I rise to support the rule because it is in the best interest of all the people. Let me make one point quite clear. For the short term the American taxpayer will be the great gainer by passage of the Poage bill, H.R. 12261. Let us be frank. This bill is not going to make any big change in the wheat farmers' income in the next year or two. The bill will do what the people all over the country have been demanding—it will eliminate the production of wheat for storage—it will cut the costs to the taxpayer of our farm program. The wheat farmer is willing to go along, first, because he is a taxpayer, too, and interested in cutting Government costs, and second, because this legislation does protect him against a further cut in income.

We are faced at this point with a clear-cut choice between the Senate bill and the House bill. There are numerous reasons why the House should approve the carefully worked out House bill rather than accept the improvised Senate bill which was hurriedly put together on the floor of the Senate without hearings and without adequate consideration.

The Senate bill slashes the income of the wheat farmer.

The other cogent reasons are clearly evident from the discussions so far.

You talk about the subsidy to the farmer. The taxpayer is not subsidizing the farmer. For 7 years now the farmer has been subsidizing the economy of the country. For 7 years, a little more each year and most of all in the year just ended, the farmer, through the low prices he gets for producing this Nation's food and fiber, has subsidized every order of food the housewife has taken home to feed her family; every item of wool and cotton goods that she buys to clothe them. The farmer has produced more and better supplies of food and fiber than ever before in the history of the world. He has been absorbing about 25 percent of the Nation's grocery bill. His contribution has partially concealed the ever-rising prices and inflation in almost every other segment of agriculture.

How can less than 5 million farmers afford to subsidize the food for almost 175 million Americans? He cannot afford it, but I will tell you how he does it.

First, the American farmer subsidizes the food you eat because he is putting up almost $200 billion; dollars he has invested in farm plant, land and equipment. On that $200 billion, equal to about two-thirds of the national debt, he receives not a penny of interest.

Suppose all the millionaires and billionaires in the country said they would loan $200 billion to the U.S. Treasury without interest. That will be the day. But just try to imagine it. Do you not think we would fairly say they were subsidizing the taxpayers of America? Sure we would, and in the same way the farmer is subsidizing every meal served in America. Of course, there are a few farmers who make interest on their investment, but they are a relative few, generally favored by circumstances and conditions which are not typical. And, for every one who is receiving a fair rate of return on his investment, there are several who are not only not receiving any return, but they are seeing their capital eroded by ever-increasing yearly deficits. Throughout America, the farmer receives no return on his almost $200 billion investment, as I will make clear before I am through.

There is a second way in which the farmer is subsidizing every person who eats food or wears clothes. The farmer is working for less than half the wages of those in nonfarm jobs. Again, let us look at the whole picture. The total net income of America's farmers last year was less than $11 billion. That is about $2,400 per farmer, with the usual help from other members of the family, whose labors may be considered as another subsidy which helps account for the fact that an hour of the industrial worker's time will buy more and better food than ever before.

You can talk about little bits and pieces, you can point out a farmer here and there who seems to be making a profit, but the Department of Agriculture statistics make quite clear what is happening to agriculture as a whole.

Almost 5 million farmers have invested close to $200 billion so that they and their families may produce the food and fiber you eat and wear for a net return of less than $11 billion. In other words, the average farmer, the composite farmer, has put up $40,000 to buy a job; yes, that is just what it is. He has bought a job that will pay him and his family about $2,400 a year.

In our economic world, the farmer is a second-class citizen, and we have found that when our neighbor is consistently hurt, sooner or later all of us are hurt. I have copies of the Wall Street Journal, headlining, "Farmers Cut Purchases of Equipment as Drop in Income Deepens," and "Rural Retrenching, Dealers Feel Profit Pinch." Thoughtful people all over are asking how long America can keep the economic squeeze on her farmers without injuring the rest of her economy. Most of them want to make at least a start in the right direction. The Senate bill, Mr. Chairman, is a move in the wrong direction. The Senate bill means disaster for many farmers who have just been able to hang on. It is an anti-wheat-farmer bill, for it will cut farm net income even lower than the present level which is causing so much distress. Let us not give the farmer another push down the Benson road to disaster.

The Poage bill, H.R. 12261, is the bill that this Congress should pass. It moves in the right direction, it meets all the criteria for agricultural legislation. It gives the farmer an opportunity to decide which way he wants to go. In open referendum, the wheat farmer himself will decide whether he wants to go Benson's way toward unlimited production and a cutthroat free market price, or if he wants to bring his production into line with requirements and assure himself of at least his present level of income.

I am confident, Mr. Chairman, that he will choose to follow the lead of every major segment of the American economy, producing ample supplies of food and fiber, but not indulging in that unrestrained and unreasoning production which will glut the market and bankrupt the producer.

If this is his choice, then H.R. 12261 will serve all of us—farmer, housewife and taxpayer. It will eliminate production of surplus wheat, it will reduce the amounts of wheat in storage, it will reduce the Government costs for the agricultural program, and it will assure the farmer against another drop in his income.

The feed grains section of the bill provides a field test of the principles of the Family Farm Act of 1960. It will permit feed grain producers to work out their own commodity program within the broad guidelines of the bill. Such a program cannot help but provide a better program at less cost to the Government and more benefit to the farmer.

I hope my colleagues will support the Poage bill, H.R. 12261.

Mr. POAGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as some of the previous speakers have said, I am thoroughly confused. I read in the newspaper this morning a statement which says:

> A method must be developed whereby the farmers themselves have a greater opportunity to choose the kind of farm program they want.

I thought that was a remarkably fine statement. And it is in keeping with the plan which the committee brings you. But I do wish that somebody would explain the situation. Those words are the words of the Vice President of the United States delivered at a political rally in North Dakota last night, where he was seeking to get farm votes. That is why he was there. It was a farm speech calculated to influence the coming senatorial election in the State of North Dakota.

I am sure that the Vice President meant what he said in this respect. This committee agrees with the Vice President that there should be a greater participation of farmers in determining these programs.

But if you accept the suggestion made by the minority leader that we simply wipe out this bill and adopt something from the Senate, farmers will have no participation whatsoever in the program, because the Senate bill did not have any consideration for farmers. The other body wrote a program which was admittedly intended to attract Presidential support and nothing else. The reason we now find a growing interest in the Senate bill seems to be because the Senate bill proposes now to support prices at something less than the level of support in the original measure. It clearly outlines the question of adequate versus low supports, but it does not leave the decision up to the farmers, as the Vice President said we should. Instead, the minority leader would have us make a decision in favor of low supports without any expression from farmers.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. GROSS. Did the Senate bill have the support of the Senate majority leader?

Mr. POAGE. I understand that it did not. I recall seeing that it did not have the majority leader's support. I do not know what the minority leader did, but I do know that the Senate bill requires a 20-percent cut in wheat acreage without one single compensating cent in the way of supports. I do know that it means the same thing as requiring a cut from an 8-hour day to a 6-hour day without 1 single cent of increase in wages if we may liken the payments in kind to unemployment compensation. That is what it means to the wage earners.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to my chairman.

Mr. COOLEY. Does it not mean a 20-percent permanent cut?

Mr. POAGE. It means a 20-percent permanent cut; and I am glad the chairman has called attention to that. There is a phony proposition in that Senate bill; some of you do not know it, but that Senate bill makes a 20-percent permanent cut in production and gives support in kind for only 3 years, no longer. So that the effect of the Senate bill is permanently to seal upon the wheatgrowers of America a kind of serfdom Americans do not want.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. ANDERSEN of Minnesota. Mr. Chairman, the gentleman from Texas [Mr. POAGE], whom I have known for 22 years and whose work I have watched, I think is a real friend of agriculture. He and I differ very seldom. The gentleman has correctly stated that the first title of the bill does give an alternative, but the same title on food and feed grains gives no alternative.

Mr. POAGE. It allows farmers to work out their own programs. As the gentleman knows, and I have told him, I am perfectly willing to include in the bill the suggestion he has made of giving farmers a still further option, because I believe in what the Vice President said. I do not know how many of you believe it, but when we take a vote on this we will know who believes in this pronouncement by the Vice President and how many are endorsing it simply for political purposes.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. McGOVERN].

Mr. BREEDING. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from South Dakota [Mr. McGOVERN].

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. McGOVERN. Mr. Chairman, I appreciate the fact that the substitute amendment before us, which is the bill from the other body, was offered in good faith, but if it should carry I know that I and I think many Members from the wheat-producing sections of the country would vote against it on final passage. We would rather have no bill at all than this inadequate proposal now pending as a substitute.

Mr. ANDERSEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. McGOVERN. I yield.

Mr. ANDERSEN of Minnesota. Is it not a fact that regardless of party the great group of Senators from the upper Midwest voted against this bill?

Mr. McGOVERN. Yes. I think with one or two exceptions all the wheat-producing representatives in the country opposed it in the other body, as I hope they will here.

Mr. Chairman, the Senate bill, as has been pointed out many times here this afternoon, has the effect of taking away from the wheat farmer 1 day's pay every week. It cuts off 20 percent of his earning power with no increase in the price per unit. We would have the same principle in operation if we went up and down Main Street 1 day a week at the end of the day and took all of the money out of the till and deprived the operator of that portion of his income for 1 day out of 5. That is exactly what this bill from the other body attempts to do to hard-pressed farmers who are already suffering from the cost-price squeeze.

There has been an argument raised here that if we were to give farmers a decent price on wheat and feed grain this would constitute a tax on bread, but, as the gentleman from Colorado demonstrated early this afternoon, when wheat prices were around $2.50 a bushel, bread was selling at a lower price than it is today with wheat price supports at $1.78. So if that inverse ratio were to hold, by raising the price of wheat maybe we will get cheaper bread.

It has also been suggested that to give farmers a fair price on wheat, or even 15 percent less than a fair price, would produce more surpluses, but here again, when we had wheat selling at 100 percent of parity and supported at 90 percent of parity, we had only 267 million bushels in surplus, which is really just a safe reserve, whereas today with wheat supported at 75 percent of parity we have accumulated surpluses of Government stocks of 1.3 billion bushels.

I want to conclude my remarks by saying that I have offered some criticism here of my Republican friends but I want to remind the Members of my party of our pledge in the platform of 1956 to support the basic commodities at 90 percent of parity.

Mr. BREEDING. 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 Kansas?

There was no objection.

Mr. BREEDING. Mr. Chairman, I rise in opposition to the amendment.

Before the House votes on this proposal to substitute the Senate bill for the Poage bill, I wish to repeat some figures I cited earlier in general debate.

Under the Senate bill a 100-acre wheat allotment would produce a gross income of $3,524.40 for the wheatgrower.

The Poage bill would maintain his income at $3,900—just $16 below what it would be under the present program.

Let me emphasize this point. With the cost-price index as unfavorable as it is now, the decline of almost $400 in gross income could have disastrous effects in the wheat area. It could mean nothing but red ink for thousands upon thousands of farmers.

The Poage bill will actually reduce production more than will the Senate bill. Production and supply is our great problem. We have too much wheat. The Poage bill calls for a reduction of 25 percent in acreage. It would take about 170 million bushels of wheat out of CCC stocks. This means substantial savings in storage and carrying charges.

The point to remember about the Poage bill is this. It will carry the wheat producer through this interim period without letting his head sink below the water. It will keep him going until we can achieve the balance between consumption and supply which we all so earnestly desire.

Speaking as the representative of a great wheat producing area and as a man who was active as a wheat farmer until elected to Congress, I urge you to vote for the farmer the added protection which the Poage bill offers.

I urge you to defeat this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, there are a considerable number of wheatgrowers whom I represent. I have not received one single communication from any one of them in favor of the bill H.R. 12261. Most all of them are members of the Farm Bureau, which is an organization strongly opposed to this bill.

I do not think we are going to solve the wheat surplus problem by providing for an increase in wheat price supports. For that reason I am in opposition to the bill H.R. 12261.

Most of the wheatgrowers in my district actually would be much happier if they were relieved of Government controls of all types. Of the two versions, the Senate bill and H.R. 12261, I believe the Senate bill which has been offered as an amendment is at least an improvement over H.R. 12261 because it does not increase wheat price supports and, therefore, is not going to provide the same stimulus to increase present wheat surpluses which are a burden upon the American taxpayer and a burden upon the whole economy of this country.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MARSHALL].

Mr. MARSHALL. Mr. Chairman, in my work on the Committee on Appropriations for the Department of Agriculture, I have been intrigued with a few things in connection with our agriculture. The first thing is the tremendous cost of carrying the surplus stocks of the Commodity Credit Corporation. I am going to base my opinion in voting on this bill on one thing and one thing only because, with all due regard to my friends on the Committee on Agriculture, and they are a fine group of people on both sides of the aisle, the bills that are proposed and what we are talking about today in my estimation will not solve the farm problem. But when we come to the matter of costs of the program, I do not believe the taxpayers of this country can afford to put up with a bill that has been proposed in the other body for this reason. It is going to add more stocks to the Commodity Credity Corporation. It is going to cost more dollars. The cost of the Commodity Credit Corporation and the support prices have not, in a large measure, gone to the farmers. The losses have been incurred after Commod-

ity Credit has taken possession of the stocks. Storage, transportation, handling, maritime shipping and so forth, costs make up the lion's share of the loss.

The most economical way to vote on this bill is to vote against the Senate proposal offered as an amendment by the gentleman from Utah [Mr. DIXON].

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. WOLF].

Mr. WOLF. Mr. Chairman, I take this time in order to propound a question to the ranking Republican member on the committee. Previously, when the gentleman was speaking in the well of the House, I asked him to yield. He did not yield so I thought I would ask this question now. The question arises, if we support the amendment which has been introduced here, what happens to the feed-grain farmer?

Mr. HOEVEN. As I understand it, the amendment offered by the gentleman from Utah [Mr. DIXON] is a substitute for the entire bill, which, of course, if adopted would be a substitute for the bill and would eliminate the feed-grain section.

Mr. WOLF. The answer to me, as I see it, is if I want to do something for the feed-grain producers in the Middle West in the Corn Belt, I will have to vote against the amendment.

Mr. HOEVEN. Not necessarily, because I pointed out earlier during the debate that there was no reason in the world why the Committee on Agriculture cannot promptly tomorrow pass out a bill which can be enacted into law.

Mr. WOLF. Does the gentleman from Iowa [Mr. HOEVEN] have such a bill ready to go that would have the support of his administration?

Mr. HOEVEN. I do not have a bill myself. I do have a payment-in-kind bill, which the gentleman knows, but I am handicapped on the Committee on Agriculture, as the gentleman very well knows, being on my side completely outnumbered. We do not have the votes to enact the legislation that we would like to present.

Mr. WOLF. Would it not be a good place, right here and now, to amend the amendment and include your payment-in-kind bill for the feed-grain producers.

Mr. HOEVEN. That is the gentleman's privilege, if he desires to do so. I am just pointing out that the substitute proposed by the gentleman from Utah would supplant the committee bill.

Mr. WOLF. My feeling is that if the gentleman from Iowa truly is concerned for the feed-grain producers, he would introduce it. As the ranking minority member of the committee, his arguments might be quite persuasive.

I thank the gentleman for his help.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, everybody in this House, I think, is agreed on the need for action in the field of wheat legislation and is agreed that there must be a change in the law. We also, certainly, must recognize the issue is a very controversial one. Even the wheat representatives here cannot agree on exactly what should be done. I am not an expert in this field, and I am not going to discuss the merits of the Senate bill or the merits of any other bill, although I must suggest I am quite amazed at some of the language used by my colleagues on my right to describe a bill that was written in the Senate of the United States where they control that body. I just cannot understand how under these circumstances they could put out such a defective bill. But, I want to talk about the situation right now.

Each of us has his own ideas as to what should be in the bill. Let me suggest, however, that speeches and amendments are not necessarily going to get something down to the President's desk. There is only one way to get this legislation down to the President, and that is by adopting the substitute that has been presented here. It has passed the other body. If we adopt it here we send it down to the President.

Mark this well: If no bill gets to the President, let those who have turned down this opportunity remember that they did have the opportunity to send a bill down to the President which we have some assurance the President will sign.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. LEVERING].

Mr. LEVERING. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVERING to the amendment offered by Mr. DIXON: On page 12, line 11 of said amendment strike out all of subsection (d) of section 102.

Mr. LEVERING. Mr. Chairman, the effect of subsection (d) under section 102 of the substitute amendment is to strike a real blow, in my opinion, to the family farmers of America, because it strikes at the very heart of the traditional 15-acre exemption which applies to the great multitude of small family farms throughout America. In other words, this provision reduces the 15-acre exemption down to 12, or the highest planted acreage over the past 5 years, 1956, 1957, 1958, 1959, and 1960, and then makes that permanent.

I say to you that if you are interested in preserving the interests of the small farmer in America adopt my amendment which strikes subsection (d) of section 102 from the substitute. This will permit us to continue under existing law that gives our family farmers a 15-acre exemption. I hope my amendment will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Chairman, I would like to ask the gentleman from Ohio [Mr. LEVERING] a question: Do I understand that the gentleman from Ohio is now changing his position? Did he not vote in committee for the 12-acre proposition?

Mr. LEVERING. The gentleman is incorrect when he says that in committee I voted for the 12-acre limitation. If the gentleman recalls, I worked very hard to get the 15-acre exemption back into the bill which was reported out by the committee.

Mr. HOEVEN. Mr. Chairman, just let me say in the remaining time that I want to emphasize what the gentleman from Indiana, the minority leader, and the gentleman from Wisconsin [Mr. BYRNES] have said: If you actually want a wheat bill in this session of Congress, in my humble judgment you should support the substitute as proposed by the gentleman from Utah [Mr. DIXON]. The substitute may not be to everyone's liking but it seems to afford the best possibility of being enacted into law.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield.

Mr. HALLECK. I would just like to say with regard to the 15-acre exemption that in my district I could not very well call upon my large wheat producers to accept a reduction of 20 percent and not ask my small farmers to reduce by the same percentage.

I shall vote against the Levering amendment.

The CHAIRMAN. The gentleman from North Carolina [Mr. COOLEY] is recognized to close the debate.

Mr. COOLEY. Mr. Chairman, we are in a rather unusual situation, because if we adopt the pending amendment that is the end of it; we are then, in effect, adopting the Senate bill which we have never seen. We have not even heard it read. No member of the Committee on Agriculture has spoken in behalf of the pending substitute except the gentleman from Idaho [Mr. DIXON].

Conspicuous by his absence from this debate is the distinguished minority leader of our committee, the gentleman from Iowa. At the last minute he comes in and says: "Yes, if you want to have a bill you must adopt the substitute and take the Senate bill." Just how stupid can we be to sit here and adopt a Senate bill that has not even been read?

Mr. HOEVEN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. Yes, but be quick, for I have very little time.

Mr. HOEVEN. The Senate bill has been in the Committee on Agriculture for several days, but the gentleman never held hearings on it.

Mr. COOLEY. Did not the gentleman say in the Rules Committee he was not for the Senate bill?

Mr. HOEVEN. I did not. I said I was ready to accept the Senate bill.

Mr. COOLEY. The Senate bill?

Mr. HOEVEN. The Senate bill; yes.

Mr. COOLEY. I understood the gentleman opposed the Senate bill. But he does not have and the administration does not have a bill to offer here. How can we be so naive in voting on one of the greatest problems we have today, wheat, and vote for a bill we have never seen?

If we pass the House bill I will call up the Senate bill and move to strike out everything after the enacting clause and substitute the House bill. Then the whole thing goes to conference. We shall work out our differences and bring back a bill that will be acceptable, I am sure, to both Houses of Congress.

We should defeat the amendment offered by the gentleman from Utah.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Ohio [Mr. LEVERING].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah [Mr. DIXON].

The question was taken; and on a division (demanded by Mr. HALLECK) there were—ayes 85, noes 92.

Mr. HALLECK. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chairman appointed as tellers Mr. POAGE and Mr. DIXON.

The committee again divided and the tellers reported that there were—ayes 92, noes 108.

So the amendment was rejected.

The clerk read as follows:

TITLE I—WHEAT

SEC. 101. (a) Notwithstanding the provisions of sections 332 and 336 of the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture shall conduct a referendum, by secret ballot on or before July 25, 1960, of producers subject to marketing quotas on the 1960 crop of wheat, to offer such producers a choice between the programs set forth in subtitles A and B of this title.

(b) Notwithstanding any other provision of law, if less than a majority of producers voting in the referendum conducted pursuant to subsection (a) hereof favor a program as provided by subtitle B, such subtitle B shall become inoperative, and the program as provided in subtitle A shall be in effect for the 1961 through 1965 crops of wheat. In such event, the Secretary shall, within thirty days thereafter, conduct a referendum, by secret ballot, of producers who will be subject to the marketing quota provided in said subtitle A to determine whether such producers favor or oppose such quota for the 1961 crop of wheat. If more than one-third of the producers voting in such referendum oppose such quota, the Secretary shall by proclamation suspend the operation of such quota with respect to the 1961 crop of wheat.

(c) Notwithstanding any other provision of law, if less than a majority of producers voting in the referendum conducted pursuant to subsection (a) hereof favor a program as provided by subtitle A, such subtitle A shall become inoperative, and the program as provided in subtitle B shall be in effect for the 1961 through 1965 crops of wheat.

Mr. AVERY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I asked for the floor in order to propound two questions to the gentleman from Texas. Since it appears that the committee bill can possibly become law I think we should have something in the record to clarify the meaning of some of the language. For instance, on page 24 of the bill, line 5, it says:

Such products may be purchased on the local market in accordance with regulations promulgated by the Secretary.

What does "local market" mean? And how is he supposed to purchase these protein products?

Mr. POAGE. That means that the Secretary of Health, Education, and Welfare—not the Secretary of Agriculture—may from appropriated funds go on to any local market.

Mr. AVERY. What does "local market" mean?

Mr. POAGE. That means any market, whether it be in New York City or Emporia, Kans.

Mr. AVERY. Does that mean a retail market or a wholesale market?

Mr. POAGE. It means either market, a "local market," as we understand it, refers to the location and not the type. Presumably he would make purchases of the size he intended at the time. It would be rather inconsistent for him to go to the wholesale market to buy a side of bacon, and it would be equally inconsistent for him to go to the regular market to buy a carload.

Mr. AVERY. On the other hand, it might also be presumed from the quantities it is anticipated he would be buying, that it would hardly be in the public interest for him to go to a retail market, because he would not be buying only a pound of bacon at one time. Will the gentleman state for the RECORD at this point to indicate whether the Secretary of HEW is to do this by open competitive bids, or issue invitations to bid, or would he be compelled to go into the open market and buy at regular retail or wholesale prices, whatever they happen to be? This language is ambiguous on this point.

Mr. POAGE. I think it is rather clear that it is intended for him to go into the market, the same as any other purchaser would go. The purpose is to maintain the "local market" and it is contemplated that he would become a purchaser just the same as anyone else would become a purchaser.

Mr. AVERY. Then he is not to issue invitations to bid, is that the inference? I think there should be something said on the subject in the debate, so there would be some guidance to the Secretary. Does the gentleman wish to comment on this?

Mr. POAGE. I think it should be pointed out, of course, that the legislation as written does not prohibit him from securing whatever he can from the CCC, in which case he would do just as he does today. But neither does it prohibit him from going into local markets and making purchases just as you and I would do, nor does it prohibit him if he prescribes certain regulations that certain amounts will be purchased on competitive bids, on certain days, to follow that course. That would be permissible under the regulations he issues. But it is definitely not intended that he should bypass the local dealers.

Mr. AVERY. I have no particular feeling on this, just so there is some guidance in the bill. There should be something in the RECORD to explain what the intent is.

I call the attention of the gentleman to the next line which reads:

The Secretary shall obtain such assurance as he deems necessary that recipients will not diminish their normal expenditures for food by reason of such donations.

Is he supposed to go around to all the recipients and welfare agents and say, "How many pounds of bacon did you buy last year?" or, "How many eggs did you get?" and therefore he must buy that much and get this in addition? Or how is that determination to be made?

Mr. POAGE. He is supposed to determine it just as it is determined today. We have that provision in the existing law relating to the disposition of cereal stocks. The Secretary of Agriculture has to make that determination now in using these cereals. The Secretary of HEW would be required to use the same formula that is now imposed on the Secretary of Agriculture.

Mr. AVERY. For the distribution of surplus commodities held by the Commodity Credit Corporation?

Mr. POAGE. That is right.

Mr. COOLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. IKARD, 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. 12261) to amend the Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, with respect to market adjustment and price support programs for wheat and feed grains, to provide a high-protein food distribution program, and for other purposes, had come to no resolution thereon.

## DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1961

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11390) 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, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. FOGARTY, DENTON, CANNON, LAIRD, and TABER.

## RECAPITULATION OF FEDERAL REVENUES

Mr. PASSMAN. 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 Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, intended for the particular attention of those who persist in believing, or pretending to believe, that anything and everything can be accomplished through the appropriation and spending of more and more money, a large portion of which is borrowed money, I wish to present a recapitulation of U.S. Treasury revenues since the beginning of our Federal system of government in 1789. This tabulation of Treasury receipts covers the period from

April 30, 1789, to June 1, 1960, and it is divided into three categories—154 years from the beginning of George Washington's term to the administration of President Truman, the 7-plus years of President Truman's incumbency, and 7 years, 4 months and 11 days of President Eisenhower's term. I certainly hope the Members will have an opportunity to study these figures, which I also mailed to them yesterday in the form of a letter. The facts of the recapitulation are self-evident, and do not require any further comment from me. Therefore, I submit at this time, and incorporate as a part of my remarks, the following verified tabulation:

*U.S. Treasury receipts*

| | |
|---|---|
| 157 YEARS (WASHINGTON TO TRUMAN) | |
| Apr. 30, 1789, to Jan. 1, 1946: Total | $233,124,696,392 |
| 7-PLUS YEARS—(TRUMAN) | |
| Jan 1, 1946, to Jan 20, 1953: | |
| 1946 | $42,867,772,454 |
| 1947 | 42,911,827,900 |
| 1948 | 43,098,474,025 |
| 1949 | 39,833,226,896 |
| 1950 | 40,510,854,464 |
| 1951 | 56,842,879,512 |
| 1952 | 69,336,974,951 |
| 1953 (to Jan. 20) | 2,259,855,220 |
| Total | 337,661,865,422 |
| Total revenues received: George Washington-Harry Truman (inclusive), 164 years | 570,786,561,814 |
| 7 YEARS, 4 MONTHS, AND 11 DAYS—(EISENHOWER) | |
| Jan. 20, 1953, to June 1, 1960: | |
| 1953 (from Jan. 20) | $65,811,590,850 |
| 1954 | 66,894,388,427 |
| 1955 | 69,613,680,692 |
| 1956 | 78,233,911,713 |
| 1957 | 82,091,696,351 |
| 1958 | 79,285,472,618 |
| 1959 | 84,515,760,844 |
| 1960 (to June 1) | 45,811,318,170 |
| Total revenues received: Eisenhower (7 years, 4 months 11 days) | 572,258,819,664 |
| Eisenhower revenues over all other Presidents | 1,472,257,850 |

Is it not quite obvious that more and more unjustified spending on the part of Government does not provide the solution for our problems? Do not the facts make it clear that our Federal Government must return to the policy and practice of fiscal responsibility?

## LEGISLATION RELATING TO FOREIGN COMMUNIST PROPAGANDA

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I have introduced a bill to plug certain loopholes in the law applicable to foreign Communist propaganda which has been the subject of extensive investigations and hearings by the Committee on Un-American Activities.

During the past year, the U.S. Customs Service processed over 6 million packages of foreign Communist propaganda entering the United States. These 6 million packages contained over 10 million items of printed matter and constituted an 18 percent increase over the preceding year. This was exclusive of the millions of mail articles containing Communist propaganda which are received from overseas via first class mail which, of course, is not subject to inspection.

The studies of the Committee on Un-American Activities at the various ports of entry show that there is a steady increase in the volume of Communist propaganda entering the United States. One of the devilish aspects of this Communist propaganda is its subtlety. In very few publications do identifying data appear. In fact, as in most Communist operations, these publications present an appealing masquerade.

The material directed to youth in this country has increased almost 40 percent during 1959 over the preceding year. In 1959 there were 380,000 packages containing 580,000 items destined to youth groups in the United States.

The Foreign Agents Registration Act requires the registration with the Attorney General of those agents of a foreign power who disseminate political propaganda in the United States, and also requires a labeling of the political propaganda so that the American public can be on notice respecting it. The theory underlining the law rejects any concept of censorship, but is based on the same premise which undergirds the labeling provisions commonly found in food and drug laws which require the producers of poisonous drugs to label them as such.

While I am in thorough accord with the concepts of the existing law, the factual situations which our investigations and hearings have brought to light, compel me to conclude that the American public is not being given the protection which the law contemplates, because we have yet to find a port of entry where Communist propaganda is being processed, in which there is compliance with the labeling requirements of the law. In other words, the poison is being poured into the veins of our society without notice or warning of its nature.

In the studies which our committee has conducted at different ports of entry, we have found several different subterfuges used in order to avoid the impact of the law. We have found, first of all, that the existing exemptions in the law for certain commercial enterprises have been used as a conduit for evading the impact of the general statute. Likewise, we have found that certain of the criteria pertaining to the form of political propaganda subject to the provisions of the act are cumbersome and difficult to apply. We have, moreover, observed a pattern of evasion because of various interpretations of the term "foreign principal." In the enforcement of the law, furthermore, there has not been a fixation of responsibility which would appear to be essential for effective control.

I have, from time to time, over the course of many months, been in conferences with experts on the subject matter relating to the foregoing principal loopholes requiring legislation, as well as some minor related defects which I believe could be handled administratively. Accordingly, the bill which I have just introduced amends the Internal Security Act of 1950 in order to expand the provisions of the Foreign Agent Registration Act by—

First. Bringing within the coverage of the definition of "foreign principal" an organization which is "supervised, directed, controlled, or financed, in whole or in part, by any foreign government or foreign political party," regardless of whether the organization is supervised by a foreign government.

Second. Including within the registration requirements of the Foreign Agents Registration Act persons who have used the existing exemption for certain commercial activities to disseminate propaganda.

Third. Eliminating cumbersome criteria pertaining to the form of political propaganda subject to the provisions of the act; and

Fourth. Establishing in the Bureau of Customs an Office of a Comptroller of Foreign Propaganda and fixing responsibility for the control of foreign political propaganda.

## A NATIONAL LOTTERY

Mr. FINO. 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 New York?

There was no objection.

Mr. FINO. Mr. Speaker, while some of the Members of this Congress, as well as some of our Government officials, express fear that a national lottery in the United States might raise economic, social, and moral issues, most of the foreign countries throughout this civilized world continue to capitalize on the natural gambling urge of their people.

In all of these foreign countries where lotteries are legal and proper and where their governments harvest fat and painless revenue, gambling, regulated and controlled, has had no adverse effect on the economic, social, or moral standards—if anything, it has improved their lot. In fact, gambling in these foreign countries is treated and respected as an instinctive and universal human trait and not as an evil.

Mr. Speaker, although these foreign nations are small and poor in comparison with the United States, they have shown themselves smarter by coupling the gambling spirit of their people with the need for revenue. This realistic and sensible approach toward the human urge to gamble has been most profitable to these countries. The governments in these countries know the fiscal facts of life and by adopting an understanding and

courageous attitude they have brought pleasure to their inhabitants and financial benefits to their government treasuries.

Mr. Speaker, I wonder whether the opponents of a national lottery in the United States would suggest that all of these foreign-run lotteries and the people who voluntarily participate in them are immoral and evil? None of these countries express any fear that there is evil in capitalizing on the gambling instincts of man. As a matter of fact, in none of these countries have moral, economic, or social arguments prevailed against the spirit of optimism.

On the other hand, Mr. Speaker, we in the United States by ignoring this gambling issue and by continuously and stubbornly refusing to recognize and control this deeply ingrained urge, have encouraged this evil—if we can call it such—to flourish and triumph. This, to me, represents hypocrisy at its best.

Mr. Speaker, I believe the time is now ripe for all of us to stop playing this game of hypocrisy and apply a commonsense, realistic approach toward this multi-billion-dollar gambling industry. The time has come for this Congress to take a good, long look at this entire gambling problem in the United States and realize that the American urge to gamble cannot be curbed nor stopped any more than we were able to prevent people from drinking during the sad, stupid, expensive, and illogical prohibition era.

Mr. Speaker, it is about time that we wiped out hypocrisy and started to treat this entire gambling question with commonsense. It is about time that we showed some courage and tied the gambling spirit of our American people together with the ever-growing need for additional revenue and the increasing demands for tax relief.

I believe we have reached the point where we can no longer be two faced about this whole problem.

Mr. Speaker, I would like to bring to the attention of the Members of this House some interesting figures which I have gathered from 43 countries where the wheels of fortune spin. In the foreign countries listed below, the gross receipts for the year 1959 were $1,277,981,844 and, after payment of generous prizes and ample overhead expenses, the governments' share was $412,765,883. Not bad for these financially hard-pressed foreign treasuries.

I hope that these startling revenue figures will help convince this Congress that a national lottery in the United States would not only satisfy the American people's appetite to gamble but would pump into our Treasury $10 billion a year in added revenue.

Mr. Speaker, with a national lottery we would not only regulate, check, and control the gambling desire of our American people but we could with the additional revenue bring tax relief to our overburdened wage earners and help to reduce our mounting national debt.

Mr. Speaker, if we are honest with ourselves, we must admit that the situation that now exists in this country regarding a national lottery is in every way reminiscent of the one during prohibition. When we found that that law became impossible to enforce, we wisely repealed it. As a result, the crime wave that existed diminished and the Government profits soared to the tune of upward of $3 billion a year. I say the time has come for us to be equally sensible and realistic about a national lottery. The money, $30 billion a year, is going to be gambled, whether we legalize it or not, and, by legalizing it, we can have it gambled honestly and to everyone's benefit—the Government and the people.

Mr. Speaker, I hope that this Congress will have the intestinal fortitude to tap this new source of revenue which can be ours just for the asking. Let us make Mr. and Mrs. Taxpayers' dreams for tax relief become a reality and relieve our people from what President Eisenhower has described, "the heavy burdens of taxation." It is worth a try—at least, for the sake of our American people. There is no question in my mind that a national lottery is the only profitable and satisfactory answer to the whole problem of gambling and the best solution to our taxpayers' demands for tax relief. Why not at least try it?

| Country | Population | Gross receipts | Government's share |
|---|---|---|---|
| 1. Argentina | 20,613,900 | $19,630,265 | $10,464,003 |
| 2. Australia | 10,166,000 | 71,578,409 | 21,981,419 |
| 3. Austria | 6,933,905 | 14,300,000 | 4,100,000 |
| 4. Belgium | 9,144,000 | 16,800,000 | 5,872,437 |
| 5. Bolivia | 3,416,000 | 727,905 | 112,771 |
| 6. Brazil | 65,000,000 | 17,465,000 | 6,090,000 |
| 7. Chile | 7,550,000 | 18,700,000 | 5,250,000 |
| 8. Colombia | 14,000,000 | 3,506,283 | 194,592 |
| 9. Costa Rica | 1,099,962 | 9,437,036 | 2,874,897 |
| 10. Cuba | 6,300,000 | 35,420,000 | 11,125,304 |
| 11. Czechoslovakia | 13,500,000 | 11,000,000 | 9,000,000 |
| 12. Denmark | 4,500,000 | 6,042,000 | 280,000 |
| 13. Dominican Republic | 2,900,000 | 31,870,306 | 6,984,988 |
| 14. Ecuador | 4,254,000 | 3,152,300 | 1,045,597 |
| 15. Finland | 4,434,000 | 3,867,200 | 1,314,800 |
| 16. France | 45,400,000 | 123,700,000 | 41,500,000 |
| 17. Germany | 54,798,000 | 240,000,000 | 48,000,000 |
| 18. Greece | 8,618,000 | 15,000,000 | 3,700,000 |
| 19. Guatemala | 3,618,000 | 2,954,080 | 458,976 |
| 20. Haiti | 3,500,000 | 1,628,800 | 100,000 |
| 21. Honduras | 1,887,389 | 11,977,867 | 1,282,959 |
| 22. Ireland | 2,894,822 | 46,059,680 | 19,500,000 |
| 23. Israel | 2,089,000 | 7,111,111 | 3,666,666 |
| 24. Italy | 50,600,000 | 71,200,000 | 58,100,000 |
| 25. Japan | 93,050,000 | 11,467,000 | 4,366,000 |
| 26. Mexico [1] | 33,304,000 | 55,120,000 | 14,160,000 |
| 27. Netherlands | 11,400,000 | 9,654,204 | 2,500,000 |
| 28. New Zealand | 2,343,000 | 1,684,145 | 617,747 |
| 29. Norway | 3,572,000 | 12,000,000 | 3,700,000 |
| 30. Panama | 1,000,000 | 27,289,919 | 4,522,005 |
| 31. Paraguay | 1,728,000 | 1,363,934 | 279,738 |
| 32. Peru | 10,000,000 | 2,460,800 | 465,200 |
| 33. Philippines | 23,662,900 | 17,827,335 | 7,554,778 |
| 34. Poland | 29,500,000 | 53,364,417 | 17,236,958 |
| 35. Portugal | 8,980,682 | 20,749,400 | 6,943,727 |
| 36. Puerto Rico | 2,300,000 | 45,000,000 | 9,970,060 |
| 37. Spain | 30,000,000 | 82,803,000 | 22,590,000 |
| 38. Sweden | 7,475,000 | 51,200,000 | 29,400,000 |
| 39. Switzerland | 4,714,929 | 5,916,353 | 1,549,367 |
| 40. Turkey | 26,000,000 | 7,513,880 | 3,459,652 |
| 41. Uruguay | 2,600,000 | 8,779,215 | 3,251,242 |
| 42. Venezuela | 6,500,000 | 67,300,000 | 13,700,000 |
| 43. Yugoslavia | 18,530,000 | 13,960,000 | 3,500,000 |
| Total | | 1,277,981,844 | 412,765,883 |

[1] Only 1958 figures available.

## CYRUS EATON: MERCHANT OF PEACE

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, the question has been raised by several newspapers in Oregon and by a few individuals outside of Oregon in letters to me as to whether or not it was proper for me to permit Cyrus Eaton, Cleveland industrialist, to pay my way to a recent disarmament conference of parliamentarians in Stockholm.

This question was not raised last February when Cyrus Eaton paid my way to a similar but larger conference in London although the fact was duly publicized at that time.

It was not raised after I mentioned it in the RECORD—page 10993—May 24, 1960, and disclosed that Mr. Eaton had agreed to pay my way to the Stockholm conference.

The question was first raised by the distinguished chairman of the National Republican Congressional Committee [Mr. MILLER] in a press release made public on June 3, 1960, the day I left for Stockholm. I had expected the criticism to arise earlier because this is an election year and I knew that Cyrus Eaton was, to many people, a controversial person.

In late January 1960 a mutual friend relayed Eaton's offer to pay my expenses to the London Disarmament Conference of Parliamentarians. Before I accepted I obtained from the Library of Congress and the Department of State information about the conference and about Cyrus Eaton.

### URGENCY OF ABOLISHING WAR

While it was clear that on many issues I did not agree with him, we definitely did agree as to the urgency of working earnestly and ceaselessly to abolish war before war abolished mankind. It was clear to me that no fairminded person could dismiss Cyrus Eaton as either Communist or crackpot although one certainly can disagree, as I do disagree, with various opinions expressed by him.

I emphatically agree in both the judgment and the determination set forth in the following statement which was included in a speech Cyrus Eaton made June 9, 1959, in Canada at the annual dinner of the Canadian Manufacturers' Association:

> The stark and terrifying fact is that the use of only 5 percent of the atom and hydrogen bombs now in the possession of the nuclear powers would completely wipe out every last vestige of life on this earth. We businessmen cannot be called cowards if, to safeguard our families and the commercial and cultural institutions to which we have devoted our lives, we remonstrate with heedless statesmen for running the nuclear risk. For myself, I long ago incorporated into my personal philosophy Spinoza's advice to harbor "no regrets, no fears." I have lived a busy and productive life, and I shall labor to the end to enable my children and grandchildren to enjoy the opportunities that have been mine. I know that the United States cannot go on spending $50 billion a year for military weapons without succumbing to annihilation or impoverishment, and I shall fight both awful fates with all my strength.

Cyrus Eaton is a rare bird on the contemporary scene but not in history. We can recall Andrew Carnegie, Henry Ford, Alfred Nobel, and other leading industrialists who turned their talents and

fortunes to the quest for peace. But how many such men are living today? Too few. I hope more will appear on the scene, and soon.

What made Cyrus Eaton embark on his stormy path? This question was put to him by a London reporter earlier this month. Here is a part of the interview:

Mr. Eaton then started to talk about the reasons that had made him, a dedicated capitalist, pursue his policy, in spite of all the troubles he has run into.

"First, there was the awareness of the annihilation that an all-out nuclear war would mean. Secondly, there is the crushing burden of taxation to carry out the cold war. And thirdly, there was the conviction that World War II didn't produce the results we have hoped for.

"I had two sons and six nephews in the war. Two of the nephews were killed. And then I saw so many of the most brilliant sons of cousins and friends who were killed, many of them in the Battle of the Bulge in the winter of 1944–45."

WHERE WE DISAGREE

In that same story Mr. Eaton told the reporter, "We have more of a police state than there is in those countries," referring to Eastern European countries. I do not agree with that opinion. What he saw in a brief visit is hardly adequate proof. I also doubt that he would be likely to see much of that side of these governments.

Nor do I agree with another statement he is supposed to have made at one time:

The only people in the United States who believe that communism is a menace—

Time magazine quoted him as saying—

are the boys on the payroll of the FBI.

On the other hand, one must concede that extreme statements in the other direction are far more common, and equally erroneous.

In April of this year Cyrus Eaton made a ripsnorting, capitalistic speech to his fellow Chesapeake & Ohio Railway stockholders. Consider these statements:

A question of paramount importance to all of my fellow stockholders today is, I am sure, can we ever again have our stock selling for $400 a share? My answer is, if all the railroads of America could be emancipated from the bondage of Federal Government regulations, and really be permitted to practice free enterprise, I am certain we could pursue policies that would again bring our stock to the $400 level.

Our railroad has done well, it is true, because of the extraordinary dedication and devotion to our entire organization. The C. & O. probably has the most continuous record of success of any railroad in the world. But we can do infinitely better if the Government wraps are removed.

Such free enterprise might be fine, for a while, for the stockholders, but I know it would be hard on the employees and the public. Again I record my disagreement.

MAN MUST USE HIS BRAINS

These disagreements and others we may have do not matter. This is a free country. Where we agree and where we collaborate—his money and my time—has to do with our mutual conviction that man has to use his brains quickly if he is to survive his incredibly powerful weapons.

I have never met Cyrus Eaton. He has never tried to tell me what to do or say. He did commend the report I made to the House on the London East-West Disarmament Conference last February. He even requested reprints. And I commend him for his major role in improving East-West communication.

Before I studied up on Cyrus Eaton and his speeches I knew about and was grateful for the Pugwash Thinkers Conferences. In five of those Conferences up in Nova Scotia and in Europe, 112 leading international scientists from 23 nations of the East and of the West came together to consider ways of saving the world from nuclear, biological, and chemical warfare.

The first two such Conferences had much to do with the inspiration and support of the Geneva negotiations on nuclear weapons tests cessation. This is no small accomplishment.

It is seldom that any two people agree on all questions. This is particularly true with persons of wide experience, deep feelings, and aggressive character like Cyrus Eaton. Most thoughtful voters have reservations about their favorite candidates. I have reservations about Cyrus Eaton, but if there were a contested election for the title "The American Industrialist Doing the Most for Peace," I would vote for him. I wish there were such a contest. As it is, because there is apparently no competition, Cyrus Eaton wins the title by default.

Under unanimous consent, I am including hereafter editorials from Oregon newspapers and my replies; the full text of the interview I quoted in part from the London Evening Standard; the full text of the two speeches quoted; another longer speech; and a brief biography of this remarkable and most timely merchant of peace, Cyrus Eaton:

[From the Eugene (Oreg.) Register-Guard, June 8, 1960]

CHARLIE, WHY DO YOU DO IT?

Political observers are saying that Representative CHARLES O. PORTER may be in for trouble this fall. They feel that Dr. Edwin Durno may give him his toughest race yet, and that the Medford doctor might actually unseat him.

This could be. However, the odds appear to be against it. First, there is a Democratic majority in every county in the Fourth Congressional District. Second, there is the matter of name familiarity that attaches itself to an incumbent, especially to one as active as Mr. PORTER. So, for those reasons the Congressman would seem to have the edge.

However, Mr. PORTER should not let himself forget that he has irritated a great many of his constituents since they returned him to office in 1958. This he has done courageously, true enough, clinging to the advice of Edmund Burke who told the electors of Bristol in 1774 that a representative should use his own judgment and not sacrifice it to the opinions of his constituents. He apparently believes, and we agree, that a representative should be more than a messenger boy. He should go to Congress as a freeman. If, at the end of his term, the voters in his district do not approve of what he has done, they can call him home.

Nobody can doubt Mr. PORTER's courage, nor his intelligence, nor his industry. But we are entitled to doubt his judgment. "Quick." That is the word for the Congressman. He thinks fast and is given to acting fast, sometimes when more considered judgments are called for. If we were asked to put a finger on his greatest single weakness, we'd settle upon his apparent inability to "play it cool."

He certainly didn't play it cool when he went down the tube for Castro 18 months ago. Even WAYNE MORSE, who is also given to shooting from the hip, played it cool on Castro. Time, an amazingly short amount of time, showed that Castro was certainly not the great liberator that Mr. PORTER had been telling us about. Even Mr. PORTER admits that—now, long after he had let himself be stampeded into a serious error of judgment.

Mr. PORTER's constituents have reason to wonder, as he continues to advocate closer relations with Red China, if his judgment today is as bad as it was the day Castro entered Havana.

Mr. PORTER's latest error in judgment was his acceptance of a no-strings-attached gift of $1,000 from Cyrus Eaton, the Cleveland industrialist who is so often associated with party-line causes. Mr. PORTER will use the money to pay his way to a foothills conference on disarmament in Stockholm. Many voters will remember that the first time Mr. PORTER made headlines was by picketing the NIXON train in the Eugene train station in 1952. He objected to the fact that businessmen were helping Senator NIXON with his expenses. Voters now are entitled to ask how much difference there is in what Mr. NIXON did and what Mr. PORTER is doing. And, considering Mr. Eaton's record of espousing leftwing causes, Mr. PORTER certainly opened himself to criticism of another type. Too many of his enemies are already too willing to accuse him of being a radical of some sort. If his judgment were better, he would have avoided any and all association with Mr. Eaton. That he did not will accrue to his woe come fall.

Likeable, affable, energetic, bright, ambitious, articulate, a splendid companion, the Congressman keeps irritating his own friends by painting himself into corners. They, even more than his opponents, have reason to ask "CHARLIE, why do you do it?"

---

JUNE 13, 1960.

The EDITOR,
*Eugene Register-Guard,*
*Eugene, Oreg.*

DEAR SIR: Grateful though I am for the kind words in your editorial, "CHARLIE, Why Do You Do It?" (June 8, 1960) and conscious though I am of the fallibility of my judgment, I don't believe that I acted with too much haste in connection with the examples you mention.

What exactly you mean by "playing it cool" I am not sure. If it means sniffing the political winds, being cautious, then I'd say I don't try to play it cool.

Castro had my enthusiastic support for knocking over Batista and promising to establish democracy in Cuba. Castro lost my support as he broke his promises. No Member of Congress has criticized Castro more than I have. A lot of people changed their minds about Charles Van Doren.

If I acted too quickly and shot from the hip in advocating closer relations with China, then I've persisted in this error very publicly since 1954. Moreover, my fellow Democrats Jack Kennedy, Adlai Stevenson, Stuart Symington, Chester Bowles, and others are in the same boat with me.

You say that my permitting Cyrus Eaton, Cleveland industrialist, to pay my expenses to a Stockholm disarmament conference was an error in judgment. You say that voters can ask how this differs from what NIXON did in allowing businessmen to help him with his expenses. It differs, for one thing, in that I publicized this underwriting whereas NIXON's fund was kept secret. Mr. Eaton, by the way, paid my expenses to a 16-nation

peace conference of parliamentarians in London last February, a fact I included in my press releases at the time and nobody was at all disturbed.

Another obvious difference is the purpose of the money. The contributions to NIXON went for his personal and political benefit. Eaton's money went for expenses so I could be present at a conference where conferees from eight nations exchanged points of view in the interests of averting world war III.

Last January when Mr. Eaton offered to pay my way to the London conference I received reports from the Library of Congress and the Department of State on the conference and on Mr. Eaton before I agreed to go. I did not shoot from the hip. I wanted to attend these conferences to do what I could, however little, for world peace.

I'll soon be back in Oregon to discuss with my constituents why I continue to be active with regard to leaders like Castro, nations like China and active peace seekers like Cyrus Eaton. From the looks of my mail from Oregon, many of them emphatically approve.

Of course I don't like to irritate any of my friends, but my friends must come to understand, if they don't already, that I am dead serious about this job of being the U.S. Representative from the Fourth District of Oregon. I still believe that the gravest problem facing us all is whether or not we can survive our incredibly powerful weapons.

I believe everyone should do what he can and that those of us in public office have larger responsibilities. If this entails political risks, as you properly point out, well, so be it. Playing it cool on matters this critical is not my idea of worthwhile politics or a worthwhile life.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

---

[From the Albany (Oreg.) Democrat Herald]

WHY THEY DON'T LIKE PORTER

Fourth District Congressman CHARLES O. PORTER evidently doesn't like newspapers, and we don't blame him much, for most newspapers don't like him, either. And neither do a lot of people.

It isn't that newspapers and people don't like PORTER personally—far from it. He is a personally likable guy. It is the things that he says and does that they don't like.

Most recent example is his implied acceptance of $1,000 from Cyrus Eaton to help him finance a trip to Stockholm, Sweden. Objective of the trip is attendance at an East-West meeting of parliamentary officials.

Now there would be nothing wrong about this gift, in our opinion, were it not for the fact that Eaton has long since been nuzzling Nikita Khrushchev, though we suspect that if somebody else, say Harvey S. Firestone, should pay $1,000 to First District Congressman WALTER NORBLAD, to enable NORBLAD to attend a conference of rubber plantation owners in Indonesia PORTER might make quite a noise about it.

Eaton's avowed goal is to establish trade between Communist countries and the United States. His motive is primarily mercenary and he seems to give little consideration to the intangible ideological conflicts between the two political systems—capitalism and communism, and the irreconcilable differences between them—irreconcilable because the Communists cannot tolerate any concessions that might become obstacles in the path of their program of world conquest. Theirs is, to them, a movement that cannot be challenged on moral grounds for it is above morals, ethics, or humanism, of any kind.

It is PORTER's insistence on advocating compromises with the Reds, such as recognizing Red China and being kind to Fidel Castro, that makes many Oregonians dislike PORTER.

PORTER is not endearing himself to newspapers, particularly the smaller ones, in pushing for an increase in second-class postal rates only. His bill would, according to a National Editorial Association survey, increase publications costs to smalltown newspapers, including many small weeklies, by $2,000 a year and that in some cases is just about their margin of profit. Since larger dailies distribute a smaller percentage of their circulation by mail it is not they that would be hurt the worst, though all would suffer some. Papers delivered by carrier would not be affected.

PORTER's bill says nothing about increasing rates for other classes of mail. When he was accused by the NEA of sponsoring "punitive" legislation he denied it but it can hardly be only coincidental that he singled out second-class mail for a rate boost.

At a hearing on his bill starting May 10 at Washington, D.C., PORTER, according to the National Editorial Association Bulletin, unnecessarily prolonged the examination of witnesses through excessive questioning. In fact, said the Bulletin, "the NEA witnesses felt they had been badgered or even filibustered" by PORTER. So long did he query witnesses that there was no time for reading two of three NEA statements, so the other two had to be inserted in the record without being read in full.

At the hearing PORTER alluded to the so-called "free in county" newspaper privilege as a subsidy. It is enjoyed mainly by weeklies, most of whose subscribers receive their papers through rural carriers within the county in which they are published. PORTER asked if NEA witnesses would support a bill for an outright subsidy to the weekly press, and when Edgar S. Bayol, executive vice president of NEA, remarked that "subsidy is a horrid word" PORTER offered sarcastically to term it "a consideration from Congress."

We would not have Representative PORTER be a habitual conformist, but when he becomes a nonconformist on so many things that the American people stand for he must expect to reap the harvest.

---

JUNE 10, 1960.

The EDITOR,
*Albany Democrat Herald,*
*Albany, Oreg.*

DEAR SIR: I thank you for saying, in your editorial, "Why They Don't Like PORTER," June 3, 1960, that I am "a personally likeable guy." I hope, however, that you are not as wrong in that as you are elsewhere in that article.

You say I don't like newspapers. You are wrong. I like them. I value them. I don't always agree with them. Sometimes I deplore their editorial and news policies. As an institution, newspapers are essential in a free society. (I'm an old newspaperman myself.)

You say my accepting expenses for my Stockholm trip from Cyrus Eaton would be all right except for the fact that "Eaton has long since been nuzzling Nikita Khrushchev." Here you are up to your old tricks of making those of us who believe in communication between the East and West into "pals" of the Communists.

The purpose of my trip to Stockholm was to discuss peace and disarmament with parliamentarians of other nations and to plan a larger meeting for this fall. I can't see how you can believe that this resembles Harvey Firestone's giving $1,000 to WALTER NORBLAD to go to a conference of rubber plantation owners in Indonesia. How would such a trip be in the public interest?

Your statement that Eaton's motives are "primarily mercenary" is ridiculous. Cyrus Eaton is 75 years old and worth more than $100 million. His crusade for peace is no business enterprise. He believes we have to work hard if we want reason to prevail in time to prevent a nuclear holocaust. I agree with this point of view.

According to the Postmaster General, the newspapers and magazines will be paying only 26 percent of their mailing costs after the final step of the 1958 rate increase goes into effect next January. The National Editorial Association at the hearing you mention offered no evidence to refute this figure. Their witnesses said they felt they were paying their way.

The record of the hearings will soon be printed and you can see for yourself that I did not badger or filibuster the NEA executive vice president, Mr. Bayol, about whether the NEA wanted a subsidy from the Government for part of their mailing costs.

Suppose we turn to the record. I asked Mr. Bayol if he thought that newspapers ought to pay the full costs of their mailings:

Mr. Bayol: "We do not agree with that theory; no, sir."

Mr. Esters: "No."

Mr. Bayol: "The Post Office is a public service, and it should not have to pay its way any more than the Agriculture Department."

Mr. PORTER: "Fine. Then you think that the second-class users ought to have a subsidy?"

Mr. Bayol: "Subsidy is, shall we say, a horrid word. Is that not the language?"

Mr. PORTER: "All right. But you deal in words; so do I. Let's find a word. You should have some sort of consideration from the Congress because you are achieving such great things for the public?"

Mr. Bayol: "Yes, that is right."

Mr. PORTER: "What does that add up to, though? That somebody has to pay what you do not pay, and that somebody is going to be the taxpayer."

Would you take a different position? I hope not.

Maybe some newspaper publishers don't want to pay their fair share of postal rates. I believe most of them will not object although they may not like us Congressmen who want to end at least part of their present subsidy.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

---

[From the Portland Oregonian, June 8, 1960]

PORTER'S PEACE SUBSIDY

There should be some discussion among voters in Oregon's Fourth Congressional District about the propriety of Representative CHARLES O. PORTER's acceptance of $1,000 from Cyrus Eaton, Cleveland industrialist and close U.S. pal of Nikita Khrushchev, to pay his way to an unofficial "foothills" conference of Communists and non-Communists in Stockholm.

Representative PORTER says no strings were attached to the cash. It may be assumed that Mr. Eaton did not feel it necessary to attach any strings because Representative PORTER has been advocating steps favored by Mr. Eaton—trade with and diplomatic exchange with Red China, admission of Red China to the United Nations, an open-arms policy toward the Soviet Union, etc.

But whatever the coincidence of their views on U.S. policy toward the Communist nations, we believe it questionable for a Member of Congress to accept expense money from a private citizen of the United States who has identified himself so closely, in business and in politics, with the Communist dictatorships. Also, in patronizing this so-called disarmament rally in Stockholm, Representative PORTER is lending his name as a U.S. Congressman to an activity not in keeping with U.S. foreign policy.

We do not challenge Representative PORTER's right to seek headlines in Castro's Cuba, where his ardent support of the "liberator" blew up in his face; to challenge the State

Department's right, though unsuccessfully in the courts, to refuse him a passport to Red China; to join in these international gatherings chiefly sponsored by Communists, Socialists, and pacifists which usually make propaganda for the Kremlin.

We do think the voters of the Fourth District should consider carefully whether or not Mr. PORTER is representing their interests and views accurately. One doubts they approve his acceptance of money from Cyrus Eaton to attend the Stockholm "peace" conference.

---

JUNE 10, 1960.

The EDITOR,
*The Oregonian,*
*Portland, Oreg.*

DEAR SIR: With regard to your editorial, "PORTER'S Peace Subsidy," June 8, 1960, you are inaccurate in an important respect and you rival the late Joe McCarthy in your slurs.

You write that in going to the Stockholm "disarmament rally" I was "lending my name to an activity not in keeping with U.S. foreign policy." You are in error. Disarmament has long been a major aim of our foreign policy. Moreover, the President rightly continues to stress the need for East-West contacts at all levels.

You say you don't challenge my "right . . . to join in these international gatherings chiefly sponsored by Communists, Socialists, and pacifists which usually make propaganda for the Kremlin." The East-West Round Table was started by West Europeans, Socialists, yes, but most of them are. Meaningful discussion of disarmament and other problems having to do with peace requires the presence of your opponents. At Stockholm, of the eight conferees all came from NATO nations except our Swedish host and Ilya Ehrenburg from the Soviet Union.

The labor member of Parliament in attendance at the Stockholm committee meeting is, I suppose, a pacifist but then so are about half or more of the British people these days.

Your assertion that these groups "usually make propaganda for the Kremlin" is a snide slur. Any East-West contact can be used by the Kremlin to make propaganda. This is no reason why we should break off such associations. We can and do make our own propaganda.

You criticize my acceptance of Stockholm travel expenses from Cyrus Eaton. You call him "close pal of Nikita Khrushchev" with as much reason as you could put the President in that category prior the U-2 incident. You compound this slur in the next paragraph alleging that Eaton and I want "an open-arms policy toward the Soviet Union, etc."

Like the President and many others, I want communication, contact at all levels, but not in any way to suggest that we approve police-state methods. This is the familiar formal handshake-warm embrace distinction which Mr. NIXON learned in Puerto Rico in 1958 from Governor Munoz-Marin.

You say it is "questionable" for me to accept money from Eaton because "he has identified himself so closely, in business and politics, with the Communist dictatorships." I say baloney. Eaton is a capitalist, make no mistake about that, and a firm believer in freedom. He believes that men of good will have to work hard to make reason prevail if we are to avoid disastrous nuclear war. So do I.

Where were you last February when Eaton paid my way, a fact I made public at the time, to London for a 16-nation meeting of some 60 parliamentarians in London? I had no protests then from you or anybody else. It would seem that blunders of Republican leadership have made you Republicans a little touchy about international conferences. This is too bad because there is no other way to make peaceful adjustments.

As for the voters in the Fourth District, for whom you show concern, none has to date protested to me. It may be that, as in the 1956 and 1958 elections, they disagree with your pontifications, inaccuracies and slurs.

I hope you will read the enclosed pages from the CONGRESSIONAL RECORD. One of them has to do with Cyrus Eaton. The other is the report that I made on the floor of the House yesterday about the Stockholm meeting followed by a colloquy with Representative WALTER JUDD, Republican, of Minnesota.

Your attitude with respect to my trying to help in whatever ways I can, to further the cause of peace is deeply disappointing to me. I would like to think that you wrote the editorial out of sheer partisanship. I suspect, however, that the origins go deeper, namely, that you are ignorant where you ought to be informed and indifferent where you ought to be concerned.

Sincerely,

CHARLES O. PORTER,
*Member of Congress.*

---

[From the London, England, Evening Standard, June 8, 1960]

MR. KHRUSHCHEV'S CAPITALIST FRIEND ON POWER AND THE PENTAGON

(By Donald Edgar)

It is not often that you come away from an interview saying to yourself—"I think that was a great man."

I did last night as I went down the lift in Claridges after seeing Mr. Cyrus Eaton.

He is the 76-year-old powerful and rich North American industrialist who has been trying to build bridges between the East and the West.

Trying to build a bridge of peace.

Needless to say, with the result that he has been vilified in his own country.

A MENACE

I asked him what he thought the situation was after the breakdown of the summit talks.

"There is a great change needed in the United States. The Pentagon is a power and a menace.

"The generals have been intoxicated by their successes in World War I and II. They have forgotten the part played by the British. They have a complex of omnipotence. It's a state of mind that they have got themselves into.

"As you know," he added, "at the moment the world is teeming with generals who are heads of state. We have had two fine generals who have exercised power in recent years. There was General Marshall, who was Secretary of State.

"He was a fine man. But the trouble of it was that he thought in terms of military power. And it was Marshall who laid down the basis of our postwar policy.

"And then General Eisenhower came later as President. And they can't escape the idea of military strength. They have a military complex.

"You remember we had a great general in our civil war, Ulysses Grant. He was a great general but he turned out a poor President. You had Wellington who was a great soldier—but not so good, it appears, as a politician.

"The trouble is we are relying too much on weapons of war. Not on a mentality of political thinking."

Mr. Eaton, who has spent some time with Mr. Khrushchev in the past, has just come back with his wife from a tour of eastern Europe—Poland, Hungary, Czechoslovakia, and Eastern Germany.

I asked him whether he had found many restrictions on liberty.

He became even more lively.

"We have more in the United States," he said. "Do you know that there are practically half a million people in the United States whose job in one way or another is to supervise the citizens?"

ALARMED

"There are in all 75 agencies. We didn't see policemen everywhere in the countries we have just visited. But if Ike came to Cleveland there would be 60 security men looking after him. We found nothing like that where we went.

"We have more of a police state than there is in those countries."

Mrs. Eaton nodded in agreement. She is a very attractive woman—many years younger than her husband. She was sitting in the wheelchair that is her life. She is a polio victim.

"How did you find it otherwise in Eastern Europe?"

"Well, they are worried. They are greatly alarmed over the rearming of Germany. They feel that the United States is encouraging the Germans.

"And I was greatly concerned over the lack of effective diplomatic activity on the part of the American diplomats and their allies."

OUT OF TOUCH

"They are all out of touch with the people. There is little or no contact with political leaders. The representatives of the English speaking world have a real hatred of communism.

"Therefore, it is not fashionable to mix. And therefore they are living in a world completely cut off from reality.

"They still repeat the old cliches and they still keep themselves to themselves."

I then asked Mr. Eaton why he thought the summit talks had broken down.

"In my opinion," he replied, "there was a great influence brought to bear on President Eisenhower after his meeting at Camp David with Mr. Khrushchev.

"I think at that time there was an honest desire to reach an understanding.

"But then pressure was brought. There was the Atomic Energy Commission. The Pentagon. The CIA—the Central Intelligence Agency.

"All people who have a vested interest in keeping tension between the East and the West.

"And of course, the Germans did their bit."

HIS REASONS

Mr. Eaton then started to talk about the reasons that had made him, a dedicated capitalist, pursue his policy, in spite of all the troubles he has run into.

"First, there was the awareness of the annihilation that an all out nuclear war would mean. Second, there is the crushing burden of taxation to carry out the cold war. And third there was the conviction that World War II didn't produce the results we have hoped for.

"I had two sons and six nephews in the war. Two of the nephews were killed. And then I saw so many of the most brilliant sons of cousins and friends who were killed, many of them in the Battle of the Bulge in the winter of 1944–45."

He mentioned then about his last meeting in Paris with Mr. Khrushchev. "What do you think of him?" I asked.

"Oh, he's a very clever man. He impressed me right from the start. He has a keen intelligence, blunt frankness, and an extensive knowledge of what is going on in the world.

"He astonished me by the width of his information. He is hard working and widely read. I told him that if he had come to America as a boy he would have been the head of one of our greatest corporations."

I felt the time had come to ask Mr. Eaton what he felt about the long-term development of capitalism and communism.

"I think that undoubtedly capitalism is going to undergo many changes and be influenced by the Socialist experiment. But I think that on the other hand Socialist countries will also change as they develop economically."

A CHANCE

"If we let time and evolution work, free from the threats of a hostile attitude by the Western World, then I think there would be a great chance of lasting peace. The emphasis must be on the progress of the human race."

"How are you able to think in these terms when you are a supremely successful example of high capitalism?" I asked.

"Oh," answered Mr. Eaton, "I don't think there is much in the prestige of wealth. You can only wear one suit. You can only eat three meals a day. What matters is the creativeness. That is the real distinction between one man and another."

We then talked about other Americans who have also tried to work for peace.

There was Ford with his Peace Ship which he sailed across the Atlantic to try to end the First World War.

There was Andrew Carnegie, the great steelmaster, who left most of his fortune in the interests of peace.

But is it altogether strange that Nobel, the explosives king, Carnegie maker of one of the materials of war—and now Eaton, who is also a great steel man, should devote themselves to peace?

---

CANADA'S CHOICE: LEADERSHIP OR ANNIHILATION?

(Address of Cyrus Eaton, Canadian-born chairman of the board, Steep Rock Iron Mines Ltd., and Chesapeake & Ohio Railway, at annual dinner meeting of the Canadian Manufacturers' Association, St. Andrews by-the-Sea, New Brunswick, June 9, 1959)

My pleasure in addressing this distinguished group of Canadian business leaders is doubled because of your selection of my beloved Maritimes as the site of your 1959 meetings.

In nearby Pugwash, Nova Scotia, where I was born 75 years ago and where I still spend part of every summer, one readily gains a sense of the seaside glory of the Atlantic provinces. Look north from Pugwash across the Northumberland Straits, and the coast of Prince Edward Island fills the horizon. Turn your head but slightly to the west, and New Brunswick's Cape Tormentine quickly catches your eye.

I shall have something else to say about the Maritimes and their place in the Canadian economy later. First, however, I should like to have you share with me a broad view of the complex world in which we are living in this revolutionary new nuclear age, and a more particular look at the preeminent part Canada can play in it if she chooses.

MOOD OF WHOLE MODERN WORLD IS TO BUILD INDUSTRY

The keynote of this convention, "Build Industry—Build Canada," clearly states the ideal goal. The mood of the whole modern world, east and west, capitalist and Communist, is to build industry. The peoples of every race, creed and color are doggedly determined to secure for themselves a greater share of the good things of this earth.

Old Mother India, whose civilization dates back 5,000 years, typifies the trend. Some years ago I spent a weekend with Sir Rabindranath Tagore, Bengal scholar and classicist whose poetry had won him the Nobel Prize for literature. Justifiably proud of India's ageless fame for art, poetry and philosophy, Tagore frankly expressed his scorn for Western industrialism. "In India," he asserted, "we do not want your automobiles, we do not want your locomotives. We are happy as we are." More recently there has been assurance from Prime Minister Nehru that India will not rest in her quest to upbuild industry. At the same time, I feel sure she will demonstrate that emphasis on the material need not result in neglect of matters of the mind and the spirit.

Those of us who dedicate the working part of our lives to industry and trade will find strong allies in many quarters. I have just been reading Faber's new life of Jowett, one of the greatest classical scholars and philosophers the English-speaking world has known. Jowett gave tremendous impetus to the growth of Oxford as a center of learning during the second half of the 19th century. Quoting a less orthodox but better known British savant as saying, "The greatest of evils and the worst of crimes is poverty," Jowett designated that as the one statement by Bernard Shaw with which he completely agreed.

NINETEENTH CENTURY CANADA LACKED ECONOMIC OPPORTUNITIES

The Canada of my boyhood, particularly the Maritime Provinces, offered limited economic opportunities for ambitious and industrious boys and girls. So it was around the turn of the century that I joined my footsteps with the countless others beating a path across the border to the better jobs that then beckoned there. My good fortune was to find my first American business association with the late John D. Rockefeller, the very model of creative and imaginative industrialism. At that time Mr. Rockefeller was receiving lavish praise for his philanthropies. Although he took satisfaction in the founding of universities and the building of hospitals and churches, I often heard him say that he considered his greatest contribution to the welfare of mankind the giving of gainful employment through the industry he created.

TWENTIETH CENTURY CANADA OFFERS LIMITLESS POSSIBILITIES

If I were a boy in Canada today, I would waste no time casting a covetous eye across the border. My native land, which was content to be little more than a colony in my youth, has attained sovereign status. Second in area only to Soviet Russia, Canada possesses rich and limitless natural resources, whose surface has barely begun to be scratched. Industry for the most part is in its young and vigorous beginnings.

Canada is blessed with a strong centralized banking system, for which I am impelled to say a special word of praise. The small and scattered banks of the archaic American system suffer sharply in contrast. Their impotence in times of financial difficulty have accentuated panics of the past. Sooner or later, banking in America is bound to be reformed.

Because of her comparatively small population, as contrasted with the gigantic and costly enterprises pressing to be undertaken, Canada must call on outside capital. The generally high character of her governments, federal, provincial, and municipal, under whatever political party, fortunately commands the confidence of the investors of the world. This is not to say that Canada will always automatically win the keen worldwide competition for capital. Other countries hold out great inducements. Chile, for instance, allows all machinery and equipment for new mines to enter duty free, in her eagerness to develop her iron ore deposits.

I spoke earlier of the colonial status with which Canada was so long content. Even more we were proud to do obeisance to Britain, and to follow her lead both at home and abroad. I must confess that I have never lost my nostalgic affection for England, and that I have made a conscious effort down the years to maintain daily contact with things British. The Times of London and the Economist of London come regularly to my desk by airmail. In 60 years I have never missed an issue of Punch, the Illustrated London News, or the Times Literary Supplement.

BRITAIN SETS THE EXAMPLE IN WORLD COMMERCE

Four hundred years ago England dispatched her first trade mission to Russia. Within recent weeks she has concluded a promising new 5-year trade treaty with the Soviet Union. She is following up to bring about the broadest exchange of goods by making government loans to her industries that will conduct the trading. This makes better sense than our customary American and Canadian policy of direct foreign aid for the development of resources and industries in countries that will not permit our nationals to participate in ownership of any of their enterprises.

The British, very wisely in my view, have concluded that Russia is determined to occupy a prominent place in world commerce, and that Russia will accordingly make a policy of maintaining her credit at a high level. The Soviet Union, after all, is no feeble or faltering economy seeking a handout, but a front rank industrial power possessing vast resources and hard-working people, ambitious to excel in every field of modern life.

Even while we bow to Britain for her brilliant success in maintaining world leadership in commerce for more than four centuries, we must also recognize that her failure to encourage the upbuilding of industry in Canada, Australia, India, and South Africa not only retarded their development, but ultimately changed the empire into a loosely knit commonwealth. Through this oversight, England has become a "tight little island" in fact as well as in poetry.

Canada has cut the ties that bound with Britain as far as foreign policy goes. For her former deference to English judgment in this field, however, she has substituted hesitation to differ with the United States on international matters. Here I submit, as one who knows and loves both North American countries well, Canada is making a mistake. Her most favorable course, not only to further her own economic development but perhaps to help save all mankind from annihilation, lies in exercising complete independence in foreign policy.

America's late Secretary of State persistently proclaimed that we could not do business with the Soviets because they embraced ideologies that differed from ours. On the same grounds, he forced the United States to embrace the fatuous myth that Red China, with its 600 million citizens occupying the world's third largest land area, did not exist. These precepts have been repeated so frequently and so shrilly that burning hatred of everything Russian and Chinese has practically become a condition of political respectability in the United States. Hopefully the new head of the U.S. State Department will adhere to sounder and less fanatical doctrines.

VAST CANADIAN COMMERCIAL POTENTIAL LIES ACROSS PACIFIC

Whether or not this turns out to be the case, Canada cannot afford to wait and see, without sacrificing her tremendous potential for trade with the Far East. Opportunities for business with expanding Communist China have already manifested themselves. An examination of the ambitious Siberian development program in the new Soviet 7-year plan leaves no doubt of the thriving traffic that can be conducted across the Pacific between the west coast of Canada and the Russian Far East. The Siberian prison bastion of the storybooks should not be allowed to cloud the reality that here is a vast area, liberally endowed with rich mineral wealth and fertile soil, and destined to

become a busy modern industrial workshop. Certainly the Soviets have not inaugurated jet plane service to connect Moscow and Vladivostok by a vast 5,300-mile flight for the mere purpose of quickly transporting political malcontents into exile.

OPPOSING IDEOLOGIES POSE NO OBSTACLE TO COMMERCE

Let us examine the fallacy that peoples of opposing ideologies cannot do business with each other, that cold war or even hot war between them becomes inevitable. I speak as a dedicated capitalist and an incurable free enterpriser, who believes that the economic system under which I have enjoyed success is the best that man has been able to devise. Despite these unshakable convictions, I see no reason for the United States to declare cold war and to threaten to unleash hydrogen bombs on Great Britain because she has socialized all of her railroads, telephone companies, electric and gas utilities and coal mines.

As a director of the Cleveland Electric Illuminating Co. and the Kansas City Power & Light Co., I credit private ownership with providing the incentive that spurs these utilities to operations of unsurpassed efficiency in the electric power world. The Chesapeake & Ohio Railway, of which I am chairman, last year made more profit under private ownership than any railroad in the world, privately or publicly owned. These records of success incite no uncontrollable urge on my part to demand that the United States aim nuclear warheads at Canada to force her to give up Federal ownership of her largest railroad and airline, as well as provincial proprietorship of all but a fraction of her electric power facilities.

As long as the Canadian people support the able men who are employed to operate Government-owned enterprises, and as long as the Government companies satisfactorily serve their purpose, public ownership of them will continue. The United States would be regarded as guilty of unwarranted interference to suggest that Canada change her system. Does the American cold war on Russia constitute less of an impertinence?

CANADA SHOULD DISASSOCIATE HERSELF FROM AMERICAN OBDURACY IN FOREIGN AFFAIRS

The insistence of the U.S. State Department on preserving the status quo, if not indeed harking back to the status quo ante, flies in the face of all recorded history. Change is inevitable; to attempt to stop it is to induce violence. Tremendous transformations are now taking place in standards and conditions that were established in Soviet Russia and Red China when they were backward countries. Success and prosperity stand to modify, while failure can only intensify, the more extreme and less desirable features of their political and economic systems. When and as the Communist countries make progress, the strong likelihood is for less dogmatism and more flexibility. By disassociating herself thoroughly from American obduracy, Canada can set a salutary example for her bellicose southern neighbor and, at the same time, lessen the prospect of a nuclear holocaust that will engulf all mankind if it ever happens.

U.S. SUCCESS IN WARFARE HAS LED TO MILITARY CONCEIT

In my lifetime, the United States has engaged in three wars—the Spanish-American War and World Wars I and II, all fought away from her shores. In both World Wars, America came in late with her great industrial resources, and contributed heavily to the success of the winning side. With the conceit to which human nature is given, she has subsequently claimed almost complete credit for the victories, and come to the conclusion that she is invincible.

The atom bombs that rained down on Hiroshima and Nagasaki at the end of World War II marked a revolution in the nature of armed conflict. Civilians and soldiers alike, grownups, and children, wherever situated, become frontline combatants when the first nuclear warhead begins to describe its trajectory. American monopoly of nuclear weapons was transitory. In fact, while the U.S. State Department smugly sat back and taunted the U.S.S.R., Soviet scientists went earnestly to work and demonstrated the capacity to produce weapons of even greater deadliness than those created in the United States. In recent weeks, I have been heartened to observe Viscount Montgomery, the 20th century's ablest soldier, repeatedly warning the world to step back from the nuclear abyss and to work tirelessly for better understanding between East and West.

U.S. SCIENTISTS CALL FOR HALT IN NUCLEAR ARMAMENTS RACE

I have watched the evolution of nuclear weapons with intense concern from the start. The University of Chicago, of which I am a trustee, conducted the initial experiments that led to the production of the first bombs. Most of the leading scientists who participated in the early development work have subsequently been devoting their full energies to efforts to persuade the American Government to halt the armaments race. Through the Pugwash Conferences of international nuclear scientists, I have been trying to help. I fervently hope that history will support the famous French scientist who predicts that Pugwash will rank with Austerlitz and Waterloo as a turning point in the fate of the world.

ENOUGH NUCLEAR WEAPONS IN EXISTENCE TO WIPE OUT ALL LIFE

The stark and terrifying fact is that the use of only 5 percent of the atom and hydrogen bombs now in the possession of the nuclear powers would completely wipe out every last vestige of life on this earth. We businessmen cannot be called cowards if, to safeguard our families and the commercial and cultural institutions to which we have devoted our lives, we remonstrate with heedless statesmen for running the nuclear risk. For myself, I long ago incorporated into my personal philosophy Spinoza's advice to harbor "no regrets, no fears." I have lived a busy and productive life, and I shall labor to the end to enable my children and grandchildren to enjoy the opportunities that have been mine. I know that the United States cannot go on spending $50 billion a year for military weapons without succumbing to annihilation or impoverishment, and I shall fight both awful fates with all my strength. Canada is caught in the same web, so I would hope that Canadian policy and Canadian opinion might be directed to bringing American statesmanship to its senses.

FORMULA FOR FULLEST CANADIAN DOMESTIC DEVELOPMENT

Let us turn now from the foreign scene to the leadership that must be provided at home if Canada is to realize her almost infinite potential to the full. It should go without saying that the people of Canada should be encouraged toward the highest physical and intellectual development. The new world in which we live is no place for weaklings of mind or body. The amazing advances in science throw down a tremendous intellectual challenge. Colleges and universities must pursue the truth relentlessly wherever it leads, even if it means modifying opinions that have been tenaciously held for centuries.

Even as better understanding and closer cooperation are needed among nations of the world, so are they essential between management and labor. This, I think, is industry's most crucial problem, and it is one that cannot successfully be delegated, but must be handled directly by constant contacts between top management and the leaders of labor. Crossing the Atlantic last fall on the Queen Elizabeth, I heard from the commodore of the Cunard fleet a success story of labor relations that all businessmen could profitably ponder. Conducting the largest shipping operation on the high seas, the Cunard Line has not had a strike for 50 years. Problems that arise are discussed and settled at monthly meetings of high Cunard officers with top union officials. The two sides recognize the mutual benefit of finding some middle course of agreement. Thus, while the rest of the world's shipping has become notorious for labor troubles, Cunard has set a unique record in its freedom from destructive warfare between management and labor.

INDUSTRIAL LEADERS MUST TAKE INTELLIGENT INTEREST IN GOVERNMENT

Leaders of industry should, I believe, form a habit not only of making their views frequently known to Government leaders, but also of keeping in close touch with politicians, whether of the city, the province, or the Federal Government. This is not to go so far as to recommend that big businessmen attempt a wholesale invasion of the Cabinet, because I think we have demonstrated in the United States that the 1952 American Cabinet composed of eight millionaires and a plumber was not an unqualified success. In democracies like Canada and the United States, however, it behooves all citizens, including businessmen, to take an active and intelligent interest in government.

Finally, since this is a gathering of businessmen who have made their marks in their various fields, I am sure it would be in order to point out that a special moral and social obligation rests upon those of us who have prospered under the capitalistic system. If we exercise restraint in our conduct, and give loyal support to all that is highest and best in our civilization, then we can be confident that we have done our utmost to make this wonderful world of ours a better place in which to live.

May I add a postscript on the Maritimes to these remarks, even as you are adding a post-convention tour to these meetings you have held here.

MARITIME TOURIST POTENTIAL CALLS FOR BROAD DEVELOPMENT

Early in the season though it is, I hope your tour will give you some appreciation of the vast possibilities of the Atlantic Provinces for large and profitable tourist traffic. A look at the map will show you that the superlative summer attractions of this area could by adequate transportation be made easily accessible to the eastern American population numbering some 50 million.

Recently I made a brief visit to Puerto Rico, which makes tourism its principal and thriving industry. The government and the newspapers have worked hard to popularize Puerto Rico as a tourist paradise. Their efforts would have come to nought, however, if first class transportation had not been available. Flying the 1,600 miles from New York to San Juan, the tourist has his choice of magnificent modern planes owned by a number of strong airlines. New Brunswick, Newfoundland, Nova Scotia, and Prince Edward Island deserve as much.

There are other ways in which the Maritimes can and should be lifted economically. One would be the location here of a number of small industries to give year around employment to the present labor surplus. The problem belongs not to the Maritimes alone, but to all of Canada. In the interests of brevity, I shall not attempt to spell the subject out.

I could not be in New Brunswick without saluting Lord Beaverbrook, who has just celebrated his 80th birthday here, and who has made such generous contributions to the

Province's cultural institutions. In my own way, through the Pugwash Conferences and through Deep Cove Farms, with its Shorthorn cattle herd and its wild fowl conservation program, I am trying to give my native Nova Scotia a hand.

May I remind you that the only Canadian in the great American Hall of Fame in New York is Simon Newcomb, the noted astronomer who was born near Pugwash in Nova Scotia. I challenge any other part of the world to match the Maritimes' record for producing university president, scholars, physicians, statesmen, bank president, and business leaders.

In conclusion, I commend the Maritimes to you, and ask that you give them the earnest consideration to which they are entitled.

BACKGROUND DATA ON CYRUS EATON

Cyrus Eaton, Canadian-born chairman of the board of the Chesapeake & Ohio Railway, has been prominently identified with both Canadian and American industry and mining for more than half a century.

Mr. Eaton's largest present business interests in Canada are Steep Rock Iron Mines Ltd., of which he is also chairman of the board, the C. & O., which operates an important division from Windsor to Sarnia and Buffalo, and Ungava Iron Ores in far northern Quebec. On September 17, 1957, formation of Ungava Iron Ores Co. was announced in Montreal by Mr. Eaton and representatives of five leading West German steel producers. The joint development, to cost an estimated $200 million, will tap vast iron ore deposits to supply world industry. As a director of Sherwin-Williams Co., Mr. Eaton is closely associated with another company doing a broad business in Canada.

Other basic segments of the economy in which Mr. Eaton is recognized as a leader are steel, coal, public utilities, and agriculture. Among his other corporate offices, he is chairman of Portsmouth Steel Corp., and West Kentucky Coal Co., and director of Cleveland-Cliffs Iron Co., Cleveland Electric Illuminating Co., and Kansas City Power & Light Co.

Mr. Eaton owns and operates the 3,000-acre Deep Cove Farms in Nova Scotia and the 860-acre Acadia Farms in Ohio, and specializes in the raising of purebred and registered Scotch Shorthorn cattle. PS Troubadour, the 995-pound Shorthorn calf that was crowned 1956 International Grand Champion over all breeds, was bred by Mr. Eaton at Acadia Farms. Troubadour brought the all-time record price of $20.50 a pound at auction for a total of $20,397.50 after winning this most coveted award of cattledom.

Mr. Eaton held his earliest business position with John D. Rockefeller, Sr., and through association with the Rockefeller family's oil and natural gas enterprises, gained his first experience in natural resources.

On December 28, 1954, Mr. Eaton announced he was turning his ancestral home at Pugwash, Nova Scotia, into a vacation place for authors, scholars, statesmen, labor leaders, and businessmen. His plan was to give thinking men from all over the world an opportunity to relax together, exchange views, sharpen their own thinking, and design formulas for us to live in this brand new world. Conspicuous among participants of first Pugwash sessions in 1955 was Julian Huxley, world-famed British biologist. In 1956, Mr. Eaton broadened the Pugwash plan to bring together Communist and anti-Communist, Israeli and Arab, in an atmosphere of comradeship.

The main 1957 Pugwash conference, for the first time in history, brought together international nuclear and other scientists, from East and West, to discuss nuclear perils to mankind. They issued a warning that misuse of nuclear energy could mean annihilation of mankind.

The New York Herald Tribune subsequently devoted a major part of its editorial page to an article by Mr. Eaton entitled, "A Capitalist Speaks: Let's Meet the Soviets Half Way." The newspaper backed the article with a leading editorial on the same page lauding Mr. Eaton on his stand. The editorial commented on an appeal by 195 Soviet scientists and a formal resolution by the Presidium of the Academy of Sciences of the U.S.S.R. for a "broad international conference of scientists" to discuss the dangers to mankind of a thermonuclear war.

In response to worldwide demand, a second international conference of nuclear scientists was held under the Pugwash name in Canada in March–April of 1958, while a third Pugwash Conference was convened in Austria in September, under the joint sponsorship of the Austrian Government and Mr. Eaton. An all-time record indoor crowd of 15,000, including Austria's President Adolf Schaerf, jammed Vienna's city hall auditorium to hear 11 of the world's leading scientists report the findings of the Third Pugwash Nuclear Conference, at its final session.

Three additional meetings of international opinion leaders took place in Pugwash itself during the summer of 1958. Greatest public attention was attracted by a conference of 14 leading American, British, and Canadian historians and men of letters, who concluded their deliberations with a call to their colleagues everywhere to "work in cooperation with scientists to help create an atmosphere of common understanding which can prevent the mass suicide of mankind."

Mr. Eaton's visit to leading European countries in late 1958 was marked by a history-making 90-minute interview with Soviet Premier Nikita Khrushchev in Moscow. The Soviet Government took occasion during Mr. Eaton's Russian sojourn to present him with a Troika, national championship team of three matched white Russian stallions, in recognition of his earlier service to Soviet agriculture. In 1955 Mr. Eaton had sent one of his prize Scotch Shorthorn bulls to Russia for improvement of Soviet beef cattle.

Mr. Eaton's vacations are always spent in Canada. Every winter he leads the older of his 13 grandchildren on a skiing expedition in the Quebec mountains, while the whole family joins him in dividing their summers between Deep Cove Farms and Pugwash in his native Nova Scotia.

Mr. Eaton is also noted for his literary and intellectual attainments. He is the author of many articles and essays on economic, philosophical, and political subjects.

ADDRESS TO STOCKHOLDERS

(By Cyrus Eaton, chairman of the board, Chesapeake & Ohio Railway, at meeting marking 175th anniversary of founding of C. & O. by George Washington, College of William and Mary, Williamsburg, Va., April 28, 1960)

Fellow stockholders, we can all take great satisfaction that George Washington, the founder and first president of the Chesapeake & Ohio Railway's predecessor company, excelled as a sound and successful businessman, as well as a superlative statesman.

Washington was a capitalist, both in theory and in practice. In 1785, when our predecessor company was chartered, he opened its stock subscription books at $200 a share. The enterprise prospered, so that the stock was selling for $400 a share within a few years.

A question of paramount importance to all of my fellow stockholders today is, I am sure, can we ever again have our stock selling for $400 a share? My answer is, if all the railroads of America could be emancipated from the bondage of Federal Government regulations, and really be permitted to practice free enterprise, I am certain we could pursue policies that would again bring our stock to the $400 level.

Our railroad has done well, it is true, because of the extraordinary dedication and devotion of our entire organization. The C. & O. probably has the most continuous record of success of any railroad in the world. But we can do infinitely better if the Government wraps are removed. You, of course, appreciate that this is a family party, where one can speak with complete frankness.

Last week I devoted a day in Toledo, Ohio, to inspecting our modern docks and examining our matchless new coal-loading facilities. In Toledo we, in fact, have the most modern and most efficient coal docks in the world. We can put 300 cars of coal into a 20,000-ton ship in less than 4 hours. I am vastly impressed with what the Toledo installation represents in human intelligence, skill, and accomplishment.

From Toledo I went to Detroit for a day at the Ford Motor Co. I spent several hours in the Henry Ford Museum, a building that covers 8 acres, all under one roof. The museum displays models of all forms of transportation from the earliest times until now, and also exhibits replicas of material progress in many other fields of industry and science.

My visit to the museum was made in company with distinguished representatives of our Federal Government. All of us became acutely conscious of the vast progress that has been made from the days of the ox-drawn covered wagon to the miracles of modern-day transportation. I said to these Government representatives, "We are looking at a thrilling picture of American accomplishment in the fields of science, industry, and agriculture over the past 175 years. One is accordingly doubly depressed to realize that, in our political institutions and form of government, we are still back in the covered wagon era."

The system devised by our wise Founding Fathers was appropriate for the time when the Federal Government played only a small part in the affairs of the Nation, and when the individual States held most of the authority and made most of the decisions. In recent years, the power and size of the Federal Government have increased far beyond the point contemplated by the Founding Fathers. Let me just cite an example or two of outworn features of our Government.

A Congressman faced with a primary and a final election every 2 years has, in effect, an election every year. His mind must therefore be on what will get him votes, so he consistently appeals to the prejudices and whims of the moment. In this way, he substitutes expediency for sound, fundamental principles. With only 2 years between these congressional contests, as compared with 4 years between Presidential elections, frequent conflict is bound to arise between the legislative and executive branches of Government. Meanwhile, we are forced to witness the biennial spectacle of candidates from the same party fighting each other in the primaries, and furnishing fuel to the opposition by denouncing each other in undignified fashion. I submit that national elections should be held at 4, or perhaps even 6, year intervals, and that all Federal elective offices should be filled at the same time.

Let me give you another illustration that seriously affects our railroad industry. In recent years a total of 75 so-called independent governmental agencies have been created in Washington. The men who run these bureaus are not responsible to either the executive or legislative branches of the Government. The occupants of these offices are human, so they are constantly seeking an extension of their powers. Well-meaning though they are, they consume endless time

in efforts to interpret statutes. They feel that their main task is to crib, cabin and confine American industry and finance, and all of their ramifications. The railroad industry is the most completely regulated. Management is not permitted to use, on behalf of stockholders, the imagination and drive that are essential to success in the capitalistic system. One of the weaknesses of our Government that demands sweeping changes is the vast system of bureaucracy represented by these Federal agencies.

I appeal to you stockholders to take a personal interest in these political problems. The main buttress of free enterprise and the capitalistic system is the stockholder. If all stockholders of all companies would speak up at one time on a given subject, their voices would have a far-reaching effect on the politicians. In my economic philosophy, I believe every man and woman should be a stockholder in some corporation. I should like to see all men and women who work for companies have a personal stake in the ownership of those companies. This would bring labor and labor leadership into partnership with the management of corporations, big and small, and the combined influence would be irresistible.

We urgently need a revival of the spirit of George Washington, both as applied to business and to Government. We urgently need a new constitutional convention to bring our Federal Government up to date and put it in harmony with the marvelous progress of science, business, industry and finance. The Chesapeake & Ohio Railway, I may add, would be proud to extend the superb facilities of our Greenbrier Hotel for such a constitutional convention.

We have neglected George Washington's example and advice. The father of our country warned us against entangling alliances. He reiterated, again and again, that we should never let our foreign policies be influenced by prejudices against any other nation. We have flagrantly disregarded these two pieces of sound advice. We are now inextricably entangled with one-third of the nations of the world. We are angling for alliances with another third through a lavish foreign aid program. Finally, we are permitting prejudice to lead us into bitter wrangling with the remaining third. As Walter Lippmann wrote a few days ago, the ghost writers of the State Department and the Defense Department cannot compose a letter or issue a statement concerning any part of the Communist world without employing vulgar and opprobrious epithets.

These policies that flout the advice of George Washington are burying us under a crushing burden of taxation. If they are allowed to go to the length of flaring into open war, our people will be annihilated and everything that industry and science have created will be utterly destroyed. If the wise man who founded this transportation system and started his country on the road to greatness were alive today, he would move vigorously to restore us to commonsense and wisdom.

For my peroration, may I borrow a couple of lines from Wordsworth. "Washington! thou shouldst be living at this hour: America hath need of thee."

---

[From the Commercial and Financial Chronicle, Dec. 4, 1958]

IS THE GLOBE BIG ENOUGH FOR CAPITALISM AND COMMUNISM?

(By Cyrus S. Eaton, chairman of the board, Chesapeake & Ohio Railway; chairman of the board, Steep Rock Iron Mines, Ltd., at meeting of the Economic Club of Detroit, Monday, November 24, 1958; presiding officer, John S. Knight, editor and publisher, the Knight Newspapers)

As a dedicated capitalist, I recently went to Russia to try to see for myself what makes the rival system of communism tick. I visited the Soviet Union for a relatively brief period, and I do not pretend to have come away with all the answers. But I saw enough to convince me that communism is not likely to crumble from within, despite all the wishful thinking of some of our diehard, sandy-headed, political and economic ostriches.

The Union of Soviet Socialist Republics occupies the largest land area of any nation in the world, and its 200 million people are moving swiftly to make the utmost of the broad array of resources that abound in their vast and varied terrain. You are struck with this sense of both distance and speed as you wing your fast way the comparatively short 1,000-mile journey from Copenhagen to Moscow by giant Russian jetplane in 2 hours.

Your impression of speed is reinforced as you observe the rapid pace with which the Russian people move, even as they walk along the city streets and country roads. You simultaneously observe that they must be ardent devotees of physical fitness, for they combine powerful physiques with abundant good health. Watch them at their jobs, and you conclude that love of hard work occupies a high place in their credo. Especially striking is the large number of women enthusiastically performing tasks that we normally consider the exclusive province of men.

RUSSIANS ARE EAGER TO LEARN

As you visit the Soviet schools and libraries, you are impressed with the obvious eagerness of both young and old to learn. From 5,000 to 10,000 people come each day to Moscow's All-Union Lenin Library, which contains 20 million books and pamphlets. You cannot fail to marvel at the almost universal literacy of a nation in which 40 years ago, 80 percent of the people could neither read nor write.

At the same time, one must not forget that Russia has traditionally held a position of prominence among nations in cultural fields. Some of the world's literary masterpieces have been produced by Russian writers, and the theater, the opera, and especially the ballet, today as in the past, flourish and excel in Russian hands. The museums, particularly in Leningrad, serve as a reminder of Russia's reverence for the arts.

RUSSIANS ARE FRIENDLY AND PEACE-LOVING

Throughout my stay in the Soviet Union, I made a determined effort to meet and talk to as many people of all ages and occupations as possible. Regrettably, I do not speak Russian, so I was obliged to communicate through an interpreter. I did not have to rely on my interpreter, however, to sense that one of the most marked characteristics of the Russians is their friendliness. With this pronounced trait, I feel there goes hand in hand an overwhelming desire for peace. Here, in my mind, lies great hope for the future harmony of the world, for I believe the people of America match the Soviet populace both in capacity for friendliness and in love of peace.

I met the editors of Pravda, Izvestia, and Trud, the three leading papers, as well as a number of magazine editors, and the head of Tass, Russia's wire service. I hardly need point out to this sophisticated audience that Soviet journalism differs markedly from American, but I do want to stress that I was impressed with the intelligence and ability of these leading editors. I also had private conferences with ambassadors and foreign correspondents of leading countries.

RUSSIAN LEADERS ARE ABLE

Able is also distinctly the word for the men who head Russia's Government, industry and banking. I met with seven cabinet members, numerous other government officials, a number of industry leaders and the head of the State Bank of Moscow. Let me say a word concerning Russian banking. Deposits draw 3 percent interest, while only 2 percent is charged on loans. Credit is extended solely for the building of homes. A Russian can own his own house if he chooses to, but the land on which it is built belongs to the state. There is no rent for the land, but a property tax based on the value of the land. The Russian owns all the furnishings of his home and, if he has an automobile and a radio, those are his property, too. At present, he has to pay cash on the barrelhead for everything. If installment buying is ever introduced in the Soviet Union—and my hunch is that it will come eventually—the consequent increase in demand for consumer products will create a mass market well worth American attention.

RUSSIANS ARE SOLD ON THEIR SYSTEM

I would not know where to look for the American who would want to trade our system for the Russian way. On the other hand, I think we Americans must take full cognizance of the fact that the Russians are enthusiastically sold on their system. In the 40 years since their revolution, they have made immense material and intellectual progress on a mass scale, and they are determined to continue to get ahead. Furthermore, they are as imbued with devotion to Mother Russia as we are with respect for our beloved Stars and Stripes. The nation that succeeded in launching the first sputnik must be taken as seriously as the country in whose laboratories the first nuclear chain reaction was produced.

From my 90-minute interview with Premier Nikita Khrushchev, I believe I gained some insight into the Russian attitude. I hope I also left with him some notion of the intensity with which an American industrialist can and does believe in both capitalism and peace.

Mr. Khrushchev struck me as a powerful personality, utterly lacking in the pretense and pose associated with the stuffed shirt school of pompous politicians and statesmen. He is strong of body, intellect, and will. Short and stocky, he seemed hardly more than half as tall as I, but twice as broad. He looks as though he takes good care of his health. Natural and down-to-earth, he gives frequent evidence of enjoying a good sense of humor.

KHRUSHCHEV EXPLAINS WHY RUSSIANS WANT PEACE

Mr. Khrushchev expounded in detail the reasons why the Russians want peace. First he cited the colossal cost of armaments, and pointed out that, in these days of astounding scientific progress, today's effective weapons may well be obsolete 6 months from now. The more you spend on armaments, in fact, the more you have to spend. Then he quickly enumerated half a dozen programs, to which the Soviet Union has committed itself, and for the rapid accomplishment of which the maximum of money and labor are required.

At the top of his agenda was a broad expansion of schools, colleges, and other educational facilities, requiring hundreds of thousands of new buildings and additional teachers.

Second came an ambitious housing and home building program. "You will observe the great number of apartment houses that have been put up in Moscow," Mr. Khrushchev said. "We have only started. We want every citizen of the Soviet Union to have a comfortable modern home."

Next Mr. Khrushchev called attention to important developments under way in the agricultural field, in which he takes particular interest and pride because of his own farm background. He mentioned that he had opened up great areas of virgin territory. He wants to expand that program, while also introducing the most modern scientific agricultural methods on all farms, old and new.

Also prominent on Mr. Khrushchev's list was a transportation plan calling for new highways as well as substantial additions and improvements to existing railroad facilities. Large-scale expansion of Soviet electric generating and transmitting facilities is also in progress. Attention is also being turned to the chemical industry, and so on down the list.

MR. KHRUSHCHEV SUGGESTS UNITED STATES-U.S.S.R. TRADE AND FRIENDSHIP

"To take our country from its backward position of 40 years ago to the modern ideal we hold for it calls for unlimited capital and for the labor of all of our people," Mr. Khrushchev stated emphatically. He added that machinery, equipment, and materials from the United States could be used in these vast Soviet expansion programs, and that there should be profitable opportunities for trade between our two countries. By engaging in mutual trade, furthermore, he felt that we might find a way of establishing friendship between our two nations.

Then Mr. Khrushchev made the observation that I consider the most significant of the entire long discourse. If by some means, he said, genuine cooperation and understanding could be created between the Soviet Union and the United States, if these two most powerful nations the world has ever seen could come to work together in harmony, all of the political disturbances in every other part of the world would be adjusted by compromise and peaceful means, instead of becoming the occasion for fomenting renewed bitterness and hatred between the United States of America and the U.S.S.R. Both of these giant nations are so extensive geographically and so richly endowed in natural resources that neither needs have much incentive to impose on other countries. If the two giants agree, the rest of the world will pose no major problem. This suggestion, I believe, is realistic and offers promise of a workable peace.

MR. KHRUSHCHEV HEARS THAT CAPITALISM IS IDEAL FOR UNITED STATES

For my part, I told Mr. Khrushchev I thought capitalism had produced excellent results in my country, and would remain the ideal system for us. I reminded him that Andrew Carnegie, perhaps the most successful steel man in our history, had dedicated his large fortune to the promotion of peace and education, and I suggested that the Russians consider Carnegie as a typical American capitalist. I told Mr. Khrushchev that anyone who pictured the American businessman as encouraging war preparation in order to sell more iron ore, coal, and steel, misunderstood the United States. I stated that I had long advocated a working partnership between capital and labor, and that I liked to have the men and women who work for companies with which I am associated become stockholders, as I believed that the ownership of American industry should be widely diffused.

Mr. Khrushchev did not overlook the opportunity to inject good-humoredly at this point that while he considered this a commendable policy, in his country they did even better; the people owned everything. He went on to asert that he had no desire to try to change the form of government or the system of economics of America. He added that the Soviet Union was eager to live on good terms with the United States, and that he wished the United States would stop our worldwide denunciation of the Soviet system, and cease to try to ring Russia with missile and bomber sites. (Neither of us raised the point, but I had a graphic mental image of our own agitated state of mind if the Soviet Union were able to build similar installations in Canada and Mexico.)

DOES U.S. FOREIGN POLICY FOLLOW THE ELECTION RETURNS?

I told Mr. Khrushchev that I had been a lifetime student of Russian history and Russian literature. In recent years, I noted, I had enjoyed meeting Russian scientists, scholars, journalists, and others visiting North America and, from my visit to the Soviet Union, I had become convinced of the friendliness of the Russian people. I expressed the view that we ought to reach friendship and understanding, and that we should trade with each other, and I ventured to suggest that, in due course, the American industrialist, the American labor leader, and the American farmer would demonstrate that they agree with me. Meanwhile, I suggested patience and forbearance on the Russian part. I also invited Mr. Khrushchev to watch the election returns carefully in November, to see if the American voters did not express strong sentiment in favor of fresher and wiser foreign policies.

In the course of our discussion, when I commented on Mr. Khrushchev's ability to speak decisively for his country, he replied emphatically, "Any policy I announce must first be discussed with the cabinet and backed by it. Furthermore, we make no decision unless we are sure it will have the support of the people." Mr. Khrushchev added that the cabinet customarily meets several times a week, and holds daily meetings in times of emergency.

In reply to my question, How can our two countries move toward friendship and understanding?—Mr. Khrushchev said that a first and important step would be a good will visit from President Eisenhower to the Soviet Union. Mr. Khrushchev thought it would be fruitful for the President to determine the friendliness of the Russian people and their Government for himself, and to observe at firsthand the progress that the nation was making. For his own part, Mr. Khrushchev said he would like to pay a visit to the United States and Canada, to see for himself our great cities, our industrial companies, our railroads, and our agriculture. I told Mr. Khrushchev that this sounded like a good sensible program to me, and that, in my modest and unofficial way, I would encourage it.

U.S. SPECIALISTS TESTIFY TO SOVIET PROGRESS

On this subject of see-for-yourself trips, I should like to call attention to three distinguished delegations of specialists who have visited the Soviet Union and come away impressed, in recent months. The steel group was headed by Edward T. Ryerson, retired chairman of the board of Inland Steel Co. Walker L. Cisler, president of Detroit Edison Co., led the electric power group. Prominent among the educational delegation was my long-time friend, Dr. T. Keith Glennan, former member of the Atomic Energy Commission, who not long ago left the presidency of Cleveland's Case Institute of Technology to become head of the new National Space Agency.

No one can conceivably write these men off as being weak in the intellect or lacking in devotion to their country. The accounts they and those who accompanied them have given of what they saw certainly can be accepted as reliable by their fellow Americans. While their reports were issued with restraint, they all emphasize the great progress Russia has made in the respective fields of steel, electric power, and education. What is more, all of these men testify to the friendliness and kindness of the Russian people.

If visits like these can be productive, would it not be worth while to have a political delegation headed by the President go to the Soviet Union? With America spending $50 billion a year for defense, and the fate of humanity at stake, surely the head of our Government, with his fine personality and his infinite capability for friendship, can afford to make an attempt to deal directly with his Russian counterpart on the ground.

THE GLOBE IS BIG ENOUGH FOR BOTH CAPITALISM AND COMMUNISM

By this time, I think it must be abundantly clear to you that I emphatically believe the globe is big enough for both capitalism and communism. For capitalism to flourish as I am convinced it can, though, I suggest that rapid and radical changes are required not only in our international relationships, but also in our domestic industrial relationships.

I have already had considerable to say about our foreign policies. Let me go further and suggest that we urgently need a new Secretary of State. Mr. Dulles goes gaily on gambling with the destiny of the world, without restraint from any quarter. Rejected by the voters of his own State when he ran for office in New York, and then elevated to high office by appointment, he evidently is impervious to the 1958 election returns, which his inflammatory activities helped to render catastrophic for the Republican Party. He blithely courts the ultimate world catastrophe of the bomb, without consultation with even the Senate Foreign Relations Committee and the House Foreign Affairs Committee.

U.S. FOREIGN POLICY HAS LOST INTERNATIONAL FRIENDS

Let's take an objective look at the present state of our international relations. When I came to the United States from my native Canada at the beginning of the century, this was the only major nation in the world without a single enemy. Since then we have contrived to tread on the toes of practically every country on earth. We are constantly meddling in both the internal and external affairs of other nations, friendly and unfriendly.

Our critics are not confined to Communist nations. When I traveled through Europe recently, I was chagrined to discover that the newspapers of such countries as Denmark, France, Germany, Austria, and England were unanimously critical of our Formosa Strait policy. Our high Government officials can no longer visit the Republics of South America without inciting riots. In Canada, our near neighbor and best customer, the latest Federal election was won by the party that proclaimed its lack of warmth, if not its downright hostility, to the United States.

U.S. STATE DEPARTMENT SIMULATES THE OSTRICH IN CHINA POLICY

We have elected to invite the enmity of the 600 million Chinese on the mainland, and have substituted for our old friendship with that proud and powerful nation a futile alliance with Chiang Kai-shek, an exiled has-been whom we have installed and maintained on a neighboring island at fantastic expense to the American taxpayer. Thanks to the ostrich-like antics of our State Department, few Americans have been permitted to go see for themselves what is happening in the People's Republic of China. We can take the word of such reliable and distinguished Canadians as James Muir, head of the Royal Bank of Canada, and Dr. J. Tuzo Wilson, president of the International Union of Geodesy and Geophysics, who have been in China this year. Banker and scientist alike testify to the tremendous advances of the Chinese in all fields. Muir's injunction to his fellow businessmen, on his return to Canada, was to trade with China or miss the opportunity of a lifetime.

Now let's consider the alternatives to reaching a livable accommodation with communism. Through the Pugwash Conferences I have for several years been trying to promote understanding on a private and in-

formal level between scientists and scholars of East and West. The proceedings and conclusions of our several Pugwash Conferences of Nuclear Scientists have been made available to the heads of the world's major states, as well as the Pope and the United Nations. From President Eisenhower, India's Prime Minister Nehru, The Vatican, Canada's Prime Minister Diefenbaker, Yugoslavia's President Tito, to name just a few, have come letters endorsing the purpose of the conferences. When I was introduced to Premier Khrushchev in Moscow, his first words were, "I have personally read the proceedings of the Pugwash Conferences, and I want to thank you on behalf of the Soviet people for bringing the scientists of the world together. It is a highly constructive move."

PUGWASH SCIENTISTS WARN AGAINST NUCLEAR ANNIHILATION

At the recent Third Pugwash Conference of Nuclear Scientists, 80 experts gathered from 22 Eastern and Western nations to consider "The Dangers of the Atomic Age and What Scientists Can Do About Them." Bear in mind that all that united these participants was that they were scientists and that they had given much of their individual thought to the implications of modern science for the future of mankind. At the conclusion of their meetings, they reached the unanimous conclusion that enough atom and hydrogen bombs have now been stockpiled by both sides to blow all the cities off the face of the earth and to annihilate all their inhabitants. They further agreed that there is no defense, civil or military, against the bomb.

In the absence of an understanding between the capitalist and the Communist nations, both sides will go on increasing their lethal stockpiles. Twelve years of this cold war have already cost astronomical amounts. Ever increasing expenditures have been accompanied by ever increasing hatred and bitterness. Continuation of the cold war will create a crushing burden of taxation that will bankrupt us.

Meanwhile, make no mistake about this: every day that the arms race continues, the chance of mutual destruction grows greater. Any day, by accident or by design, some fool, some fanatic, even some fumbler, may touch off the explosion that will cause the holocaust. Consider the consequences from your personal standpoint. One hydrogen bomb dropped anywhere within 40 miles of Detroit, whether in the lake or on the land, will obliterate every form of life in this great city and reduce all its institutions to dust and ashes.

FRIENDSHIP WITH RUSSIA VERSUS COLD AND HOT WARS

Which course shall we choose? Certainly the risk in a treaty of peace and friendship with the Soviet Union is fraught with far less hazard to humanity than either the cold war or the hot war.

Assume that we do reach an understanding with Russia. What steps must we take at home to make sure that capitalism will flourish on the same globe that also holds communism?

First we will have to stop fussing about the progress of other countries. The Soviet Union, Red China, India, and Africa are determined to create their own successful industrial civilizations. We will have nothing to fear from any part of the world if we concentrate on upbuilding our own capitalistic system.

At the same time, I should like to suggest that our Government quit subsidizing socialism in other countries. If a nation forbids American corporations or individuals to have a financial interest in one of its natural resources or any of its other business institutions, our Government has no business turning the American taxpayers' money over to that nation to create state-owned enterprises to develop those natural resources or conduct those other businesses.

HOW WE CAN MAKE OUR CAPITALISM FLOURISH

To begin with, all of us, whatever our calling, are going to have to repledge our allegiance to the old-fashioned credo of joyful hard work that originally made America great. We must give close attention to the physical fitness and the mental development of every man, woman, and child in the United States.

Next we must search for further and surer ways to ward off the depressions and recessions with which our economy is periodically beset. Few if any of you will remember the financial panics of 1907, 1914, and 1921. Some of you will recall, and vividly, the depression that began in 1929 and took years to run its course. Our weak banking system was the root of our trouble then and, while we have strengthened it some since, we still have a distance to go.

Black Friday, October 18, 1929, has gone down in history as the fateful day when the stock markets started their downward plunge. The following Monday, October 21, when I was in Detroit for a celebration of the 50th anniversary of the invention of light, with such familiar figures as Thomas Alva Edison, Henry Ford and President Herbert Hoover, word came that panic had struck the markets. The banks started falling all over one another to see which could sell out their customers fastest, in an effort to keep liquid. This, of course, heightened the crisis. Before the ensuing debacle was over, the stocks of sound companies had shriveled almost to nothing, and business had ground almost to a standstill.

Two examples from among my own companies will suffice as illustrations. The stock of a great industrial like Sherwin-Williams, which today has a market around $190 a share, sold down to $7 a share. The stock of the conservative old National Refining Co., whose assets in 1929 consisted largely of cash and Government bonds, plummeted from $50 to 25 cents a share.

I am not attempting to prove that there would have been no 1929 readjustment if our banking system had been stronger, but I do firmly believe we could have avoided the depths to which the combination of weak banks and our own emotionalism carried us. We still need larger and more powerful banks.

UNITED STATES NEEDS RAPPROCHEMENT BETWEEN CAPITAL AND LABOR

Now I come to what I consider the most important step we must take to give our capitalism fresh impetus. Just as we need a rapprochement between east and west on the international scene, we need a warmer understanding between capital and labor on the domestic front, with the full approval and cooperation of the farmer.

To get started in this direction, I suggest that, in every important industry in the United States, there should be a meeting at least once a month between top management and labor leaders, to discuss their mutual problems in a friendly spirit. Wisdom and restraint are required on both sides. The business leaders responsible for putting right-to-work legislation on the ticket this year hopefully learned some lesson from the defeat not only of this phony measure, but also of the candidates who went down with it.

NEW U.S. LEADERSHIP NEEDED FOR NEW ERA OF ENLIGHTENED CAPITALISM

Let me conclude on an optimistic note, for I fervently believe that we can carry American capitalism to new heights. We need additional leadership and, with all due credit to the politician, who must be elected, and to the editor, who cannot get too far ahead of his constituency, I think we must look beyond these old sources. I should like to nominate the industrialist, the labor leader and the farmer, as representing the indispensable elements of dynamic capitalism. Let the teacher, the preacher and the scholar add their best thinking, and I know we can look forward to a new era of enlightened capitalism that will excite the admiration of the entire world.

SUPPLEMENTAL BIOGRAPHICAL INFORMATION ON CYRUS EATON

Born in Pugwash, Nova Scotia, Canada, December 27, 1883. Son of Joseph Howe and Mary Adelle (McPherson) Eaton.

Student Amherst Academy, Woodstock College; A.B., McMaster University, Toronto, Canada, 1905; D.C.L., Acadia University, Nova Scotia, 1946; LL.D., Mount Allison University, Sackville, New Brunswick, Canada, 1957; LL.D., Bard College, Annandale-on-Hudson, New York, 1958.

Married; 6 or 7 children living; 13 grandchildren.

Came to the United States 1900, naturalized citizen 1913.

Held earliest business position with John D. Rockefeller, Sr. Subsequently associated with East Ohio Gas Co.; later organized Canada Gas & Electric Corp. In 1912 began extensive activity in American utility industry and formed Continental Gas & Electric Co., which consolidated a number of electric and gas companies in the American West. Joined Otis & Co., 1916.

Principal business association has been with iron ore, steel, coal, railroads, paint, chemicals, rubber, and lake shipping, as well as public utilities. Also active in agriculture.

In 1929 formed Cliffs Corp. (now Cleveland-Cliffs Iron Co.), holder substantial interest in six important iron and steel companies. In 1930 organized Republic Steel Corp., has led in formation and reorganization many other corporations.

Present corporate offices are: Chairman of the board and director, Chesapeake & Ohio Railway, Steep Rock Iron Mines, Ltd., Portsmouth Steel Corp., and West Kentucky Coal Co.; director, Cleveland-Cliffs Iron Co., Cleveland Electric Illuminating Co., Kansas City Power & Light Co., Sherwin-Williams Co., etc. Past director, Republic Steel, Inland Steel, Youngstown Sheet & Tube, and other companies, including Cleveland Trust Co. and National Acme Co., in Cleveland.

Owner and operator: Acadia Farms, Northfield, Ohio, U.S.A., and Deep Cove Farms, Upper Blandford, Nova Scotia, Canada, specializing in raising purebred and registered Scotch Shorthorn beef breeding cattle, and breeder of record price 1956 International Grand Champion Steer over all breeds.

Founder and sponsor of Pugwash Thinkers Conferences to promote international understanding and stimulate renewal of intellectual life. More than 20 conferences have been held not only at Pugwash but also in the United States and Europe since 1954. Five Pugwash Conferences of international scientists have brought together 112 authorities from 23 nations of East and West to consider ways of diminishing the grave hazards of nuclear, biological, and chemical warfare. The first and second Pugwash Conferences of nuclear scientists in mid-1957 and early 1958 have been acclaimed for paving the way for the official 1958 Geneva conference of technical experts on detection of nuclear weapons tests, the first such official postwar deliberation to result in measurable agreement between East and West.

Since inception of Pugwash Conferences, has conducted a broad speaking campaign in major centers of North America to urge

rapprochement between East and West. After visiting leading European countries, including U.S.S.R. where he was received by Soviet Premier Nikita S. Khrushchev and also had private interviews with eight other leading Soviet Cabinet Ministers and Ambassadors to the Soviet Union from principal nations of the world, delivered a rapid series of major addresses with the common theme, "A Capitalist Speaks: Let's Meet the Soviets Half Way," to record-breaking audiences in key cities in the United States of America and Canada. These public appearances have been widely credited with softening the cold water spirit.

Active in educational and civic affairs. Trustee, University of Chicago, Case Institute of Technology, Denison University and Harry S. Truman Library. Cofounder and lifetime trustee, Cleveland museum of natural history. Director, Cleveland Metropolitan park board, 1930–39. Elector, U.S. Hall of Fame. Member, American Council of Learned Societies, American Historical Association, and American Philosophical Association.

In 1958 elected a fellow of the American Academy of Arts and Sciences. The academy, which is limited in membership to men of "genius and learning," was founded in 1779 to "advance the honor, dignity and happiness of the people."

Author of many articles and essays on international affairs, economics, philosophy, and politics.

Residence, Acadia Farms, Northfield, Ohio, U.S.A. Summer residences, Thinkers Lodge, Pugwash, Nova Scotia, Canada, and Deep Cove Farms, Upper Blandford, Nova Scotia, Canada.

Office, 36th floor, Terminal Tower, Cleveland, Ohio.

---

## MEDICAL CARE FOR THE AGED

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the two major issues of concern to the American people are:

First. Measures to strengthen the military, economic, and political position of the United States in order to improve its leadership of the free world, and;

Second. Legislation to provide health and medical care for the elderly, and to insure them against the costs of hospital, nursing home, and surgical services.

The Federal census will reveal that there are almost 16 million persons in the United States who are 65 years or older.

In the year 1900, they constituted only 4 percent of the population.

Today, they comprise 9 percent of all our people.

Older people have two to three times as much chronic illness as the rest of the population. Most of their illnesses are of the crippling, long-term type, needing extended periods of care or hospitalization.

They have reached the time of life when they need more medical care, but do not have the income to pay for it.

Most persons over 65 either cannot afford, or do not want health insurance policies that are available from commercial companies and nonprofit organizations. About 45 percent of them do have some coverage under these plans, but the benefits are insufficient, especially in cases of long-lasting illnesses.

In its April 7, 1960, editorial summarizing the testimony given at the U.S. Senate hearings on the health needs of the aged, the Washington, D.C., Post observed:

> The one practical way to provide insurance against the health hazards of retirement years is to let people pay the premiums in the form of social security taxes while they are earning wages and are able to do so. This is precisely how they now provide retirement income for themselves under the social security program * * * and this kind of protection is made compulsory because the lack of it would have a disastrous social impact. Those who denounce this proposal as socialistic without proposing any workable alternative, are foolishly doctrinaire. They might just as well oppose * * * as being socialistic * * * the Nation's public schools, fire departments, and parks because these represent communal efforts financed through taxation. One of the fundamental purposes for which the U.S. Government was established, was to promote the general welfare.

The United States is the only large industrialized country where the Government does not, in some form or another, provide medical care for all, or most, of its inhabitants.

Most of the 59 countries of the world which have such programs, provide medical benefits under a social insurance system.

But the United States, which is wealthier by far, than any other country, and which is proud of its ability to solve social and economic problems, is dragging its heels when it comes to providing health insurance for the aged.

Mr. Patrick A. Tompkins, commissioner of public welfare, Commonwealth of Massachusetts, spoke eloquently on this subject at hearings held by the Committee on Ways and Means, U.S. House of Representatives, last year:

> H.R. 4700 * * * the Forand bill * * * represents a victory over the most growing, destructive, degenerating evil, experienced by any man or woman; victory over fear. Fear of pain unrelieved, fear of loneliness and rejection by society because of helpless invalidism, due to advanced age alone and to the sin or the virtue of growing old; fear of being unwanted, fear of being an anchor and a hindrance to one's children and grandchildren, fear of the charity ward and its too frequently impersonal, aloof, cold and unfriendly atmosphere, fear of becoming a statistic both in life and in death, fear of physical and mental torment alike, but most of all, fear of loss of intrinsic dignity, graciously and eternally given to man by God and richly and deservedly earned by all aged during their trial on earth.
>
> More than the assured solvency of our voluntary and municipal hospitals and nursing homes, more than a strengthening of our free enterprise system in the purchase of drugs, glasses, and prosthetic appliances, more than the maintenance of the proper economic status of doctors, dentists, nurses, optometrists, and other professional medical practitioners by a reasonable fee for service payment, more than the guaranteed medical and surgical services of an insurance plan, H.R. 4700 becomes a burning flame of hope, a symbol of faith, and living testament to all men in all countries that in America, so blessed and so enriched by the Almighty, men never need live in fear of anything, and least of all, in fear of growing old.

With all the skills and facilities available in the United States, our people should be the healthiest in the world. But the life expectancy of Americans who are 60 years of age and over, is less than in Canada, Cyprus, Denmark, West Germany, Iceland, Israel, Japan, the Netherlands, Norway, and Sweden.

The reason that many older Americans are not getting the medical care that they need is that they cannot afford it.

Ask the old people themselves and they will tell you that medical care and drugs are first among their unmet needs.

A great many people accept their symptoms, instead of having them treated, because of the expense.

A study of this problem in Boston discovered that people in the lower socioeconomic group cited expense as the reason for not seeking treatment—three times as frequently as those in the higher groups.

Or take the testimony of Mrs. Jennie Herbon, Detroit housewife, aged 69, who is a social security and old-age assistance beneficiary.

She gets $129 a month. Her basic expenses for rent, utilities, burial insurance and drugs, come to $79 a month. That leaves this elderly couple with only $50 a month for food and all other expenses. By economical buying, which means that they have had no fresh meat on the table except chicken in 6 months, they can eat for about $12 a week. This leaves practically nothing for incidental expenses, including transportation, clothing, recreation, and so forth.

Many times they had to "piece out" their food during the last week before their next social security check came in, so much so that she was blacking out from anemia until her doctor recommended vitamins to supplement the lack of protein in her diet; but of course this added more to her expenses for drugs. Even though she considers herself better off financially than many of her friends and neighbors, she asks the pointed question: "Where then, would they, or I, get the money for Blue Cross-Blue Shield, or even one of those 65-plus plans?"

After all—

As Mrs. Herbon said to the committee—

> it is time that America recognized its responsibilities to us old folks. We built the country into what it is today. We furnished the manpower and the war machines to keep America free. We did most of the suffering associated with the troubles through which our country has come in the past 50 to 75 years * * * the hot wars, and cold wars, and, worst of all, the great depression and the hard times.
>
> We raised our families and we contributed through our taxes and social security payments to our own old-age security. Our only real fault is that we seem to have lived too long. But, I ask you, gentlemen, what is wrong with that? We can still be independent and useful citizens if you only give us a chance. All we ask is an opportunity to live out our lives with a sense of personal dignity and self-respect. The Forand bill will help us to do this.

I believe that Mrs. Herbon, the little old lady from Detroit, was speaking for every "senior citizen" in the United States.

What is the Forand bill?

Sponsored by Representative AIME J. FORAND, Democrat, of Rhode Island, it proposes to add health insurance features to the old age, survivors and disability provisions of the social security system.

It provides for 120 days a year of care, including surgical fees, in hospitals and nursing homes. Hospital care alone would be limited to 60 days a year. A beneficiary would have the right to freely select the surgeon of his choice.

This insurance would be financed by an extra social security tax of one-half of 1 percent on employers and employees, and three-eighths of 1 percent on the self-employed. This spreads the cost of health insurance over the whole of our working population and assures a strong financial base for the program.

Opponents of this bill say that it will not help about 4 million persons over 65 who are not covered by the old age and survivors' insurance benefits of the Social Security Act. But this can be corrected by a special appropriation. Eventually, as coverage is expanded, all the younger people will come under the protection of the Social Security Act and no one will be without health insurance.

The administration, on the other hand, proposes a program that shall be financed out of compulsory taxes collected by the National and State Governments that shall pay health insurance doles only to the aged who are very poor. This would be based on the means test which is repulsive to the dignity and self-respect of every person over 65.

One cannot say when the Forand bill, or legislation similar to it will be enacted into law.

But one can predict, without reservation, that nothing can stop it.

Walter Lippmann in his column of last Thursday in the New York Herald Tribune, wrote:

> In 1798 Congress set up the first medical insurance scheme under the U.S. Marine Hospital Service. The scheme was financed by deducting from seamen's wages, contributions to pay for their hospital expenses. If that was socialized medicine, the generation of the Founding Fathers was blandly unaware of it.

To which I add my own confident belief that health insurance for the aged is on the way.

---

## FITTING THE COMMUNIST PATTERN IN JAPAN

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 30 minutes.

Mr. MICHEL. Mr. Speaker, last fall our Agricultural Subcommittee on Appropriations capped its trip to the Far East with a visit to Japan. The subcommittee members were very impressed with what we saw in Japan. At the testimonial dinner given for me by my friends in Peoria last December 7 after my return, I devoted the greater part of my remarks to our future relations with our new friend and ally comprising the great industrial complex of Japan. I predicted during the course of those remarks that when the new security treaty would come up for ratification, there would be "considerable trouble fomented by the left-wing elements in Japan." The recent turn of events have borne out my prediction in a much more forceful and effective manner than any of us would have dared to predict.

Mr. Speaker, what has been going on in Japan during the last several weeks should leave no doubt whatsoever in the minds of our people that a vicious Communist minority is responsible for this lawlessness. It fits the pattern and Communist design perfectly.

This is just one of the means by which the worldwide Communist conspiracy is implemented to impose its brutal will upon the entire free world.

V. I. Lenin once explained the methods by which the party could achieve its aims, by propaganda or agitation:

> A propagandist * * * must explain the capitalist nature of crises, the reasons why crises are inevitable. * * * In a word, he must present "many ideas," so many indeed that they will be understood as a whole only by a (comparatively) few persons.

This tool of propaganda is used to recruit party members. To enlist mass support, however, the Kremlin, again in the words of Lenin, uses agitation:

> An agitator * * * will take * * * a fact that is most widely known and outstanding among his audience * * * and, utilizing this fact, which is known to all and sundry, will direct all his efforts to presenting a single idea to the masses. * * * He will strive to rouse discontent and indignation among the masses.

Communist tactics, in every part of the world, have built the discontent into schemes that include provocative mass meetings designed to ultimately produce mob violence. The party has never deplored bloodshed as a means to gain its ends. God is denied and law and order laughed at as this obstructionist minority moves always to destroy every constitutionally created country and to enslave the free. This is the most serious aspect of the present cold war, as evidenced in the Khrushchev torpedoing of the summit and the incitement to riot of students and Red sympathizers in Japan.

All the while, the Communist Party cries, with tongue in cheek, for "peaceful coexistence." Mr. Khrushchev, in a speech in Leningrad in July 1957, described this as "a policy directed to the strengthening of our mighty socialist camp." He revealed more of the lie behind the cry when he spoke, in January 1959, before the 21st Congress of the Soviet Communist Party, stating that in the field of foreign policy "the fundamental problem of the coming 7 years is to make the most of the time factor in socialism's peaceful economic competition with capitalism."

Clearly, the Kremlin expected peaceful coexistence to last only so long as it desired it to last. Central Intelligence Agency Director Allen Dulles, in an address in December 1959, put a heavier finger on the way of the Soviet. In discussing the tactics the Kremlin had been using in the recent past and would probably continue to use in the years immediately ahead, he said that in its messages to the West the idea of "coexistence" had been stressed. He then added:

> However, to avoid any confusion among the Communist Party faithful, the latter have recently received clarifying directives which point out that: "In the ideological field there never was peaceful coexistence between socialism and capitalism and there can never be."

By this means, communism seeks to convey the impression that its world revolution has been called off, to delude and ensnare the free world into letting down its guard, to become easy prey for the monster.

American diplomacy has been criticized severely, and from many quarters, for the summit failure and the riotous Tokyo fiasco. Blame has been placed here, there, and everywhere, from the President to the State Department and even upon the Congress. We must accept some blame as justifiable, but let me say that, regardless of who sits in the White House, who heads the State Department and who controls the Congress, any diplomacy in dealing with the Communists is hazardous diplomacy.

Let us take a look, for example, at the evidence of Communist support for the recent turmoil in Japan, turmoil that is continuing and will continue.

June 5: At United States-Japan centennial ceremonies at Sakura City, Chiba Prefecture, Transportation Minister Narahashi stated that the then current demonstrations in Japan were directed by the Soviets and Chinese Communists in an attempt to divide Japan from the United States.

June 7: At a visit to the American Embassy, two top officers of the 7-million-member International Council of Youth Organizations in Japan identified the spearhead group of the present agitation as a "minor group manipulated by the Chinese Communists and the Soviets."

June 7: A meeting of the executives of the Federation of Employers Associations stated that the Socialist struggle against the Kishi regime has developed into an anti-American drive, testifying to the fact that the Socialists have fallen into a trap set by the Chinese Communists.

June 8: At the opening of upper House deliberations on the Security Treaty, Prime Minister Kishi stated that some opponents of the treaty advocate neutrality for Japan, but that their true goal is to bring Japan closer to the Communist bloc.

June 10: Refuting the Socialist-Sohyo claim that the Eisenhower visit would constitute interference in domestic affairs, the Yomiuri, one of Japan's big three national dailies, stated that, on the contrary, if the Socialist Party forced a suspension of the President's visit, the Socialist Party could be charged with employing the "influence of a foreign nation in order to deal a blow to our own Government."

June 11: Kishi directly blamed international communism for the demonstrations against Hagerty, saying that the

incident was closely linked with the international Communist infiltration strategy against democratic nations.

Straws in the wind? Certainly, and straws that smack of the old Bolshevik tactics; tactics which will be continued, I am sure, for some time to come.

And there is additional evidence. Tokyo's Japan Times reported in its June 16 English edition that—

> A Government statement issued early this morning after an emergency Cabinet meeting describes yesterday's riot at the Diet as "nothing but a planned destructive action agitated by Communists in line with the international Communist principle of taking over the world."

And the Yomiuri, of the same date, reported:

> The Communist Party, acting under direct orders from Communist China, is directing the wave of demonstrations against the Japan-United States Security Pact and President Eisenhower's visit to Japan, Liberal-Democratic Diet Member Kosaku said Wednesday * * * Kosaku strongly hinted that the demonstrations were financed by money from Russia and Communist China.

This is typical of the cold-war technique employed by the Communists. They wait for a suitable issue to arise on the basis of which they can cause democracy to lose face, or a basis on which they can successfully provoke mob excitement and violence. The U-2 incident gave them basis for the first, which, with vilification and vulgarity, Khrushchev used to undermine the summit. Fortunately, the reaction of the free world was such that the Soviets, not the Big Three, lost face. A basis for the second method of Communist action was given the Kremlin in the United States-Japan Security Treaty and the Eisenhower visit. On this occasion, the vicious minority was successful.

Let me point out, here, that the Communists are a minority. Even in Russia, with a population of 208 million, there are only 8 million Communists, and, in Japan, within its 92 million population, a mere 80,000. Should such a minority, whose aims are enslavement and domination of the free people of the world, force democratic Japan—or any other of the free nations—to bow to its brutal will? That is the issue at stake. That is the issue that must be decided, one which cannot be dodged by futile partisan debate over foreign policy.

America cannot leave Japan, or any other country of the free world, at the mercy of an arrogant Communist minority. To do so would pave the way to a Communist grab of all the Far East and a stepped-up program, undoubtedly inclusive of nuclear blackmail, against the rest of the world.

I do not profess to know all the avenues by which we can hold Communist aggression in check. We must be alert and we must be militant. We must take calculated risks, just as the President was willing to do in his visit to Japan. We must continue to explore every avenue of hope of freedom and lasting peace despite the fact that the ways of the Communists make such hope seemingly futile.

We must, of course, negotiate from our strength. This the Communists can and will understand. We cannot expect to contain communism from a position of weakness. Along with this, we need a fighting anti-Communist spirit at home, for we need to use our moral and spiritual power as well as our industrial and military as bulwarks against the ungodly threat that makes our present peace a precarious one.

Whatever our course of action, bearing in mind that the basic goal in all our policy is peace with dignity, we must have behind us an enlightened, alert and united people. Every citizen must understand that communism, as it denies God, also denies the very foundation of our civilization, and so destroys everything upon which human rights and the individual value of man have been built. The tragedy of communism is not only that it murders and seeks to destroy but that it considers such acts righteous and moral. And, when it has been successful in inciting bloodshed and riot, it goes merrily on its way to further such despicable acts.

In this year of 1960 alone, the Kremlin has used its satanic ways to incite a series of riots in Korea, Italy, Indonesia, Laos, Brazil, Great Britain and, in our own country, in New York and San Francisco. And then came the confusion and chaos and bloodshed in Japan which led to the request by Premier Kishi that the President cancel his planned visit.

We can expect the same for the immediate future and many years to come. But the infamy must some day run its course, for free men with the will and determination to remain free have always triumphed over tyranny.

---

## THE SAVINGS BOND BONUS ACT

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 10 minutes.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I have today introduced legislation which will encourage thrift and at the same time will help the Treasury Department convert a substantial part of our Federal debt to non-interest-bearing bonds, thus reducing the annual expenditure of some $9½ billion which we Americans are paying in the form of interest on the national debt.

The legislation which I have introduced today would be known as the "Savings Bond Bonus Act."

I am very deeply concerned with the fact that this Nation is now forced to appropriate in its annual budget the sum of $9½ billion for interest alone on the national debt, which today stands at $289 billion. The annual appropriation for interest on the national debt becomes even more significant when we consider that the total cost of the Federal Government 20 years ago was only $8½ billion. It appears, then, that we are now spending more money for interest on the national debt than we did 20 years ago for the total cost of our Government—and I should like to point out that two decades ago, when we were spending only $8½ billion annually the Federal budget included such items as WPA, PWA, and many other projects designed to bring the Nation out of the prolonged depression.

It is not my purpose at this time to enter into any lengthy debate as to whether or not our Federal expenditures are too high. Certainly, it goes without saying, that Congress should make every effort to bring down the huge national debt. I, myself, am supporting legislation which would require an item in the budget every year to reduce the debt by at least 1 percent annually. Meritorious as the arguments may be for keeping Federal expenditures down, this is not a simple task in view of the present world and domestic situation. However, the fact remains that as long as this Nation has a Federal debt on which we are compelled to pay some $9½ billion interest annually, we here in Congress should make every effort to find at least a partial solution to this problem. The bill I have introduced today is intended for just that purpose.

Stated in its simplest form, this legislation would permit the Treasury Department to issue a new savings bond to be known as "savings bonus bonds." These bonds would be issued at a face value of $25 each and would bear no interest. Under provisions of this bill, no individual could purchase more than four of these bonds annually.

The immediate effect of this plan would be that every American could loan his Federal Government up to $100 a year interest free. This principle was first introduced in America when the Civil War was financed with noninterest bearing bonds issued by President Lincoln and frequently referred to as "green back."

As an inducement to encourage people to do this very patriotic thing, under my proposal the Secretary of the Treasury, four times a year, or once in each quarter, would cause to be selected at random among the serial numbers of the eligible savings bonus bonds holders the serial numbers of 1,003 bonds. The Secretary would pay to the owner of the first bond so selected a bonus of $1 million. The second person so selected would receive $750,000; the third person would receive $500,000; and the next 1,000 savings bonus bond holders selected would receive a bonus of $1,000 each.

Under provisions of my proposal, this bonus money would be exempt from income taxation imposed by the United States or any State.

It appears, then, that under my proposal, millions of Americans would be asked to invest in these non-interest-bearing bonds, and as an inducement, they would be eligible to share in these very attractive bonuses four times a year.

I want to point out that this is not a lottery because the legislation provides that these savings bonus bonds shall be redeemable on demand by the holder so that actually the owners of these bonds would continue to retain their money. They would merely be waiving the interest rate on the money they have loaned to their Government. The Treasury Department in turn would apply the revenue from these non-interest-bearing bonds to buy up outstanding interest-bearing bonds on which we are now spending such a colossal sum of money in interest.

I am aware that there might be those who will argue that waiver of the interest by the holder of the bond, which could amount to anywhere from $3 to $4 a year, constitutes a lottery, but after studying the various court decisions, I find that there is considerable variance of opinion, and it is my own firm belief that since the owners of these non-interest-bearing bonds could redeem them at any time, this removes this project from the strict sense of a lottery as most of us know it.

As you know, within the common definition of a lottery those who participate in it divest themselves of any further claim on their investment after the lottery has been concluded. This is not the case under the legislation which I am proposing today.

Mr. Speaker, I am aware that many bills have been introduced in Congress to permit a national lottery and many of these proposals would actually deprive our people of their investment once the lottery has been concluded. For instance, under the Irish Sweepstakes, in which thousands of Americans participate annually—and I might say that one of my constituents last year won $140,000—the amount of money which a participant invests in a ticket is lost forever to this person unless he is fortunate enough to win.

I want to stress that under my legislation the participants would have constant access to their initial investment and could cash in their bonds at any time they needed the money.

One reason I have introduced this legislation and hope it will be approved by Congress is that under our present tax structure in America it is mathematically impossible for a person to accumulate $1 million in cold cash during his lifetime. It would appear to me that my legislation could very well rekindle the dream of many an American to do the many things he would like to do if he were a millionaire. Since the bonus under my proposal would be tax free, perhaps this is one way to give America a new class of millionaires.

The only limitation in order to make a bondholder eligible for a bonus in any given quarter is that he must have purchased the bond at least in the preceding quarter. In order to eliminate violent fluctuations in the purchase and sale of these bonds, I have proposed that the bonuses be paid four times a year. Thus, while an owner of the bonds may withdraw the bond at any time, he automatically would remove that particular bond from consideration for the bonus in the following quarter.

I have also set a limitation that states each person can purchase only four such bonds a year because I do not want to affect the overall economy of our Nation in any adverse manner. If we did not provide for this type limitation, I fear that too many people in their enthusiasm to support this plan might withdraw large sums of money from conventional savings institutions, and this, of course, we do not want.

My other reason for limiting this to only four savings bonds a year per person is to give everybody in this country, wealthy or otherwise, an opportunity to share in this bonus program.

Under this legislation, once a purchaser bought one of these non-interest-bearings bonds, it would remain effective for as long as the purchaser did not redeem it. Thus every year a purchaser could add four additional certificates to those he had bought in previous years and they would all be eligible for the bonus if selected.

Mr. Speaker, I am advised that the Federal Government is now paying well in excess of 4 percent on all of its short-term bonds, that is, those which mature in less than 5 years. I am further informed that the average interest rate paid on all outstanding obligations which constitute our national debt is 3.3 percent. Since the overall trend seems to be toward the short-term market, it appears that more and more the Treasury Department will be forced to pay in excess of 4 percent interest on the short-term obligations, which in ever-increasing numbers are making up a major portion of our national debt.

On the basis of these figures, therefore, if every wage earner in America loaned Uncle Sam $100 interest free, the Federal Government would take in during each calendar year approximately $6½ billion. At 4 percent, this means that the Federal Government would save an estimated $260 million annually, which it must now pay to borrow this amount of money or which it must pay on outstanding short-term obligations.

The bonus under my plan which would be paid to owners of these non-interest-bearing bonds would be $13 million a year. Subtracting this amount from the $260 million that the Government would save in interest, the net saving to the Government the first year would be $247 million, less the cost of administering this project.

During the first year of this program the savings admittedly would be relatively small, even if every wage earner in the country bought the maximum of savings bonus bonds permissible. But this project takes on very significant meaning if we project it for the next 10 years. If during this next 10-year period every wage earner in this country were to buy four additional bonds each succeeding year, by 1970 there would be some $65 billion worth of non-interest-bearing bonds outstanding, and the present interest-bearing Federal debt could be converted to a non-interest-bearing Federal debt by this amount. Since the annual bonus paid out by the Treasury Department in 1970 would be the same as in any other year, the total saving to the Federal Government in interest on the Federal debt by 1970 under my plan would be in excess of $2½ billion annually.

Since I am mindful of the fact that various pension trusts rely on the interest they earn from their investments with the Federal Government, I am not sure that it would be a good idea to convert the entire Federal debt to a non-interest-bearing debt and, therefore, I believe that under the limitations I have written into this legislation, the likelihood of such a thing happening is highly remote.

I believe this is sound legislation.

Throughout my discussion so far I have used the figure 65 million wage earners, but there is nothing in this legislation that would prohibit a parent, for instance, from purchasing these savings bonus bonds for his children. Thus, we see that properly presented and properly promoted, this program conceivably might attract a good deal more people than I have suggested.

I believe this program would be good for the Nation. It would help people to be more interested in their Federal Government and the financial difficulties it is encountering, and I think it would also give the entire Nation a great deal of pleasure four times a year when the Treasury Department commences to select the fortunate recipients of the quarterly bonuses. I shall leave to the imagination of others an appraisal of the situation in America on the eve, four times a year, of the Treasury's announcement of the bonus recipients. I doubt very much that the press of America would be able to print enough papers to carry the news to the country with the listing of 1,003 recipients on those 4 days during the year, unless they vastly improve the potential of their presses.

Mr. Speaker, I hope this legislation will receive serious consideration by the appropriate committee. It is my firm belief that the tremendous cost of our national debt will plague us for many years to come. I feel confident that the American people, fully apprised of the situation, would be more than happy to loan their Federal Government $100 a year interest free at a total loss to each such individual of only $3 or $4 a year, or at the end of a 10-year period, assuming each of these people bought an additional $100 worth of bonds every year for a total of $1,000 worth by 1970, a total loss of $30 a year in interest, particularly when we consider the very enticing inducement.

There are two significant things I should like to stress:

First of all, any holder of these bonds could cash them in and get the face value of the bond at any time such holder desires to do so. In effect, therefore, under this plan, we are encouraging savings and thrift.

Second. I would like to emphasize that with every 4 additional bonds that a person bought, he would have that many more bonds making him eligible for the bonus. In other words, a person who bought 4 bonds every year would have 40 bonds eligible for a bonus at the end of 10 years, and at the end of 20 years would have 80 such bonds eligible for a bonus.

Under this legislation those who now hold series E savings bonds could, if they wish to waive the interest rate on these bonds, under proper procedures established by the Secretary, convert them to the savings bonus bonds.

I have discussed this legislation with literally hundreds of my constituents, and I can assure you, Mr. Speaker, that the immediate response from every single person to whom I spoke has been, "Put me down for the first saving bonus bond to be issued by the Treasury Department." There is no question in my mind that all of us in this country would not only have a great deal of pleasure—and heaven knows in this troubled world we need a little bit of diversion—but we, as Americans, would be making a great contribution to our Nation at a time when our financial difficulties are mounting.

Since I have limited this legislation to a maximum of $100 a year invested by each participant, I can see no reason for any serious opposition from the conventional banking or savings institutions. As a matter of fact, I rather hope that the conventional banking and savings institutions of the country will support this legislation because under this plan the Treasury Department could take in billions of dollars annually which are needed for short-term financing and, in this way, perhaps get the Government out of the short-term market and bring down the entire interest structure so that our established banking and savings institutions would again be in a better position to compete for short-term loans.

Mr. Speaker, I am enclosing a copy of my proposed bill. I hope this legislation will get speedy consideration from Congress.

H.R. 12749

A bill to authorize the issuance of savings bonus bonds and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Savings Bond Bonus Act".

SEC. 2. For the purposes of this Act—

(a) The term "Secretary" means the Secretary of the Treasury.

(b) The term "quarter" means a period of three consecutive calendar months beginning on January 1, April 1, July 1, or October 1 of any year.

SEC. 3. (a) The Secretary is hereby authorized and directed to offer for sale to the people of the United States bonds which shall be known as savings bonus bonds.

(b) Each savings bonus bond shall be issued in the denomination of $25, shall bear no interest, shall be redeemable on demand, shall be issued only to a natural person or persons, shall be registered in the name of the owner or owners, and shall be transferable only in accordance with such rules and regulations as the Secretary may prescribe. Such rules and regulations may permit the transfer of such bonds to fiduciaries (including corporate fiduciaries).

SEC. 4. (a) Once in each quarter, the Secretary shall cause to be selected at random, from among the serial numbers of eligible bonds (as defined in subsection (b)), the serial numbers of 1,003 bonds, which shall be listed in the order selected. Such list shall be known as the quarterly bonus list. The Secretary shall pay to the eligible owner or owners (as defined pursuant to subsection (c)) of each such bond a bonus in accordance with the following table:

| Position on quarterly bonus list: | *Amount of bonus* |
|---|---|
| 1st | $1,000,000 |
| 2d | 750,000 |
| 3d | 500,000 |
| 4th through 1003d | 1,000 |

(b) The term "eligible bond" with respect to any quarter means a savings bonus bond outstanding at the beginning of such quarter and originally issued prior to the beginning of the quarter immediately preceding such quarter.

(c) The term "eligible owner" with respect to any quarter means a person who, at the beginning of such quarter, did not own more than four savings bonus bonds originally issued to him in any one calendar year. The Secretary may prescribe such rules and regulations as may be appropriate to carry out the purposes of this subsection and subsection (a) in the case of bonds held in individual ownership, coownership, ownership by a fiduciary, and such other forms of ownership as may be permitted.

SEC. 5. The savings bonus bonds authorized by this act shall be issued under the authority and subject to the provisions of the Second Liberty Bond Act. The provisions of section 22 of that act (31 U.S.C. 757c) with respect to utilization of, and compensation for, the services of the Postmaster General, the Post Office Department, the Postal Service, and nongovernmental financial institutions in connection with savings bonds shall be applicable to savings bonus bonds.

SEC. 6. The bonuses authorized by this act shall be exempt from income taxation imposed by the United States, any State, or any taxing authority subject to the jurisdiction of the United States or any State.

---

## PENNSYLVANIA CHAPTER OF FBI NATIONAL ACADEMY ASSOCIATES

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. BYRNE] is recognized for 10 minutes.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I have received a most pleasant request to present some remarks relating to a resolution adopted by the Pennsylvania Chapter of the FBI National Academy in connection with the 25th anniversary of the FBI National Academy, which will be observed on July 29, 1960.

The resolution was proposed and adopted by the Pennsylvania Chapter of the FBI National Academy Associates on May 25, 1960, during their spring dinner held at Dugan's on the Boulevard.

The Pennsylvania Chapter of the FBI National Academy Associates is composed of those law enforcement officers who have graduated from the FBI National Academy, and numbers approximately 200 police executives and educators. The resolution commends the Director, J. Edgar Hoover, for having founded the Academy and for having guided it so successfully during the last 25 years.

The president of the Pennsylvania chapter is Chief John G. Good, of Williamsport; the first vice president is Capt. George W. Purvis, of Pittsburgh; the second vice president is Sgt. Harris J. Wilson, of Fountain Hill; and the secretary-treasurer is Chief Lawrence H. Shores, Upper Moreland Township, Willow Grove, who forwarded the resolution to me.

Many of the associates are Philadelphia police executives, among them being Chief Inspector Albert J. Trimmer; Inspector Harry G. Fox; Staff Inspectors Edwin S. Shriver, William P. Britton, and Millard T. Meers; Capts. Edward J. Bell and Frank E. Nolan; and Police Academy Superintendent Harry G. Merker.

As a former U.S. marshal of the U.S. District Court for the Eastern District of Pennsylvania, I am well acquainted with the reputation of the FBI National Academy. The new booklet released on June 6, 1960, by the Federal Bureau of Investigation, entitled "Cooperation—The Backbone of Effective Law Enforcement," describes the FBI Academy located at the Marine Corps Schools, Quantico, Va., which is used for training both FBI agents and police officers, as follows:

The FBI National Academy, established in 1935, often is referred to as "The West Point of Law Enforcement." Its purpose is to reduce crime by teaching the most effective methods of combating it and by acquainting law enforcement officers with new and improved techniques. This is accomplished by preparing selected career police officers to serve as instructors and administrators in their own departments.

Two sessions of the Academy, each attended by approximately 60 men, are held every year. The FBI selects those who will attend from men nominated by the heads of their respective departments, and each officer must meet specific requirements in order to be considered. An intensive 12-week course of instruction is offered. There is no charge either to the individual officer or to the department he represents for this schooling, and FBI facilities, including the laboratory, gymnasiums, classrooms, firearms ranges, and training and identification equipment are shared with National Academy students.

More than 3,800 officers have been graduated from the National Academy. Of those still active in law enforcement, 28 percent hold the position of executive head of their respective agencies.

The resolution adopted by the Pennsylvania chapter of the FBI National Academy Associates is as follows:

Whereas July 29, 1960, marks the 25th anniversary of the FBI National Academy;

Whereas we, as graduates of the same, consider it to be one of the foremost forces in the establishment of law enforcement as a profession;

Whereas we are sincerely appreciative of the outstanding training, high prestige, and beneficial associations we have secured through attendance at the Academy:

Therefore, it is deemed most appropriate and timely that the Pennsylvania Chapter of the FBI National Academy Associates laud and pay well-deserved tribute to J. Edgar Hoover, Director of the FBI, for his foresight, sagacity, and outstanding administrative ability, so ably demonstrated in the founding of the Academy, and for the 25 years in which he has been a guiding force in accomplishing the intentions for which the FBI National Academy was created: Now, therefore, be it

*Resolved,* That on this day we wish to reaffirm our dedication to the ethics and pur-

poses of our profession and to pledge our continued cooperation and support of those principles for which the Academy was founded, namely, the training of police officers as instructors and executives in the profession of law enforcement;

Furthermore, it is directed that our secretary forward a copy of this resolution to William P. Rogers, Attorney General of the United States, and to John Edgar Hoover, Director of the Federal Bureau of Investigation.

## GROWTH OF URBAN AREAS

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HALPERN] may extend his remarks in the body of the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HALPERN. Mr. Speaker, one of the more serious challenges to the Nation is the uncontrolled growth of our great urban areas. About 85 percent of all Americans live entirely within or on the fringes of our cities. Inadequate urban planning in the past has left us with a residue of problems ranging from slums to outdated mass-transportation facilities.

Many of us are deeply concerned with the lack of coordinated guidance to what is actually a national problem. Some of us, including myself, have introduced bills to establish a Department of Housing and Urban Affairs in the Federal Government which could provide leadership to all levels of government in a total attack on the problems of urbanization.

On June 12, our distinguished junior Senator from New York, Senator KEATING, delivered an excellent, thought-provoking address on this subject in Boston before the National Society of Professional Engineers. Senator KEATING's bill to create such a Department was, I am pleased to say, recently reported out by the Senate Banking and Currency Committee—S. 3292.

Because this is a national problem—

The Senator stated—

it calls for a national solution.

The attack cannot be sporadic on the regional, State, or local level. It must be total. It must be a grand design. It must be given the stature and direction of a Cabinet responsibility.

The Department of Agriculture—

He said—

was founded at a time when 80 percent of the Nation's population lived on farms. Today, with that situation literally reversed, in terms of urban population, it seems to me that the time has come for the establishment, in our executive branch, of a new, cabinet-level department especially created and empowered to deal with the problems of expanding population.

Such a Department, he pointed out, could be viewed "as a means of assuring that the cities get a fair share of the substantial funds now being spent on housing, highway and similar problems. In close cooperation with State and local government, it could develop national programs for combating smog, slums, and traffic snarls just as the Department of Agriculture has developed programs to combat drought, soil erosion and depressed farm income."

It is time, Mr. Speaker, that the House bestirred itself on the need to meet this direct challenge to the orderly development of our cities. A Department of Housing and Urban Affairs is more than just a subject for contemplation, it is a necessity. I appeal for consideration of the problem by the House and for the enactment of legislation which would provide for the responsible representation of urban matters in the Cabinet.

In this connection, Mr. Speaker, under unanimous consent, I include at the conclusion of my remarks the outstanding address on this subject by Senator KEATING, as follows:

Mr. Chairman, members of the National Society of Professional Engineers, it is a heartfelt pleasure for me to be here with you tonight, and to participate in this important meeting.

Tonight I should like to discuss with you the implication of one of the great social phenomena of this century—the unparalleled trend towards urbanization in America. We are all aware of an accelerated population movement from rural to urban areas, but the extent of the migration is not fully appreciated until we are confronted by the cold statistics of this mass displacement. Today 85 percent of Americans are city-dwellers, living either in cities or in the sprawling urban peripheries that have given rise to such a new designation as greater New York, greater Boston, or greater Philadelphia.

What has happened is simple to state, but it is born of a host of social and economic complexities. In our grandfather's day, the farmer hitched up and went to town on market day. In our day, he drives to town—and stays there. Mechanization of farms, consolidation of acreage, and big business marketing methods—have resulted in a massive reduction in farm population. Concurrently, the pressures, economic, social, psychological that urge men from the field to the city have been intensified as the industrial age increases its opportunities and its lures.

I think it is fair to state that the shifting of the population balance from farm to city has caught us all by surprise. Certainly, it is a phenomenon we continue to stare at, mesmerized by its magnitude, rather than to accept its implications and act vigorously upon them.

In a sense, one might say that the city is the little boy that suddenly grew up. His suit no longer fits him. It's bursting at every seam. He has put on weight, he has put on muscle, and he needs to be completely re-tailored, readjusted to the new and different world in which he lives.

I submit to you that the time for such retailoring is now. The problem grows as we continue to stare at it, and it's time we begin to cut our cloth and study our designs for a blueprint of the cities of tomorrow, not of yesterday.

It is, of course, true, that those closest to the problem have often appeared to ignore it, as though it were something that might go away if left alone. In far too many metropolitan areas there have been sins of omission and commission which have speeded the onset of urban decay and self-strangulation.

This log jam of neglect and out-dated thinking must be broken. We need to develop a fresh, creative attitude about the kind of city planning that responds to the needs of the times. There is much talk of the modern "design for living"—but the designers seem more concerned with the fragments than with the whole. Sometimes I think we are plagued by a split-level mentality. Our homes are geared for the present. Our cities are geared for the past.

Our vocabulary is full of new words—urbanite, suburbanite, exurbanite, but our planning is tethered to the hitching post of horse-and-buggy days.

What we need is to initiate a bold and imaginative change in our whole concept of the demands of this new urban age. Only in this way will we be able to cope with the task of making our cities more liveable and of insuring their social and economic viability.

Last January, in his State of the Union Message, President Eisenhower drew attention to the explosive growth of our metropolitan areas. He cited the fact that by 1975 those areas will occupy twice the territory they do today. In my opinion, the fact of the President's underscoring of this vital problem augurs well for the prospect of his executive approval of the idea of a Department of Urbiculture.

Clearly, the crises which face all major cities today are of vast dimensions. They range from slums to juvenile delinquency, from crime problems to financing problems, from water and air pollution to the need for additional parking and recreation areas.

As you are aware, the Federal Government has already come to the assistance of our municipalities by means of a variety of important programs. This help is provided notably in the field of housing, but grants are being made also for urban and metropolitan planning, and public works projects are an integral part of Federal aid to communities.

Because this is a national problem, it calls for a national solution. The attack cannot be sporadic, on the regional, State, or local level. It must be total. It must be a grand design. It must be given the stature and the direction of a cabinet responsibility.

The Department of Agriculture was founded at a time when 80 percent of the Nation's population lived on farms. Today, with that situation literally reversed, in terms of urban population, it seems to me that the time has come for the establishment, in our executive branch, of a new, Cabinet-level Department especially created and empowered to deal with the problems of expanding urbanization.

To that end, I have formally placed before the Senate a bill authorizing the creation of a Department of Urbiculture in the Executive Branch of our Government. I intend to push it as strongly as I possibly can.

This projected Department could center attention on the many unique city and suburban problems of national scope and importance. It would allow the coordination of numerous existing Federal programs directed at the metropolitan areas of the country. It would promote consideration of the interests of the Nation's city dwellers at the highest levels of Government.

I look to a Department of Urbiculture as a means of assuring that the cities get a fair share of the substantial Federal funds now being spent on housing, highway, and similar programs. In close cooperation with State and local governments, it could develop national programs for combating smog, slums, and traffic snarls just as the Department of Agriculture has developed programs to combat drought, soil erosion, and depressed farm income.

I should like to emphasize that this Department would not seek out new means for Federal interference in urban affairs.

Its prime and constant function would be the task of providing guidelines, advice, programing and planning assistance, and overall cooperation and coordination intended

to assist our cities and localities in solving their own problems. In a word, the proposed Department of Urbiculture would subscribe fully to the philosophy that the best answers to the problems of the people lie as close as possible to the people themselves.

Already a first beginning has been made by official recognition of the need for action.

On September 10, of last year, the proposal for a Study Commission on Metropolitan Problems passed the Senate. It is presently under consideration in the House.

Wherever Americans live, the city is the very heartbeat of their social and economic lives. To the extent that any city is made a better, healthier, more productive place in which to live and raise one's family, the whole of our Nation is the benefactor. Conversely, inadequate urban planning, or no planning at all, robs the present of its opportunities and robs the future of its rightful heritage.

Surely no one group is more aware than you engineers are of the extent to which physical conditions constitute either the shaping forces of growth or the eroding forces of decay in our urban communities. A healthy, vigorous urban climate is the atmosphere of dynamism and prosperity. A climate choked by the weeds of neglect, of backwardness, of civic apathy, is not the garden where progress grows. It's all dressed up to be a graveyard—for opportunities that die a premature death.

The time is past when we can stand by in bemused fashion and watch the malady of our cities spread. This is not a remote challenge. It is a challenge of today—a challenge that confronts us wherever we turn. Let us meet it in the only way it can be met—with courage. And let us beat it in the only way it can be beaten—with action.

The entire problem is a challenge to all of us as Americans, but it represents a special and provocative challenge to you and to the members of your profession throughout the Nation. The modernization of our city agglomerations is not a mere matter of spending money. It is, above all, an exercise in imagination, in vision—a projection of trained minds beyond the doorway of the present into the vistas of the future. Only the gifted and dynamic forces of your intellects and talents can create the physical America-to-be—can untether us from the past and build the setting proper to a new, expanding and evolving national life.

In this exploding new era, we must look to men equipped to handle the kind of urban explosions that challenge us—that cry for attention and solution.

As engineers, you are, in the truest sense, shapers of history. No one group of professional men has changed the economic and social fabric of our Nation to the extent that you have. The creative work of your minds is the yeast of ferment that has transformed, remolded, revolutionized the daily lives of millions of people. You have brought the gifts of work, of achievement, of opportunity, of happiness, to an entire population.

This tremendous influence of your imagination, your discoveries, your amelioration of conditions of life must be more than a source of gratification to you. It must carry with it, as well, a sense of the responsibility that develops upon you, precisely because of the magnitude of your influence.

In this connection, I am referring to the added responsibility of your role in the direction—the political direction— of the Nation whose pattern of life you have been so instrumental in creating and developing. Government must not be conceived as incidental in your careers—as a kind of fringe interest that commands your attention periodically. Good government—effective government, the best possible government, must be a constant preoccupation of men like yourselves. It must be conceived by you—not as an automatic democratic process that will run forever with the occasional oiling of new ideas and new approaches—but as a living democratic process that has to be nurtured, enriched, improved, if its full benefits and blessings are to be assured to the people.

For this reason, I would urge an intensification of your personal interest in the political life of your community and of your Nation. Do not isolate yourself from the forces that determine the course of history, be it local history or natural history. Cultivate an interest in the issues, in the candidates, in the platforms that are placed before your minds, that compete for your favor. Accord them the personal commitment of time and analysis that they deserve. Remain immersed in, rather than isolated from, the stream of history that must affect so many lives, not the least of all your own.

To the extent that we Americans consider politics as a kind of occult science, with participation of a limited number of practioners, we miss the whole point of true democracy.

---

## DETERMINATION OF STOCKOWNERSHIP OF PERSONAL HOLDING COMPANIES

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. KING] may extend his remarks at this point in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. KING of California. Mr. Speaker, on June 16 I introduced H.R. 12691, a bill relating to the determination of stockownership of personal holding companies.

The following statement is to briefly outline the purpose of the legislation.

ATTRIBUTION OF STOCKOWNERSHIP FOR PERSONAL HOLDING COMPANY PURPOSES

A corporation cannot be classified as a personal holding company under the Federal tax laws unless more than half its stock is owned by five or fewer individuals. The Internal Revenue Code, at section 544(a)(1), provides that stock owned by a trust or estate "shall be considered as being owned proportionately by its beneficiaries."

This amendment clarifies this rule by providing specifically, as was originally intended, that the ownership be divided among the beneficiaries of the trust or estate in proportion to their actuarial interests.

The amendment is necessary at this time because of recent indications that the Internal Revenue Service may attempt to attribute the entire value of trust stock to the income beneficiary—even though the actuarial value of the interest of the remainder beneficiary was as great or greater than that of the income beneficiary. This attempt may be based on statements in a 1943 opinion of the Tax Court—Steuben Securities Corp. (1 T.C. 395)—which go beyond the issue submitted to the court in that case, and on a Service ruling under the stock option provisions of the code—Revenue Ruling 58-325—which was itself based on the same statements in the Tax Court opinion. These statements were rejected in a subsequent decision of a U.S. court of appeals—*Phinney* v. *Tuboscope Co.* (268 F. (2d) 233)—and are clearly contrary to the intent of the Congress.

In providing that ownership be proportioned among beneficiaries, it was certainly never intended to exclude beneficiaries holding remainder interests. An apportionment in such cases on the basis of an actuarial determination obviously reaches the proper result, and is in accord with the principle followed for determining ownership under other provisions of the code.

Being of a clarifying nature, the amendment is made applicable from the effective date of the 1954 Code.

---

## DISCLOSURE OF COUNTERPART EXPENDITURES

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. REUSS. Mr. Speaker, the other body last night added to the legislative appropriation bill, 1961—H.R. 12232—an amendment requiring the public accounting of counterpart expenditures of Members and employees of either body. The amendment was adopted by a rollcall vote of 56 to 31. The entire bill, as amended, passed by a rollcall vote of 81 to 0.

The amendment is substantially identical with measures offered by myself and by other Members of this body over the last 4 years designed to bring about public accounting of congressional foreign travel expenditures.

Recent press stories have complained of alleged abuses in congressional travel acounting. I have great confidence in the integrity of the Members of this body. In my opinion, the best way of vindicating that integrity is to make full and straightforward disclosures of travel expenditures. This House has rightfully opposed secrecy in the executive branch of the Government. Secrecy should likewise have no place in congressional travel expenditures.

Accordingly, Mr. Speaker, I hope that the conferees on the part of this body will go along with the amendment made by the other body. If they do, I am confident that the House will approve the bill, containing the counterpart reporting provision, just as unanimously as did the other body.

News accounts of last night's amendment report that "the Senate put the House on the spot." We can get off the spot readily and with dignity by accepting the amendment.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOGAN (at the request of Mr. ALBERT), for today, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FLOOD, for 1 hour, on Thursday.

Mr. RHODES of Pennsylvania, for 60 minutes, on Friday, June 24, and 60 minutes, on Tuesday, June 28.

Mr. MACHROWICZ, for 60 minutes, on Monday, June 27.

Mr. PUCINSKI, for 10 minutes, today.

Mr. BYRNE of Pennsylvania, for 10 minutes, today.

Mr. BROCK, for 10 minutes, tomorrow.

Mr. SCHWENGEL (at the request of Mr. CHAMBERLAIN), on June 22, for 30 minutes.

Mr. BRAY (at the request of Mr. CHAMBERLAIN), on June 29, for 15 minutes.

Mr. CHAMBERLAIN, on June 24, for 30 minutes.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. METCALF.

Mr. BOLAND and to include extraneous matter.

Mr. FEIGHAN in two instances and to include extraneous matter.

Mr. LINDSAY and to include extraneous matter.

(At the request of Mr. CHAMBERLAIN, and to include extraneous matter, the following:)

Mr. CUNNINGHAM.

Mr. SCHERER.

Mrs. DWYER.

(At the request of Mr. JOHNSON of Colorado, the following Member was granted permission to revise and extend his remarks in the CONGRESSIONAL RECORD and to include extraneous matter.

Mr. ANFUSO in two instances.

## ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1543. An act for the relief of Angela D'Agata Nicolosi;

H.R. 2007. An act for the relief of May Hourani;

H.R. 3242. An act for the relief of Mrs. Virginia Lee Sage;

H.R. 5530. An act for the relief of Lelia Bernstorff Grauert;

H.R. 5738. An act to authorize the Secretary of the Army to transfer to the Waukegan Port District the commitment of the city of Waukegan, Ill., to maintain a public wharf in Waukegan Harbor on land conveyed to the city in 1914, and for other purposes;

H.R. 5850. An act for the relief of the Borough of Ford City, Pa.;

H.R. 6149. An act for the relief of Wesley C. Newcomb;

H.R. 6456. An act concerning payment of debts out of compensation for trust land on the Lower Brule Sioux Reservation taken by the United States;

H.R. 6498. An act concerning payment of debts out of compensation for trust land in the Standing Rock Sioux Reservation taken by the United States;

H.R. 6529. An act concerning payment of debts out of compensation for trust land on the Crow Creek Sioux Reservation taken by the United States;

H.R. 7480. An act to amend the Federal Food, Drug, and Cosmetic Act, with respect to label declaration of the use of pesticide chemicals on raw agricultural commodities which are the produce of the soil;

H.R. 7847. An act to make the uniform law relating to the record on review of agency orders (Public Law 85-701) applicable to the judicial review of orders issued under the Federal Aviation Act of 1958 and the Food Additives Amendment of 1958;

H.R. 8457. An act for the relief of Richard Schoenfelder and Lidwina S. Wagner;

H.R. 9028. An act to provide that certain funds shall be paid to the Kickapoo Tribal Council of Oklahoma;

H.R. 9226. An act for the relief of Pietro Mela;

H.R. 9652. An act for the relief of Lt. Col. Alonzo C. Tenney;

H.R. 10631. An act for the relief of George T. Moore, Carl D. Berry, and Dr. Harold J. Heck;

H.R. 10639. An act to amend section 3(b) of the act of May 9, 1958 (72 Stat. 105) relating to the preparation of a roll of the members of the Otoe and Missouria Tribe and to per capita distribution of judgment funds;

H.R. 10840. An act to amend Public Law 85-626 relating to dual rate contract agreement;

H.R. 11161. An act to donate to the pueblos of Zia and Jemez a tract of land on the Ojo del Esperitu Santo grant, New Mexico;

H.R. 11615. An act to amend section 4 of the Watershed Protection and Flood Control Act;

H.R. 11706. An act to authorize an extension of time for final proof under the desert land laws under certain conditions;

H.R. 11952. An act to repeal the act of May 29, 1958, which authorized and directed the Administrator of General Services to provide for the release of restrictions and reservations contained in an instrument conveying certain land by the United States to the State of Wisconsin;

H.R. 11985. An act to make American nationals eligible for scholarships and fellowships authorized by the National Science Foundation Act of 1950;

H.R. 12115. An act to extend the minimum national marketing quota for extra-long staple cotton to the 1961 crop; and

H.J. Res. 696. Joint resolution to provide for the designation of the month of September 1960, as "National Wool Month."

## ADJOURNMENT

Mr. JOHNSON of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 22, 1960, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2280. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to make nationals, American and foreign, eligible for certain scholarships under the Surplus Property Act of 1944, as amended"; to the Committee on Government Operations.

2281. A letter from the Assistant Secretary of the Interior, relative to drainage works and minor construction, and submitting a draft of contract relating to proposed drainage work exceeding a total cost of $200,000 on the Wellton-Mohawk Division, Gila project, Arizona, pursuant to the act of June 13, 1956 (70 Stat. 274); to the Committee on Interior and Insular Affairs.

2282. A letter from the Assistant Secretary of the Interior, transmitting for approval drafts of contracts covering drainage works and minor construction required for completion of the drainage construction program on the Roza Division of the Yakima project, Washington; to the Committee on Interior and Insular Affairs.

2283. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 27, 1960, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control and interim hurricane survey of the south shore of Long Island from Fire Island Inlet to Montauk Point, N.Y., authorized by section 2 of Public Law 520, 71st Congress, approved July 3, 1930, as amended and supplemented, and Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 425); to the Committee on Public Works and ordered to be printed with six illustrations.

2284. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 1, 1960, submitting a report, together with accompanying papers and an illustration, on a review of reports on Vermilion River and tributaries, South Dakota, requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted on February 29, 1956 and June 13, 1956 (H. Doc. No. 426); to the Committee on Public Works and ordered to be printed with one illustration.

2285. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 27, 1960, submitting a report, together with accompanying papers and an illustration, on an interim report on Texas City Channel, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 21, 1960 (H. Doc. No. 427); to the Committee on Public Works and ordered to be printed with one illustration.

2286. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 1, 1960, submitting a report, together with accompanying papers and an illustration, on a review of reports on Brazos Island Harbor, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted on July 29, 1955 (H. Doc. No. 428); to the Committee on Public Works and ordered to be printed with one illustration.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. H.R. 7209. A bill to amend the Immigration and Nationality Act to accord Korean war veterans equal naturalization privileges, and to authorize the Attorney General to admit certain aliens who have served in the Armed Forces of the United States for a period aggregating 5 years as permanent residents; with amendment (Rept. No. 1925). Referred to the Committee of the Whole House on the State of the Union.

Mr. PORTER: Committee on Post Office and Civil Service. H.R. 8424. A bill to amend section 505 of the Classification Act of 1949 with respect to positions in the Library of Congress; without amendment (Rept. No. 1926). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1927. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. LANE: Committee on the Judiciary. H.R. 5435. A bill to extend the Federal Tort Claims Act to members of the National Guard when engaged in training or duty under Federal law, and for other purposes; with amendment (Rept. No. 1928). Referred to the Committee of the Whole House on the State of the Union.

Mrs. GRANAHAN: Committee on Post Office and Civil Service. H.R. 12595. A bill to clarify the law with respect to transportation of airmail, and for other purposes; with amendment (Rept. No. 1929). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Georgia: Committee on Post Office and Civil Service. S. 2575. An act to provide a health benefits program for certain retired employees of the Government; with amendment (Rept. No. 1930). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSEN of Minnesota:

H.R. 12741. A bill to provide a reduced third-class (bulk) mail rate for local mailings of small business; to the Committee on Post Office and Civil Service.

By Mr. BOGGS:

H.R. 12742. A bill to amend the definition of a small business corporation for purposes of subchapter S of chapter 1 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 12743. A bill to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. DOWDY (by request):

H.R. 12744. A bill to repeal the provisions of the Reorganization Plan No. 5 of 1952 relating to the Real Estate Commission of the District of Columbia; to the Committee on the District of Columbia.

By Mrs. DWYER:

H.R. 12745. 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.

H.R. 12746. A bill relating to the reporting by Members of the House of Representatives of expenditures from the contingent fund of the House of Representatives and of expenditures of counterpart funds by Members of Congress; to the Committee on House Administration.

By Mr. FOLEY:

H.R. 12747. A bill to increase the salaries of assistant U.S. attorneys and certain other attorneys appointed by the Attorney General; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 12748. A bill to authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States to the District of Columbia Redevelopment Land Agency title to certain real property in said District; to the Committee on the District of Columbia.

By Mr. PUCINSKI:

H.R. 12749. A bill to authorize the issuance of savings bonus bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 12750. A bill to authorize an appropriation for the special milk program for children for the fiscal years 1962 and 1963; to the Committee on Agriculture.

By Mr. TEAGUE of Texas:

H.R. 12751. A bill to amend chapter 11 of title 38, United States Code, to provide that certain medical questions involved in veterans' claims shall be referred to medical panels appointed by the Director of the National Institutes of Health; to the Committee on Veterans' Affairs.

By Mr. VAN PELT:

H.R. 12752. A bill to amend section 1478, title 10, United States Code; to the Committee on Armed Services.

By Mr. WALTER:

H.R. 12753. A bill to amend the Subversive Activities Control Act of 1950 so as to require the registration of certain additional persons disseminating political propaganda within the United States as agents of a foreign principal, and for other purposes; to the Committee on Un-American Activities.

By Mr. BURKE of Massachusetts:

H.R. 12754. A bill to relieve certain members of the Armed Forces from liability to repay to the United States certain payments erroneously made to them; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 12755. A bill to amend section 960 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 12756. A bill to amend the Tariff Act of 1930 as it relates to clinical thermometers; to the Committee on Ways and Means.

By Mr. OLIVER:

H.R. 12757. A bill to provide for the humane treatment of animals used in experiment and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILBIN:

H.R. 12758. A bill to amend the Internal Revenue Code of 1954 so as to permit certain tax-exempt organizations to engage in certain activities for the purpose of influencing legislation directly relevant to the purposes which qualify such organizations for tax exemption, without losing certain benefits under that code; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 12759. A bill to amend title V of the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. BECKWORTH:

H.R. 12760. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 12761. A bill to provide for the bonding of persons engaging in the repair, remodeling, alteration, conversion, or modernization of residential property; to impose limitations on the assertion of mechanics' liens where payment has been made for work in connection with the repair, remodeling, alteration, conversion, or modernization of residential property, and for other purposes; to the Committee on the District of Columbia.

By Mr. TEAGUE of Texas:

H.J. Res. 767. Joint resolution providing for a study by the Veterans' Administration into the problems of veterans who are elderly, chronically ill, or otherwise handicapped, and providing for the establishment of a pilot project of assistance to veterans' organizations operating convalescent centers for disabled veterans, to gain experience in the practicability of such a program; to the Committee on Veterans' Affairs.

By Mr. LESINSKI:

H. Con Res. 703. Concurrent resolution to authorize printing as a House document "Volume 1: Number of Inhabitants of the 1960 Census of Population"; and providing for additional copies; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 12762. A bill for the relief of Dr. John M. Zytkiewicz; to the Committee on the Judiciary.

By Mr. BURKE of Kentucky:

H.R. 12763. A bill for the relief of Harry Zegart; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 12764. A bill for the relief of John L. Afros; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.R. 12765. A bill for the relief of Marie Silva Arruda; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 12766. A bill for the relief of Turenne Jean; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 12767. A bill to provide tax relief for certain pension and annuity funds and the contributors thereto; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 12768. A bill for the relief of Ki Su Moun; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause I of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

502. By Mr. CHIPERFIELD: Petition of citizens of Rock Island, Ill., area in favor of H.R. 1354; to the Committee on Interstate and Foreign Commerce.

503. By the SPEAKER: Petition of Roy Bateman, city secretary, Fort Worth, Tex., with reference to enacting legislation repealing the special excise taxes on the transportation of passengers; to the Committee on Ways and Means.

# EXTENSIONS OF REMARKS

## The Failure of Our Foreign Policy

EXTENSION OF REMARKS

OF

### HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. ANFUSO. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address which I delivered at the opening session of the 14th biennial convention of the Affiliated Young Democrats of the State of New York on Friday, June 17, 1960, at the Hotel Piccadilly in New York City:

Mr. Chairman, my good friends of the Affiliated Young Democrats, ladies and gentlemen, it is a pleasure to be back with you again. I appreciate very much the invitation of my dear friend and your very able State president, Harold Moskovit, to participate in this opening session of your 14th State convention. May I take this opportunity to extend to you my best wishes for a most successful convention.

Nineteen hundred and sixty is a most important political year for us Democrats. This could very well be a year of great victory, if we show the necessary courage and bring the true facts to the American people. It could be a year of great disaster, for America as well as for our party, if we should nominate the wrong candidate. Knowing you as I do, I feel that I can speak my mind.

For the next 5 months, until election day, you and I are going to be very busy people. It will be our job to help clear up the confusion and the smokescreen of the Republican apologists, who will seek to explain away the mistakes of this Republican Administration with the aid of Madison Avenue tactics and unlimited funds.

And while I am on this subject, may I say that I am strongly opposed to Madison Avenue technique, regardless of which party indulges in it, when it comes to nominating and electing a President of the United States. We are not trying to sell a piece of soap or a brassiere which would make all women look like Miss America. We are endeavoring to sell a man with all of the virtues and shortcomings of a human being, except that he must be the best man this country has to offer for its highest position of leadership.

Time was when we would search for that kind of a man in every nook and corner of the land. He did not have to be rich or have a wide TV grin. You and I know that an Abe Lincoln could not have run for the Presidency in this day and age for the simple reason that he couldn't afford to pay for the television and radio time and the newspaper publicity. Is this good for America? Are we getting the best man in public office? Think about it, if you please.

What are some of the major issues of the day which demand that we nominate and elect, not the richest man or the one with the most charming smile, but the best man that America has to offer at this crucial time?

Take the international situation, for example, which involves such problems as peace or war, the security of our country, and our very survival in the future. When you try to engage the average citizen in a discussion of foreign policy, he will usually shrug you off. It is too technical for him. It is something which is out of his realm of interest, something remote and unreal. But ask the same person whether he would like to see another world war prevented, or whether he would rather see his children marching off to war, his country attacked, his city bombed and destroyed, his whole life disrupted—and he will react promptly and with utmost interest.

It is clear, therefore, that when it comes to foreign policy we need a man of proven ability, one who has demonstrated responsible leadership, if we are to survive as a free nation and as a world power. I cannot emphasize this too strongly for you.

We must remember at all times that we are dealing with the most cagey, the shrewdest, the most unorthodox enemy in all history, who utilizes every phase of human activity in the process to bring us to our knees—political, economic, psychological, technological, cultural, and at the opportune moment also military. A struggle of this type, whether you call it "cold war," "protracted conflict," or by any other name, can be very quickly lost if we are unaware of the tactics of the enemy, or if we refuse to recognize that we are in the midst of a desperate struggle for survival.

Just to show you what kind of an enemy we are dealing with, I want to quote to you from a brochure which recently came to my attention, where the basic guidelines for the Communist conflict against us are stated as follows:

1. Knock off your enemies one by one, as they become exposed.
2. Keep the enemy off balance.
3. Sap the enemy's will to resist.
4. Avoid a frontal assault, a knockout punch, until such time that it can succeed without powerful retaliation.
5. Divide the battlefield into a peace zone and a war zone. Whatever the Soviet Union does comes within the realm of the peace zone; whatever the United States does comes within the realm of the war zone, because the United States represents "warmongering imperialism."

This is not a new concept. It is new to us, but actually it is an old oriental concept which has been practiced in the past by both China and Russia. In fact, it was an old Chinese militarist named Sun Tzu, who wrote some 2,500 years ago:

"To fight and conquer in all your battles is not supreme excellence; supreme excellence consists in breaking the enemy's resistance without fighting."

And that is exactly what communism is trying to accomplish: To break our resistance without fighting. It is using every possible means—diplomatic pressure, economic competition, scientific achievements, propaganda, culture, education, and other ways—to convince us that we are inferior, that our tactics are stupid, that we are doomed, that we should give up the struggle before we start.

Unfortunately, the leadership this Nation has been given during these past seven and a half years has been anything but inspiring and mature, anything but virtuous and honorable, and very often anything but the truth.

The damage done to our prestige abroad is quite evident to all by now. Under the Democratic administrations of Franklin D. Roosevelt and Harry S. Truman we enjoyed the trust and cooperation of many nations. They were our willing allies in war and peace. They were our dependable friends in the international councils. I leave it to you to make your own comparison of the situation today, where nations all over Asia, Africa, Latin America and elsewhere jeer at us, berate us, condemn us at the least provocation, show disrespect to our highest officials and our flag. Never in my life do I recall witnessing such a "hate America" campaign as exists today throughout the world. I am not going to try to explain it, I am merely citing a fact—no matter how much it hurts.

Who is to blame? Is it President Eisenhower? No. He was a very capable general and a great war hero, but he allowed himself to be captured by the Old Guard Republicans—as the next Republican Presidential nominee is sure to be. You know what the policy of the Old Guard has always been: Prosperity at any price; business as usual; get rich quick; and the public be damned.

What bothers me today is the irrefutable fact that this great land of ours is in mortal danger, our very survival as a free Nation is at stake. There have been many warnings, including some from Republican ranks, but the top men of this administration profess not to see any such danger.

To my mind, the most critical indictment of the present administration is the fact that it has failed to ask Congress for sufficient ballistic missiles and manned aircraft to close the growing deterrent gap relative to Soviet Russia in the area of massive weapon systems. Mr. Khrushchev would not be talking as tough as he now does, if we were as strong as we should be.

It is my view that, at this very moment, we are losing world war III for a number of reasons. Let me mention a few of these reasons: lack of a sufficient and timely intercontinental ballistic missile (ICBM) program; lack of proper defense against a submarine attack; lack of an adequate civil defense program; lack of a weapons program and policy to deter limited aggression; lack of an adequate space program; and, finally, lack of recognition that we are, and for a long time have been, actually engaged in world war III.

I know this to be a fact because, as a member of the House Committee on Science and Astronautics, I have learned in these past 2 years that modern weaponry, in the hands of the Soviet Union, can be assumed to have reached a qualitative and quantitative point at which our incalculable power to destroy an aggressor can probably itself be destroyed now in the matter of minutes.

Let me try to make this thought a little clearer. It is by this time a matter of common knowledge that a revolution in the development of arms has taken place on both sides of the Iron Curtain over the past decade. We speak of the most fantastic weapons, but let us not forget for a single moment that the Russians have such weapons, too. We have no monopoly in this field.

The most amazing thing about it is that this revolution in arms is not yet fully recognized or acknowledged at the policy-formulating levels of the present administration in Washington—but you can be sure that it is not only recognized by those who determine policy in the Kremlin, but it is being utilized for every possible advantage it can give the Russians.

I emphasize these things merely to point up the danger which America and the free world are facing. As we look back in retrospect of events in recent years, we must reach the conclusion that we need never have gotten into the position in which we find ourselves today. Certainly we had the

resources, the money, the scientists, and the manpower to have retained the supremacy that we enjoyed during and after World War II. But we have neglected to use all this to our advantage, because of the desire on the part of the Republican leadership to balance budgets, to economize on expenditures, and to play favoritism toward certain groups.

We are in this mess now because the Republican Party is, and always has been, the party of a single interest—the party of big business. The Democratic Party, on the contrary, has always represented the interests of all the people, of the entire Nation. The Republican Party was a bankrupt party 8 years ago—not financially—but bankrupt in ideas. It received a temporary respite because its ticket was headed by a national military hero, who first found it expedient to become a member of the Republican Party after he had retired from the Army and had become a candidate for public office.

In conclusion, I wish to State my opinion that the failure of the summit conference, the increased tensions and demonstrations against the United States in other countries, plus the inability of Japan to guarantee the safety of a President of the United States, mark a complete failure of the present administration's foreign policy. This, in itself, calls for a change in administration.

Yet, I must warn you that we can lose the election next November 8 if we permit Madison Avenue tactics to prevail. The people of America and of the free world will be the losers if the nominee of the Democratic Party is picked by the same pressure methods as those used by the Republican Party in foreclosing a convention fight.

We must allow a free choice to be made at the Democratic Convention. All the candidates must have a chance to be heard and to state their views on the major issues, so that the American people may have all the facts. Unless we do this, the people will not have much to choose from in the election.

---

## Address of Hon. Michael A. Feighan of Ohio, Before the Donauschwaben Society of the United States

EXTENSION OF REMARKS

OF

### HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. FEIGHAN. Mr. Speaker, on Sunday, June 12, 1960, the Donauschwaben Society of the United States held its annual meeting in Cleveland, Ohio. The Donauschwaben people were among the many who were dispossessed and pauperized by the Russian Communists during and immediately following World War II. Many of these victims of Red tyranny have come to our shores and here they have built a new life in freedom for themselves and for their families. A deeply religious and hard-working people, they look to the United States to give vigorous leadership to the cause of justice as the key to a lasting peace.

Under leave obtained, I include in the RECORD my address "The Donauschwaben People Look for Justice":

I am happy to have this opportunity to attend this national meeting of the Donauschwaben (Dough-na-schwa-ben) and to say a few words of greeting. At the outset, I want to commend Reverend Sulzer for the wonderful work he has done and I am confident will continue to do, for the Donauschwaben people here in Cleveland. He deserves the grateful thanks of all present here for his untiring efforts and sacrifices in the cause. You have a fine man as president of the Cleveland chapter, Mr. Anton Rumpf, who is equally concerned with the future welfare of your people; good leadership is the requisite to happy results and I am sure you have enjoyed both.

It was some years ago that I became acquainted with the Donauschwaben people. The circumstances were not happy ones because it had to do with the expulsion of all people of German ethnic origin from the nations and territories occupied by the Red Army. As a member of the Judiciary Committee I made a number of official visits to Europe immediately following the war to study the plight of the homeless and dispossessed. I was concerned with all who were so stricken regardless of their ethnic origin or country of nationality. The magnitude of this problem in the years 1945 to 1948 was such as to cause some people to throw up their hands in despair. I was not among them. This, I felt, was the greatest of our immediate postwar problems because it involved millions of innocent people. A solution to this problem had to be found, a solution which met the requirements of justice.

Sufficient time has passed to permit an objective examination of the reasons which led the Russian Communists and their collaborators to expel the people of German ethnic origin from homelands they had enjoyed for centuries. I see these as the major reasons:

1. Most of these people were dedicated Christians, people who clung to their faith in the face of all odds. As such they would find all the works and demands of communism as repulsive, as something to be fought. This attitude would lead to resistance against the new order the Russians planned to impose upon the people. Thus, the Russians decided forced expulsion was in the interest of communism. This would mean fewer people to control and fewer problems for their police state methods.

2. Communist functionaries were demanding loot and reward for their collaboration with the Russians. By expropriating all the property held by the people of German ethnic origin and expelling them, the Russians would acquire a rich treasure of loot which they could share with their hired hands in the countries occupied by the Red Army. The record of performance tells us this is exactly what they did. But the record also tells us that many of those who collaborated with the Russians to share in this loot were later liquidated by the Russians—a just reward for their treasonable services.

3. The Russians were convinced that by throwing some 10 million homeless and pauperized people upon the war-torn economies of Germany and Austria they would create chaos and insoluble human problems—the grounds upon which the Communist vulture feeds. They believed the people of the Western world would lack the courage and spirit of sacrifice required to resolve this great human problem. But here they were wrong. We have reduced the size of the problem to manageable proportions, we have found new homelands for several millions of the dispossessed, we have provided economic programs for the assimilation of more millions of people in the Federal Republic of Germany, we have utterly defeated the hopes of the Russians for chaos and civil disorder on a scale which would make Communist takeover of Germany possible. What we have done has not fully compensated the individuals who were deprived of their rights, property, and heritage by these Russian expulsions but we have acted in the spirit of justice. Time and the scales of international justice, we know, will take care of the rest.

The United States became a haven for over 400 thousand of the dispossessed and homeless of all creeds, all nationalities and all ethnic origins. There were those who sought to exclude persons of German ethnic origin from the right to participate in our resettlement programs. They sought to blame the expellees for the crimes of the Nazis, being blind to the fact that the expellees were equal victims of tyranny and inhumanities, that they were human beings with the same problems, the same hopes and the same rights before God as all the rest of the displaced. Any effort to discriminate against people on the basis of their ethnic origin is completely un-American. That is why Congress provided opportunities for your people to come to America and here to build a new life in freedom. I have always been proud of the part I played in making this possible. My efforts have been amply rewarded by the fine record of achievement and good citizenship your people have made in this land of their adoption.

Let us look for a moment to the Russian problem in its broader context, in the context of their struggle for the world. All thinking people are concerned with the tensions which grip our international life. The Russians have created these tensions during the past 40 years of Communist conspiracy. Today they occupy and enslave more than a score of non-Russian nations with a total population of over 200 million people. They are attempting to put the entire world behind their Iron Curtain, to turn back the pages of history to the dark days of the Mongol khans. Seeing this in its reality has caused free men to unite, to prepare to meet the challenge, to turn back the Muscovite hordes.

The great question of our times is not summit conferences, it is not personal diplomacy. It is not peaceful coexistence. All these questions have been disposed of by the present administration in Washington. They have disposed of them by proving the utter futility of attempting to resolve the Russian problem by these methods. For this we give them credit, they have performed a useful service, they have proven that no administration can carry on negotiations with the Russians unless it is prepared to agree to concessions which will lead only to war or peaceful surrender.

The time has arrived to take the political offensive against the Russians. We must look forward to the peaceful dismemberment of the present-day Russian Empire—the source of all the world tensions. This can be done by the people of the captive, non-Russian nations if we will give them full moral and political support. There are only 70 million Russians in the U.S.S.R. To this we can add no more than a few thousand non-Russians who are fully collaborating with them in the preservation and extension of the empire. We have several hundred million non-Russian captives behind the Iron Curtain who want the United States and other free nations to collaborate with them in their fight against Russian imperial communism. It is foolhardy on our part to reject their pleas for assistance in destroying the menace which is attempting to destroy our free way of life. This is the only sure course to prevent war, the only road to peace with justice.

I do not believe it is too much for us to believe that the restoration of freedom and national independence to these captive nations will open the door for a just settlement of the injustices done the Donauschwaben people by the Russians and their communistic collaborators in those countries. We Americans believe in justice for all nations and people. This includes the just

claims of your people for the properties expropriated by the Russians who occupy these captive nations.

You have found the good life here in the United States of America. You have worked hard for the success you have attained. You have found a new happiness in all the opportunities our free way of life offers to all other people. You are proud of your heritage. You have preserved your culture and the historic aspirations of your people. This is a story of success. It is the American story. This is the story all of us seek to preserve and share with all the nations of the world.

## Accounting for Congressional Expenses

EXTENSION OF REMARKS

OF

### HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mrs. DWYER. Mr. Speaker, it is imperative, I believe, that the House take action prior to adjournment next month on legislation to establish a workable and effective system for the public accounting by Members of Congress of their expenditures of public funds.

Only in this way can we help erase the suspicion and cynicism among the people bred by reports of loose handling and inaccurate accounting of public moneys by Members of Congress. Only in this way can we help to restore the confidence of the people in the integrity of their elected representatives—a confidence that is essential to the proper functioning of free, representative government.

In order to encourage the earliest possible action by the House, I have introduced a comprehensive bill which I believe would establish the necessary procedures in the legislative accounting system of the House to assure full, frequent, and public understanding and control of House expenses.

Mr. Speaker, I know of no Member of Congress who has publicly objected to legislation of this kind or who has maintained that some kind of reform is unnecessary. On the contrary, there is general agreement that present accounting procedures are inadequate to protect the public interest. For these reasons, therefore, I urge the leadership of the House, on both sides, to make it possible for the House to act during this session on expense accounting legislation. Since the House Administration Committee is presently studying this matter, there seems to be no good reason why a bill cannot be reported in time for action this year.

The principal provisions of my bill, Mr. Speaker, are as follows:

No payment could be made from the contingent fund of the House except in accordance with regulations issued by the House Administration Committee and on vouchers approved by that committee.

All such vouchers approved for payment, together with supporting documentation, would be available for public inspection.

At least once every 6 months, the Comptroller General of the United States would audit all disbursements from the contingent fund and within 30 days after completion of the audit would report the results to the Speaker of the House and the House Administration Committee.

Within 30 days from their return from foreign travel, for the purpose of investigation, study, meetings, or conferences, each Member of the House and Senate would be required to file with the Senate Committee on Rules and Administration or the House Administration Committee a statement of expenses including: an accounting of foreign counterpart funds used for the Member's expenses, the number and identity of all persons in the party, and information concerning expenses, if any, paid for husbands or wives of Members from Government or counterpart funds and services, if any, performed by such persons for the Government.

At the beginning of each session of Congress, all such expense statements together with a detailed statement of the manner in which the contingent fund of the House has been expended during the preceding year would be printed as a House document.

Certain provisions of present law, including the "finality clause" which hold that payments approved by the House Administration Committee are conclusive on all departments and officers of the Government, would be repealed.

## H.R. 8860, A Bill To Stabilize the Mining of Lead and Zinc by Small Producers

EXTENSION OF REMARKS

OF

### HON. LEE METCALF

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. METCALF. Mr. Speaker, H.R. 8860, which I have cosponsored, would stabilize the mining of lead and zinc by small producers, conserve domestic reserves of lead and zinc, provide jobs for unemployed miners and payrolls for the depressed business communities which serve them.

The measure would authorize stabilization payments to domestic producers of lead and zinc. These payments would make up the difference between the stabilization price of 17 cents per pound for lead and 14½ cents a pound for zinc, and the price received by the producers in the open market. Payments would be limited to "small domestic producers," defined in the bill as those producing or selling up to 2,000 tons of lead and/or 2,000 tons of zinc in a 12-month period.

Current prices (13 cents for lead, 12 cents for zinc) are below the domestic cost of production.

As they have done previously, administration agencies are leading the opposition to this legislation, claiming, among other things, that the import quotas imposed late in 1958 are doing a job. Secretary of the Interior Seaton says the quotas "have already materially assisted in stabilizing the domestic lead and zinc industries." As far as the small miners are concerned, they have been stabilized right out of business.

In 1956, U.S. mine production of lead totaled 348,329 short tons, of which 18,610 came from Montana mines. In that same year, we imported 458,553 tons of lead. Preliminary figures for 1959 show that total domestic production fell to 253,260 only 7,520 tons of it mined in Montana. Imports totaled 410,954 tons.

For zinc, the picture is the same. In 1956, domestic mines produced 537,643 short tons, 71,865 of it mined in Montana, and we imported 770,775 tons. Last year, total domestic production fell to 416,965 short tons, of which only 27,560 tons was mined in Montana.

As you can see, foreign producers still dominate the market, as they have for at least 10 years. Imports of lead, 75 percent of U.S. production in 1951, rose to 91 percent in 1958. From 72 percent of U.S. production in 1952, imports of zinc increased to 119 percent in 1958. In the same period, domestic mine output of lead dropped 35 percent and that of zinc fell 37 percent.

In 1956, there were 696 individual mines in the United States producing lead and zinc. By 1958 this number had dropped to 447.

The decline in domestic production of ores and concentrates has brought a depression to our mining centers, among them Butte, Mont. Thousands of men have been laid off. When their unemployment compensation benefits were exhausted, they were forced to turn to welfare agencies. The loss of payrolls multiplied throughout the business community as merchants were forced to cut back in their operations.

Our domestic mining industry is basic in peace, vital in war. We cannot stockpile a mine for emergency use. When necessary daily maintenance ceases, shafts and tunnels shift or fill with water, gas creeps in, supports give way and roofs collapse, machinery deteriorates rapidly, and it may take years to get that mine back into production.

Maintenance of a healthy, active domestic mining industry is in the national interest. This bill would help.

## Pony Airlift

EXTENSION OF REMARKS

OF

### HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. CUNNINGHAM. Mr. Speaker, during the past several weeks a Subcommittee of the House Committee on Post Office and Civil Service has been busily engaged in examining the activities of the Post Office Department in the field of transporting 4-cent letter mail by air.

The Post Office Department has maintained that it is able to transport this

mail by air without paying any more in overall costs than is currently being paid for surface transportation. The Post Office Department is also making claims of drastic service improvements.

In its philately section on Sunday, June 19, the New York Times included an item on the Pony Express. The Times article explained how the Post Office Department has announced that it will not use jet airplanes to carry first day "Pony Express" covers westward from St. Joseph, Mo.

The Post Office Department said it has had to discard its plans because the flight schedule could not be worked out, and therefore first day covers from the respective points will be dispatched through ordinary mail channels. Many postal patrons feel that the schedules on transporting 4-cent letter mail by air have not been very well worked out and as a sponsor of a bill to eliminate the so-called airlift I feel that the Post Office Department has not worked out the necessary congressional authority to enable the operation to be continued.

Mr. Speaker, I am concerned over the way in which the Post Office Department has continued to expand its unauthorized transportation of 4-cent letter mail by air, even though the House Subcommittee on Appropriations has specifically asked that there be no extension and even thought the full Committee on Post Office and Civil Service has approved a bill directing that the operation be discontinued. The reported bill, H.R. 12595, should be approved swiftly on the floor of the House of Representatives and the Post Office Department should immediately take note of official expressed congressional displeasure and desist from any further experimentation with this type of mail transportation.

---

## Commencement Address by Senator Keating at Pace College

EXTENSION OF REMARKS

OF

### HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. LINDSAY. Mr. Speaker, I am pleased to insert in the CONGRESSIONAL RECORD an address by my colleague the Honorable KENNETH B. KEATING before the graduating class at Pace College, which awarded him an honorary doctor of civil law degree. The subject of Senator KEATING's remarks is timely and it is another indication of the distinction with which he serves New York.

The address follows:

I am indeed honored to be here with you today, and to have the opportunity to address you, on this day that means so much in your lives, this day that is at once an end and a beginning.

Many senior classes have gone out from your fine college in the past. None, I am certain, goes out into a world of greater ferment, of greater challenge, and, potentially, of greater opportunity. You do not embark upon a placid sea of history. The tides of change, of evolution, yes of transformation, are running high.

The world of your graduation is no longer the world of your matriculation at Pace. The pressures of events have reshaped it, literally before our eyes, in the immediate past. Yesterday is a land we shall never see again. We stand, all of us, at the threshold of a new and exciting tomorrow—a tomorrow that holds hope as well as danger—but whose immense challenge to the human mind, the human heart, and human energies is unparalleled in history.

The first graduates of Pace lived in the context of America, in the well-bounded confines of their chosen careers and surroundings. In a sense, they were hermetically sealed against pressures from beyond our shores.

It is your destiny, in this year of 1960, to live in the context of humanity, in a world where all men are your neighbors, where what happens anywhere is something that happens to you—that touches your life, that leaves its mark in your mind and in your heart.

Korea, Lebanon, West Berlin, Ghana, South Africa—these were once names to memorize in a geography lesson. Today they have become names that we live rather then learn—for they are a part of the fabric of the new history—the world-spanning history that leaves no man an island, no man a hermit.

One of the great challenges, therefore, that confronts you today is to equate yourself with this new-dimensional world, to widen the vistas of your intellect and your spirit in order to encompass the full range of the vast human experience in which you are now called upon to participate. Alexander Pope once wrote: "The proper study of mankind is man." Today, we can well paraphrase that historic line by saying that "the proper preoccupation of man is mankind."

Consider for a moment the tremendous phenomenon that is taking place in Africa. After centuries of being locked in the chrysalis of time—whole nations—millions of people—are emerging into the sunlight of a destiny of their own. And as they emerge, into freedom, into self-determination, they pose a challenge which each one of us, as brothers in freedom, must feel, to which we must respond.

It is heartening to know that the Government and people of the United States are, in fact, responding to this monumental challenge. Under our mutual security legislation, we now operate programs in 13 African nations and territories.

By June 30 of this year, we will have about 780 American technicians in all of Africa, and we expect to increase this number to 1,000 in the coming year. This is no more than a first step on the stairway out of darkness—for the challenge of Africa will be a continuing, an expanding one—and it must ever be considered by each of you as a personal challenge to free men. Africa is not remote. It is only a heartbeat away, on the map of humanity.

And no farther, too, are the lands of Asia, of the Far East, of South America—wherever the quest for human dignity, for self-realization, for lives unyoked to degradation or tyranny stirs men to make their own history rather than to have it made for them.

If the challenge presented to us by these emerging nations were confined to the purely economic realm of support and assistance, it would still be of awesome magnitude. But it is a challenge compounded and intensified—because the great drama of this emergence of new nations is being played against the ominous backdrop of a world struggle between freedom and tyranny.

This great silent struggle is precisely the effort on the one hand to extend the area of human freedom and on the other the effort to reduce that area. History shows us how fragile, how perishable a commodity freedom is. Nations once free are no longer free.

They have been manacled by tyranny—or their freedom has slowly, subtly been eaten away by the termite colony of infiltration and propaganda. In Cuba we have the chilling paradox of a nation that lost its freedom while ostensibly fighting for it—that threw one brutal master only to be mounted and ridden by another.

The great and overriding point to remember is that we are not mere spectators wherever freedom loses ground. We are involved — inescapably involved — because whenever and wherever in the world the enemy of freedom gains a yard, we are forced back a yard.

And here is the greatest challenge of all—not only because it is the supreme challenge in point of meaning for our lives—but because it is the easiest to avoid. We are prone to make the defense of freedom a vested interest of Government, rather than a personal and deeply felt responsibility of each of us as individuals. Do not, I pray you, catch this fatal disease of apathy. It does not become a young heart. It does not become a young intellect. For apathy is a way of dying, not a way of living—throughout history it has been the suicide weapon of men who mistook freedom for a jewel that could never be stolen.

Stop with me for a moment to reflect on how your freedom came about. You accept it as a birthright—but ponder on how it was born. You didn't have to lift a finger for it—because young men before you—from Lexington through the centuries—whole generations of men your age, yes and even younger—bought freedom with their blood, and left thousands of unlived years on the battlefields of the world—so that we, you and I, might meet here today as free men and women, unchained, unbowed, unmastered.

Thus, the defense of human freedom is more than a challenge to you. It is a sacred and unending responsibility.

We must not wait until it is in jeopardy, or lost, to discover how priceless a gift we hold. For when it is lost, it is the young people like yourselves who must win it back. The youth of Hungary had to meet that historic test—and they met it with a heroism so magnificent, so memorable, that it touched the hearts of free men throughout the world. In other lands, still fresh in memory are the spontaneous marches against oppression—marches in freedom's name—and the marchers, the fighters, the victors, were in the flower of their youth—but old enough to know that nothing in this world is more worth fighting for than human dignity, than the right to think, to speak, to act as free men.

May you never, please God, be put to the test of regaining your lost freedom—but if there is one thought I would leave with you today it is this: Freedom is not an heirloom that is passed on automatically from one generation to another. It is rather a treasure left in trust—a treasure that is kept only so long as it is guarded—and it is best guarded when its irreplaceable value is burned into the hearts and minds of those in whose custody it is left.

There is one last challenge I would touch upon on this day you enter the world of your careers. It is the personal challenge that each of you must feel instinctively, and deeply—the challenge to make the most of your life, to realize to the full your talents and capabilities, to make those you love—and those you will love—proud of who you are and what you represent in their lives. I would counsel you sincerely, as you embark upon your careers, to think more of the giving of yourself than of the getting in terms of money. If you live your life on the gold standard—with everything calcu-

lated in salary return—you are missing the true and wonderful adventure of life—which is the growth of you as a person, not the growth of your bank deposits.

I do not suggest that you cultivate insecurity, but I would warn you against a too intense preoccupation with security. Life can be a dull and empty journey if your mind is on the destination rather than on the pleasure and excitement of the journey. Security is not the proper business of young people. Always consider it a fringe benefit of life, not an ultimate reason for diligence and dedication.

And I would counsel you to treasure above all else your personal dignity—the sense of yourself as a God-made individual, distinct, not identical, mindful that you wear nothing more precious than your name. Be zealous to conform, not to each new style in thought and taste, but to the inner compulsions of your own spirit and intellect, of your individual concept of the true, the good, and the beautiful.

Today, this moment, you hold your life-to-be in your hands. The true spending of it is not in the currency of days and years, but in the deeper, richer exchange of the offering of your talents, your energies, your gifts of heart, to making this a world that will be—because you have lived in it—a finer dwelling place for all humanity.

---

## Onion Trading

EXTENSION OF REMARKS

OF

## HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. ANFUSO. Mr. Speaker, on August 28, 1958, a bill to abolish futures trading in onions was signed by President Eisenhower.

In November 1959, after court tests of the measure, futures trading in onions ceased on the Chicago Mercantile Exchange and on all other commodity exchanges.

The passage of the onion bill marked the first time in history that the Congress had enacted a measure to prohibit futures trading on an organized commodity exchange, although between 1880 and 1930 more than 200 bills were introduced.

When this matter was considered in the House on March 13, 1958, I stated that this measure helps no one, neither the farmer nor the consumer, and that it would be a mistake to pass it.

Many of the Members of Congress will remember the campaign against futures trading in onions. It was well organized and, at times, was so intensive in character that it became hysterical.

The principal complaint against futures trading in onions was that this trading depressed prices. It did little good to argue that onion prices always had been highly volatile in nature.

Nor did it curb the opponents of futures trading to point out that the per capita consumption of onions has not increased in the past 20 to 30 years. But since 1949 the production of onions has increased 35 percent more than the rise in population.

Nor did it avail to have oniongrowers tell the committees of Congress that they used futures trading to protect themselves from the unpredictable and drastic changes which frequently took place in onions.

One of the most articulate of these, Chester W. Kempley, onion producer of Montello, Wis., told the House Agriculture Committee:

If the Congress approves a measure to end futures trading in this commodity, I will lose the privilege of insuring my crop against a possible decline in prices. I will have to assume the entire risk of those unforeseeable changes in price which affect most commodities. Since there is no Government floor for onion prices, I will be thrown to the wolves.

With today's high fixed costs of production, hedging has become a most valuable privilege, the continuance of which could mean life or death to the grower. Without it, many of us could be wiped out by a couple of consecutive bad years.

The pleas of growers who used the exchanges to protect themselves made little impression. The chorus that low prices and price declines were the fault of futures trading rose higher and higher.

One argument against futures trading in onions was that the commodity was perishable and, therefore, not adaptable to trading. I never quite grasped this argument, but it was made.

During the hearings on the onion bill it developed that the only study conducted by the Department of Agriculture indicated that futures trading lessened price fluctuations and contributed to price stability in the commodity.

The survey was made by the Division of Agricultural Economics, Agricultural Marketing Service, USDA. The gist of it was contained in this statement:

Price variability is best measured in short-time periods, such as month to month, or, if feasible, on a week-to-week basis. Of price variability data herein measured, the month-to-month changes in the cash price of onions in the 1930–40 period and 1947–55 period are probably the most valuable. This analysis showed that a significantly greater average month-to-month variation occurred in the 1930–40 period than in the 1947–55 period.

Once again, we went right ahead to outlaw futures trading—and do away with low prices in the onion industry.

What has happened since futures trading in onions ceased?

The aftermath has been some of the lowest prices in recent years.

It is evident that the solution for the troubles of the oniongrowers is not the abolition of futures trading.

Let me quote some of the prices since November by comparison with prices in other years:

*Average monthly prices per hundredweight*

| Year | January | February | March | April | May | June | July | August | September | October | November | December | Season average price |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1957 | 2.20 | 2.55 | 2.55 | 4.35 | 4.55 | 4.90 | 2.85 | 1.75 | 1.65 | 2.00 | 2.10 | 2.20 | 2.85 |
| 1958 | 2.45 | 3.10 | 5.00 | 5.50 | 2.65 | 2.50 | 2.45 | 2.20 | 2.30 | 2.50 | 2.70 | 3.25 | 3.39 |
| 1959 | 4.50 | 5.00 | 7.70 | 7.90 | 3.85 | 2.40 | 2.70 | 2.80 | 1.90 | 1.90 | 1.80 | 1.60 | 2.41 |
| 1960 | 1.50 | 1.30 | 1.60 | 2.50 | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ | ------ |

May prices are not yet available, but all indications are that they will be well below average prices for the month for the past 3 years.

In February, 1960, the Food Research Institute at Stanford University published a comprehensive study of futures trading in onions. The study is contained in the February bulletin of the Institute.

For those interested, I would advise that they get the February bulletin and study the article, "Price Effects of Futures Trading" by Holbrook Working.

Like the study by the Department of Agriculture, the Stanford study concludes that futures trading promotes price stability in onion prices, the inference being that such trading is in the interests of the producers.

We have then this aftermath of the action in banning futures trading in onions:

First. Extremely low onion prices, contradicting the primary argument relied upon in the campaign against trading.

Second. The power of the Congress has been employed to outlaw a legitimate business and one which, on the basis of the record, served a most useful purpose.

Third. The attention of the onion industry, and of those interested in its welfare, has been diverted from the real problems of the industry which must be dealt with on a practical basis if the situation of the onion producers is to be improved.

Fourth. The abolition of futures trading in onions has injured all commodity exchanges through a precedent which indicates that they are conducting their operations on sufferance.

Mr. Speaker, we live in a most dangerous period, a period when propaganda and agitation are weapons employed systematically and effectively against democracy and free enterprise.

This is all the more reason for us to keep our heads, to proceed on the basis of logic and reason rather than emotion and prejudice.

From one standpoint, abolition of futures trading was a minor matter, one with comparatively little effect. From another, it is disturbing and raises questions as to our own ability to conduct our affairs in an orderly, calm, and logical manner. We were, in my opinion, stampeded into an unwise act. This entire episode has some most disturbing implications.

I have heard it said that if the commodity exchanges had done away with abuses and had cooperated with the Congress and the onion growers, the abolition of futures trading in onions never would have taken place.

I do not defend abuses on the commodity exchanges any more than I defend abuses and excesses in any industry. But the remedy is not to kill the

business concerned; granted, of course, that the abuses can be eliminated.

I think we made a mistake when we killed futures trading in onions. I said so at the time. I think the developments since then prove I was right.

There is no equity in singling out futures trading in onions for death, while leaving futures trading in potatoes and in many other commodities untouched. All the arguments made against futures trading in onions can, for example, be made against trading in potatoes.

Yet today we deny the onion farmer the means of protecting himself through futures trading. We grant that protection to the potato farmer and other farmers whose products are traded in on the commodity exchanges.

Not that I advocate further action toward the abolition of futures trading. Quite the contrary. I think we should take steps to restore futures trading in onions. This is the way to correct a mistake and to undo a wrong.

---

## Twentieth Anniversary of the Occupation of Baltic States

EXTENSION OF REMARKS

OF

### HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. FEIGHAN. Mr. Speaker, on Sunday, June 12, 1960, it was my pleasure to address a large rally held at Ciurlionis Hall in Cleveland, commemorating the 20th anniversary of the Russian Communist takeover of the Baltic States. The chairman of this rally was Mr. Julius R. Smetona, who is the son of the last legal President of Lithuania. Much has happened during the 20 years of Russian occupation of the Baltic States. I felt the major events of this period should be examined in terms of whether or not they advanced the emancipation of Lithuania, Latvia, and Estonia from the yoke of Russian imperial communism. By so doing, I believe we can best evaluate national policy, past and present, and find the guideposts for our policy of the future.

Under leave obtained, I insert in the RECORD my address on the 20th anniversary of the occupation of Baltic States:

My Lithuanian-American friends, I deem it a privilege to be here with you today to play a part in this sad commemoration of the 20th anniversary of the Russian occupation of the Lithuanian, Latvian, and Estonian nations. This is the anniversary of one of the blackest chapters in the history of civilized mankind. It marks the days when the true colors of the Russian Communists were exposed for all to see, the days when the Russian imperialists were the happy allies of the tyrant Hitler. It also marks the days when the peace-loving people of the Baltic States were forced to accept, by treaty, peaceful coexistence with the Russians which turned out in reality to be military occupation. These long 20 years which have elapsed since have provided undisputed evidence of what the Russians mean by peaceful coexistence. Let us look, briefly, at the record of these past 20 years.

We see that all the Baltic States are still occupied by the Russian Communists. They are in these countries in violation of solemn treaties of peace and mutual understanding entered into between these countries and the U.S.S.R. They are not welcome. They remain there by military force alone.

We recall the brutal mass deportations carried out by the Russian Communists—deportations which violate the genocide code and shock the conscience of all mankind. Today loyal sons and daughters of Estonia, Latvia, and Lithuania are scattered throughout the Russian Empire against their will. Thousands and thousands have died at the hands of the Russian slave masters.

We remind the people of the world that these mass deportations were directed by none other than one General Serov, an NKVD specialist in crimes against humanity. This same General Serov is Czar Khrushchev's favorite executioner. He accompanied Khrushchev on his tour of London a few years ago, serving as chief of security for the Russian dictator and his entourage. Khrushchev selected him to succeed Beria as head of the dreaded MVD. These two are real buddies in crime, inseparable partners. This, by the way, is the same Khrushchev who was invited by President Eisenhower to be his guest in the United States.

We can never forget that the people of Lithuania, Latvia, and Estonia have been fighting these past 20 years to preserve their national identity, their rich Christian cultures, their historic values. These are the things the Russians have been attempting to destroy in their plan to make the people of these countries into Soviet peoples. We all know what they mean by Soviet people—they mean Russian Communists, people without love for their fellow man, people who live on hate, people who worship tyranny and despotism and reject all thoughts of God and the divine plan for mankind.

We are constantly reminded that the people of the Baltic States remain dedicated to human liberty, to freedom, and to the political ideals of the West. They are prepared to fight for the restoration of their national independence if the United States and its allies will take the political initiative against the Russian imperialists who are their oppressors. This spirit, this desire for liberty and national independence by these captive people constitutes a powerful deterrent to war. The Russians know that if they start a war the captive people will seize this opportunity to fall upon them, to destroy the chains which bind them to the empire, to dismember once and for all this empire of fear. This is a fact, an inescapable fact, of contemporary international political affairs. It is time the American people were awakened to this fact and the present administration in Washington did something to help keep this flame of freedom burning ever brighter.

This is the record of the past. Now what is the record we are going to make in the future? We have several choices as to the course of action we shall take. Let us look at them.

1. We can accept a status quo which the Russians have been attempting to force down the throats of free people. The Russians say that if we will recognize their empire of captive nations as final and unchangeable, they will not drive us out of free Berlin. They ask us to close our eyes to the genocide of nations going on behind the Iron Curtain. They ask us to join with them in killing the aspirations for freedom in the hearts of several hundred millions of non-Russian people. They ask us to turn our backs on our proven allies, the captive people, in return for which they promise not to throw us out of Berlin until they are ready for an all-out war against the free world. This, then, is the certain course to war and it must be publicly rejected by both political parties in the United States.

2. We can continue to engage in the Russian instigated plan of coexistence, as the present administration has been doing these past years. We are now censored to speak no evil against the Russian tyrants, which throttles the truth. We are admonished by Vice President NIXON to receive the arch criminal Khrushchev with courtesy and consideration. The Voice of America has been reduced to a faint whisper, daring not to even echo the call to freedom. We are speaking over the Voice of America to the people of many captive nations in the Russian language, the mother tongue of communism and the language of their oppressors. On all sides the caution is urged "Do not provoke the Russians"—which has come to mean moral and political paralysis for our Nation. The time has long passed when we should have stepped out of this Russian bear trap. We can be sure the people are going to demand a new administration this November, which will remove these chains from our national honor.

3. We can continue to allow our Nation to be dragged into and out of so-called summit conferences. This device is nothing but the stage for the "mirage of peace" which the present administration has attempted to foist upon the American people. Our people were thoroughly brainwashed into believing some good could come out of such propaganda exhibits. But the complete collapse of this ill-conceived balloon at Paris a few weeks ago has awakened the American people to the Disneyland in which our leaders have been living and into which these same leaders sought to entice them. Summit conferences and personal diplomacy with the Russians have been exposed as the road to appeasement and the road to appeasement is the course to war. The only way anyone can do business with the Russians is to concede to them all they demand—and this is peaceful surrender.

4. We can look honestly at the nature of the Russian Communist empire. If we do we will find the road to peace with justice and freedom. We will find that the empire is tottering, that the 70 million Russians cannot possibly hold it together much longer, that the several hundred million non-Russians in the empire—the people of all the captive nations—are anxious to work with us in bringing about the dismemberment of this unholy empire. If we take the time to look close enough we will find abundant evidence that a great political explosion is in the making, an internal explosion, an explosion caused by the powerful desire of enslaved people to be emancipated. Look what is happening again in Tibet, recall what happened in Turkestan a month ago, see what is now happening in Poland, remember what happened in Hungary and East Germany but a short time ago. This is the march of freedom, the march which our Nation must lead with courage and boldness.

This brings us to the Captive Nations Week observation under Public Law 86-90, which will take place this year from July 17 to 23. I am proud of the part I played in introducing this law in the House and in helping to bring about its enactment. This law forms the foundation for the foreign policy our country must pursue if we are going to win the struggle for a just and lasting peace.

Allow me to point out that 1 month from now the Democratic Party will hold its convention in Los Angeles. Immediately following the Republicans will gather in Chicago. Now I ask you—what are your plans for informing both parties of what you

believe our foreign policy toward the Russian Communists should be? Both parties are moved by what the electorate demands. This is the strength of our democratic system—it is the duty of informed citizens to make their demands known.

How should our country observe Captive Nations Week this year? This is my second question leading to citizen action. I have recommended to Mayor Celebrezze that he appoint a civic committee here in Cleveland to make certain we make the most of this opportunity. I am sure that all present here will want to play a part in the work of that committee.

If we do these things, not just once a year, but in spirit and dedication every day of the year, the record for the future will look much brighter and more hopeful than the record of the past. We must not wait another 20 years for Lithuania and her sister republics on the Baltic Sea to be free and independent. We must act now. This is my wish for the gallant people of Lithuania and all other nations behind the Russian Iron Curtain.

---

## Address Delivered by Senator Bridges at FBI Commencement Exercises

EXTENSION OF REMARKS

OF

### HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

*Tuesday, June 21, 1960*

Mr. MUNDT. Mr. President, I ask unanimous consent that there may be inserted in the CONGRESSIONAL RECORD an address delivered by the Honorable STYLES BRIDGES, senior Senator from the State of New Hampshire, delivered at the commencement exercises of the Federal Bureau of Investigation, held in the city of Washington, D.C., on June 8, 1960.

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

ADDRESS BY U.S. SENATOR STYLES BRIDGES, REPUBLICAN, OF NEW HAMPSHIRE, AT THE FBI COMMENCEMENT EXERCISES IN WASHINGTON, D.C., JUNE 8, 1960

Mr. Hoover, Mr. Justice Clark, Mr. Assistant Attorney General Morton, Mr. Bartley, distinguished guests, members of the graduating class and your friends and associates, it was just 14 years ago when I had the privilege of giving a commencement address here once before. It's good to be back. This year marks the 25th anniversary of this Academy, one of the very unique institutions in this Nation. Director J. Edgar Hoover is universally recognized today as one of our greatest living Americans—a man whose entire life has been devoted to the single ideal of service to his country without thought of self-interest or politics. His numerous contributions to more effective law enforcement are well known to all of you, but I regard the creation of this Academy, 25 years ago, almost as a stroke of genius and great credit must go to all his associates in the FBI organization and in the hard-working staff that conducts this Academy, who have prepared this course and who have made this Academy world renowned.

I am particularly proud of my own State of New Hampshire which now has 25 graduates from this academy and of Chief of Police Richard Flynn of Dover, N.H., who is a member of this graduating class.

Hundreds of thousands of young men and women are graduating at this time of year from colleges and universities. The great service academies at Annapolis, Colorado Springs, and West Point this month will graduate our future naval and military leaders in colorful and impressive ceremonies. The leaders of this country's continuous war against crime graduate from the FBI Academy twice a year. Actually, of course, this is really a sort of postgraduate course for all of you in forms of police administration and law enforcement as you are already qualified and trained professionals or you wouldn't be enrolled here. According to Director Hoover, our annual tribute to crime has now reached the incredible total of $22 billion per year. In this sense, crime does pay as it snatches $9 from our pockets for every dollar we donate to churches and religious work. In 1958 our population had increased a trifle less than 2 percent over 1957—but crime in this Nation jumped 9 percent.

According to the FBI figures, we now have a murder, forcible rape, or assault to kill committed in the United States every 4 minutes. Last year, some 271,000 automobiles were stolen and, as you have to deal with the problem of mounting crime, I am sure you are as deeply disturbed with the problem as I am.

We used to believe, you know, that crime was largely the product of poverty, of ignorance, of lack of schooling, of bad companions, and "bad home influence." Now some of our most shocking and senseless crimes are committed by youngsters from fairly good homes, some the very best homes, and the products of the best and most expensive educational system in the world. Some 800,000 youngsters under 18 years of age were arrested in 1958 for crimes other than traffic violations.

Obviously, 800,000 juveniles involved in crimes in one year could not all have come from "broken homes" or "underprivileged families." Most professional men in police work, I think, recognize that that source, at least, is not wholly the cause.

Testifying last February before a congressional subcommittee, Mr. Hoover stated that lewd films, indecent magazines, sensational yellow journalism, and lurid crime-inciting TV shows were in part responsible. Particularly those books, magazines, TV shows, films, and other media which glamorized and glorified criminals rather than the old-fashioned virtues which most of us knew in growing up in this country.

Adolescents naturally like to think they are grown up. So, it is not hard to understand why some of them should ape the manners and morals of what they conceive to be the sophisticated and the "smart" people. They little realize that these ultrasophisticates actually represent the wormy and rotten fruit on the tree of culture.

Just as sex deviates often fancy themselves a third and superior sex, so the intellectual decadent feels quite sure that he represents a new and sparkling elite. I draw a sharp line, of course, between the sex degenerate, who is a psychopathic problem, and the intellectual degenerate, who is harder to detect and expose. This whole problem, menacing our culture and our way of life, has been inadequately studied and reported.

Instead, we have seen that whole new development in this country of the so-called social scientists who tend to blame everything on society or the system instead of the individual responsible for the criminal or antisocial activity. Indeed, there is even a small segment of this new school of behavioral science, perhaps we should call them, prepared to argue there is no such thing as the criminal type. There are only misunderstood problem people.

Today, of course, everything is a problem—even such simple things as lawbreaking or gross breaches of the accepted moral codes. And needless to say, problems can only be studied and treated by specialists and experts. To these problem experts there are no criminals or bad actors—just maladjusted people. Their maladjustment, they say, is never the responsibility of the individual concerned or those who failed to bring him up properly—it is all the fault of organized society. It is as simple as that.

We often tend to go from one extreme to the other in our attempts to solve all the problems of life. Up to 60 or 70 years ago it was believed that severe punishment was the only answer to crime. Until recent times savage prison terms and often brutal treatment in many countries of the world were the answer to the punishment of crime. Today, the concept of crime has had a change. It is probably well known to most of you, but I want to observe that many of us feel that in dealing with crime the pendulum has swung too far the other way.

The Chessman case is probably a good example of the other extreme in giving a condemned, hardened criminal every advantage to be squeezed out of the law.

I am sure you are all familiar with the Mallory case. This was an extraordinary example of stretching the law to the breaking point through the use of a needle's eye technicality. The U.S. Supreme Court ordered the conviction of Mallory thrown out—even though he had admitted his guilt—on the technicality that he had been held for questioning a few hours longer than was considered proper before arraignment. Here we have a case where the Court was more concerned with correcting what it believed to be a minor abuse of police power than it was in seeing that justice was done in a major crime. So Mallory was freed and went on to Philadelphia where you know by the papers he recently allegedly committed the same crime.

Now in 1958 all forms of murder in the United States took 8,182 lives. There were 75,347 armed robberies and 679,000 burglaries. These are disturbing figures. But they are small indeed in comparison with the toll taken by the worldwide criminal conspiracy known as communism.

No accurate figure exists for the total number of human lives taken by Communists all over the world since the Bolshevik seizure of power in Russia in 1917. But it is generally estimated, and in my judgment the estimates are correct, as between 30 and 40 million human lives. Five million people perished alone in 1931 and 1932 as a result of Stalin's "liquidation" made possible by a manmade famine.

The horrible part of these Communist mass murders, dwarfing any others in history, is that they were ordered and carried out with complete detachment and in a spirit of absolute righteousness. These Communist massacres were not based on anger, hatred, or even blood lust—the most common reason for most murders. Communists murder entire classes of people and entire social groups solely on the grounds of what they believe to be "socialist hygiene." Their reasons are as impersonal as that of a cattleman or a farmer who reluctantly kills off some diseased cattle lest they infect and destroy the whole valuable herd.

As for the not-so-gentle art of robbery, here too the Communists make ordinary criminals appear softhearted. They never settle for just part of their belongings—they want to take everything as Mikoyan boasted to Castro recently in Cuba. Only in Communist terminology they use the word "expropriate"—it's nicer sounding than stealing or robbery because it comes from Latin.

I did not come here today to deliver another speech against communism. We've been denouncing communism and Communists in this country now over 40 years, and I'm sorry to say, in many instances, we still have an apathetic public. I mention communism today for two reasons. One, because communism and internal subversion will continue to be a big problem for law enforcement officials for some time to come in the future. This means your profession will have to devote considerable time and study to the ramifications of communism.

Let me remind you that some of the most authoritative information available on communism will be found in the congressional committee reports and hearings which you can obtain by writing your Senator or your Congressman or to the committees directly. You can also turn to Mr. Hoover's book, "Masters of Deceit," which should be a handbook for every well-informed police officer. May I also call your attention to a book written by the former chief of police of Salt Lake City who has published one of the best books on the subject entitled "The Naked Communist."

Almost everybody is against communism, but all too few of us fully understand the nature of the beast, and even fewer of us are prepared to do anything practical to expose and retard it from making further inroads in our society. Merely being against leprosy is not going to do much to stop the spread of that dread disease or to prevent others from contracting it. Communism has been aptly described as leprosy of the human soul. Or, if you prefer, the syphilis of the human intellect. It is most positively not the result of poverty and ignorance as so many well-meaning but badly informed people will still try to tell you today.

During 1947 and 1948 when the House Committee on Un-American Activities was holding its sensational hearings exposing Soviet atomic espionage in this country, a long list of witnesses took the fifth amendment, not only on the question of whether they were Communists, but also whether they had ever engaged in espionage. You can look the list over and you will find, with a few exceptions, that most of them were native-born Americans with exceptional scholastic records in some of the best schools and colleges in this country. That's a shocking thing.

One could also very easily draw up a long list of Americans of considerable wealth and fine educations who have been deeply involved in various other aspects of Communist subversive activity in this country.

Secondly, many leaders of the West still make the mistake of assuming that Communists think and act like normal human beings. They are bent on world domination and the creation of a world Soviet state, and anything they do is predicated solely on the single question—Does this advance the world revolution?

That is why I firmly believe that we are permitting ourselves to be boobytrapped over the so-called summit situation—fiasco, some people call it. Khrushchev knew in advance that Western unity could not be split at Paris. He knew he would get very little or nothing in the way of concessions. Why, then, go to Paris and waste time negotiating with people he despises anyway and have to come back and report to his people and the satellites over the world that he came back empty-handed?

He also knew that President Eisenhower had less than 8 more months to serve and that any agreements worked out with him might be rejected by his successor or the next administration. That is why he torpedoed the conference and said he would be ready to talk again in 6 to 8 months. The U-2 plane incident was made to order for his scuttling act, but had it not occurred, believe me, he would have forced a showdown over some other issue, and charged the West with bad faith anyway.

The lesson of history has been all too plainly written—you can't do business with Communists. It is high time we stopped kidding ourselves that through endless talks with Communist leaders we may be able to find mutual agreement and accommodation that they will keep. We may be able to find areas of mutual agreement sometimes, but if a maniac in your community threatens to kill you and your family and has demonstrated that he means what he says, having killed several people prior to that, what in the name of common sense would the object be of negotiating with him? You might be able to negotiate for a little more time. You might be able to negotiate the choice of the cemetery where you are going to be buried, but if he persists in threatening to kill you, the real area of any possible negotiation is practically nil.

You would be better advised to have him locked up and put out of circulation, or, failing that, to defend yourself to the utmost against any surprise or treacherous attack.

We learned to our cost that one could not do business with Hitler and the Nazis. Millions lost their lives, their countries, and their freedom as the result of chasing the will-o'-the-wisp hope that if only we tried hard enough and talked long enough, we might persuade that madman from his openly announced designs. Why anybody in his right mind and knowing the facts of history in this late day still believes and asks others to believe that somehow we can work out things with Khrushchev and the Communists is beyond me.

I understand that this academy has graduated close to 4,000 law enforcement officers in the past 25 years. I congratulate Director Hoover and his able staff on the fine work they have done. This postgraduate academy has been very effective. A Federal police force which some people advocate in this country would be a direct contradiction to the 10th amendment to the Constitution reserving to the States all rights and functions of Government not spelled out in the Constitution. It would also create a most undesirable precedent for further expansion and extension of Federal power into every community and village in this country. The manner and the way in which the FBI has conducted itself during the years of its existence are probably the best argument we have against some of the people in this country who have been trying from time to time to create a national policy system.

After some 300 years of local self-government, I think Americans have more than amply proven they can also police their own communities without Federal intervention, and I would be similarly doubtful about any other device directly trying to set up a Federal clearinghouse for local police information and records. I am not so sure that the Federal Government under the 10th amendment should be asked to act in this capacity for States and communities.

I know you have all profited from this course. I know you will go back to your own communities better equipped to face the mounting problems of crime and subversion. We face dark and uncertain days ahead as long as the men of the Kremlin and Peiping continue their plotting against the free world. This is a long-time proposition I point out to you, and may last during your entire lifetime. You may face this problem of outside and inside threats. You will be in the front lines on the home front, and you will need all the courage, all the intelligence, and all the fortitude you can muster. I am delighted to be with you on the occasion of this graduation, and I extend each and every one of you my best wishes and good luck in your chosen profession.

## High School of Commerce, Springfield, Mass., Graduation Exercises, June 13, 1960

EXTENSION OF REMARKS

OF

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. BOLAND. Mr. Speaker, the High School of Commerce in Springfield, Mass., is one of the finest commercial secondary institutions in this country. It has contributed much to the well-being of its own locality and to the thousands of students that have passed through its doors. Founded and built in 1915, its function was to give special business training, development of punctuality, industry, self-reliance, and trustworthiness. Today, Commerce High prepares students for college, nursing, or business. Throughout its existence it has had a long list of dedicated teachers. The principals who have supervised the curriculum from its birth to the present day have been outstanding educators. Its record of accomplishment has added immeasurably to the excellent reputation that Springfield's school system enjoys throughout the Nation.

Mr. Speaker, it was my honor to be invited by Principal Philip A. Sweeney to deliver the address to the graduating class of 1960 of the High School of Commerce on June 13. Under unanimous consent, I include the address, program, and list of graduates as part of my remarks:

Your honor, Mayor O'Connor; chairman of the school committee, Mrs. Lynch; Superintendent of Schools McCook; Principal Sweeney; members of the faculty; President Dolan and members of the class of 1960; their parents, family, and friends, first let me express my gratitude for the invitation which makes possible my presence here this evening and the honor you pay me by the invitation to speak to you on this happy occasion.

When your principal and my friend, Mr. Sweeney, asked me, some time ago, to be your guest speaker, I felt then and I know now that my talents would not be equal to the task. For this is no ordinary, run-of-the-mill affair. Indeed, it is a movingly deep, significant event in the lives of all who are presented tonight to receive their diplomas. For the High School of Commerce class of 1960, it is the first time and the only time that it will experience this event.

For an occasion so important and for an event that so swells the emotions, it is not an easy task to put words together that will spell out momentous or lasting impressions. Perhaps this is not too important. It seems to me in a high school or any graduation, it is the awarding of the diplomas that pales everything else into insignificance.

But guest speakers are thrown in for good measure and they have become part and parcel of the graduation ritual.

When Eleanor Larson interviewed me for your fine high school paper, Commerce, I quizzed her on what I should talk about. A good newspaperwoman, she suggested that I talk about 5 minutes.

With a few minutes leeway, I have taken her advice. Too many years back to remember, in the very place you now sit, I sat,

with starched collar, tight shoes, and rented jacket. As with you, we had things to do and places to go before the day was ended. With us, and some of your parents will recall, it was Sam's Diner. Of course, that was before the days of house parties, Howard Johnson and Friendly with their three deckers and awful-awfuls.

Well, what counsel to give you or what wish to hold? As I look into your clean, fresh, beautiful faces, I can tell you what I wish. I wish I were 17 again.

For these, indeed, were and are the wonderful years. Teenage and high school. Rose-hued, fragrantly fresh, excitingly pleasant days. Always on the move but always moving forward in development and ability. I am sure that as you now pause and reflect, you are shocked by the rapidity with which your high schol days have raced by. As a matter of fact, it seems only yesterday that you were taken by hand of devoted parents to start in kindergarten or first grade. Surely, you can recall the untutored, self-taught answers of those days.

From those very first days, the educational process set in, and slowly, but steadily, you advanced in wisdom and learning.

And tonight you step across another threshold of life—you enter a new era and a new phase. Some of you will go on to business schools and colleges, others will find their place in the great field of nursing and public health, most of you will seek and find employment. But, for all of you, the scenery will change, the values of life will increase, responsibility will begin to grow heavier.

The rather carefree high school days will become a lovely memory. It will not now be so important to you that Frankie Avalon, Rickey Nelson, or Conway Twitty were replaced in the record race or hit tunes by Bobby Rydell, Bobby Darrin, or the Everly brothers.

Within a few years, you will be moving into legal maturity and adulthood. What the future has in store for each of you, it is impossible to foretell.

None of us doubt, for all of us know, that we are living in a marvelous, magnificent, ever-changing period. The fusion and fission of the atom—the incredible exploration of space—the miracles of aviation and electronics—the fantastic progress in medical research that portends the ultimate conquering of the diseases that afflict mankind—all of these you are now witnessing, and they have played or will play an important part in your future. For you, life itself will be longer and healthier than for any of the grown adults you now know. Life expectancy has jumped remarkably over the past 25 years. It will expand even more in the next 25. So, you have very, very many years ahead of you.

I am sure you are also aware that you are living in a dangerous, difficult period. That is why you have to continue to develop your character, your ability—whether through further college study or the practical education that comes through experience or self-study. It might very well be that, in your time, just as have your parents, you will be called upon to make sacrifices to keep freedom alive, the Nation strong and democracy safe.

There is something to an editorial I read the other day which said "Our age is likely the blackest and brightest in human history; the most destructive and the most creative; the most humanitarian and the most barbarous; the most pagan and the most religious. What direction the world takes tomorrow depends on the rising generation of today."

You are the rising generation. The future belongs to you. To meet its challenge, there is a need that you make a success of yourself—of your own personal life. I do not mean success which is measured by the material considerations of fame and personal gain—or the attainment of high place and prestige. But rather, that true success which is the crown of all those who honestly, earnestly, do their best and live the everyday, simple life with all that it involves in the practice of the commonplace duties of every day—that consists in the unselfishness of motive, the integrity of purpose, the passion for fairness.

No one else can purchase these attributes for you. The way can be pointed by training and loving parents. But the sort of a person you will make of yourself—how you will be regarded—whether people will admire and respect or despise you—all this is in your hands.

No matter where your lot may be cast, no power on earth can keep you from making a real person of yourself. Only you can choose the direction in which you will go. Every day you can say to yourself: Without capital, without influence—even in spite of the opposition of others, I can be true to myself. I can be a real woman or a real man and make my life a masterpiece. I am the only enemy I shall ever have. The only one who can wreck my personal career, keep me from being a success is the man or woman living inside my own skin. There is no destiny, no fate, that can ruin me. Under God, I am my own maker, my own destiny. "I am the master of my fate * * * the captain of my soul."

You have had a magnificent start to cope with the problems of the future. You have looked forward for years to this day—one of the crowning achievements of your young life. Your parents—self-sacrificing, devoted, loving—have toiled and lived for this day. For the part they have played in the success that is yours tonight, you can never repay. Teachers who have inspired and taught you and brought you to this moment are entitled to your gratitude.

This thanks and gratitude can best be expressed by doing the very best you can in whatever task is yours. By so doing, you will be a credit to Springfield's outstanding educational system, the High School of Commerce you love so much, to your devoted teachers, to your wonderful parents.

Yes, the future belongs to you. May God grant you the ability, the courage and the wisdom to face it with confidence and to meet it with unbounded success.

---

GRADUATION EXERCISES, HIGH SCHOOL OF COMMERCE, SPRINGFIELD, MASS., MONDAY, JUNE 13, 1960, AT 8 O'CLOCK, MUNICIPAL AUDITORIUM

PROGRAM

Organ Prelude: Prelude in F Minor, Bach; Folk Tune, Whitlock.

Processional: Pomp and Circumstance, Mr. LeRoy Hanson, organist, Elgar.

"Star-Spangled Banner," class, choir, chorus, and audience, Smith.

Invocation: The Lord's Prayer, High School of Commerce girls' choir, Walter D. Nickerson, director, Malotte.

Hymn of Praise, Mozart.

Three Wishes, Roff.

One World, O'Hara.

Greetings from the school committee, Mrs. Mary M. Lynch, chairman.

Address: "The High School Graduate's Responsibility for the Future," Hon. EDWARD P. BOLAND, U.S. Representative, Second District, Massachusetts.

Presentation of class for graduation, Philip A. Sweeney, principal.

Declaration of graduation, Dr. T. Joseph McCook, superintendent.

Awarding of diplomas, Hon. Thomas J. O'Connor, Jr., mayor.

In appreciation, Bert Dolan, president, class of 1960.

Benediction: The Lord Bless You and Keep You, choir, Lutkin.

Recessional: "Pomp and Circumstance," Elgar.

MEMBERS OF THE GRADUATING CLASS

Ann Marie Abair, Judith Carole Abbe, Carolyn A. Agen, Brenda Dawn Agnoli,[1] Sandra Ann Aiken, Marianne Ames, Dorothy R. Arabik, Grace Catherine Arillotta.

Amos Lee Bailey, Barrie R. Baker, Laura Mae Barry, Beverly Ann Barufaldi, Ruth D. Beaulieu,[1] Joan Becker, Marvin E. Becker, Lucille Ann Bedard, Carol Ann Begley, Richard Belden, Elizabeth Frances Bell, Joan-Ann Bell, Charles H. Bentley, Ida Marie Bernardes,[1] Rosemary Katherine Beturne, Roy Edward Beusee, Carole Ann Bianconi, Annalouise Almeda Bieard, Sandra Lee Bielecki, Dianne Marie Bisi,[1] Carol Ann Black, Rita Blaiz, Gail Patricia Blanchard, Sandra Joy Blanchard, Patricia Ann Bordeaux, Ann Ellen Borecki, Rosemarie May Borowik, Hazel Borrette, Elizabeth Borst, Rita Marie Bourcier, Maureen Rita Bourque Cherie Carmen Bousquet,[1] Judith Thurston Bradway, Karen Irene Brauns, Karen Ann Bressette, Robert H. Brosnon, Carole Ann Brown, James Edward Brown, Sandra Harriet Brown, Joanne Olive Brunt, Sandra Vicki Bryant, Margaret Ann Buchanan, Catherine Marie Buldrini, Geraldine Ann Burke, Carol Ann Burrell, Judith Ann Burt, Pamela Joan Butler.

Cecelia Ann Calabrese, Louis A. Calabrese, Mary Ellen Cameron, Rose Marie Theresa Casali, Jane Marie Caserio, Rosemary J. Cavanaugh, Frances June Champagne, Patricia Lee Chapin, Elaine Alice Choiniere, Nancy May Clark, Joanne Consolini, Eleanor Rose Ann Cote, John W. Coughlin, Jr. Annette Marie Cox, Barbara Joan Coyle, Geraldine Giles Cullen.

Joanne Marie D'Amato, Linda Daniele, Helen Anne Daubmann, Judith Ann Davignon, Dorothy Mary Delarm, Annette R. Demers, Gloria Ann DePalo, Theodore Paul Dernago, Jr., Irene B. Desmarais, Anna Isabelle DiNoia, Bert Dolan, Dennis Robert Donahue, Catherine Marie Donnellan, Joyce Beatrice Dorman, Rena Helen Douglas, Linda Ann Dressel, Barbara Ann Dunn, Irene Jeanne Duquette,[1] Carolyn Margaret Durkee, Martha Angela Dziura.[1]

M. Judith Edgerton, Pamela Mae Edwards,[1] Richard A. Elsoid, Sondra Anne Elim, Judith Ann Elms, Regina Mary Emirzian.

Anne Marie Falcone, Marilyn Ann Farina, Gloria Jeanne Yay, Carol Marini Fazlo, Donna Lee Fett,[1] Marilyn Ruth Figarsky, Marie Louise Florentino, Frances E. Fisk, Edna Mae Fitzgerald, Esther Ida Flemister, Joyce Mary Flynn, Elaine Alice Forsyth,[1] Joyce Ann Fortini, Portia Mae Freeman, Gale Lnida Freyenhagen, Judith Barbara Friedman, Martha Miriam Froebel, Barbara Jean Fronzi.

Dennis R. Gagnon, Suzanne Theresa Gallagher, Gay Carol Gallerani, William Anthony Galletti, Bettyanne Doris Gardner, Catherine Theresa Garvey, Beverly Faith Geiger, Joyce Ann Gelineau, Rosalie Diane Gentile,[1] Peter Eugene George, Geraldine Frances Giancola, Adelaide Giupponi, Joan P. Goodnough, Carol Ann Gordon, Agnes Pauline Gore, Arlene F. Gouvan, Joan Marie Gouvan, Joyce Amelia Grant,[1] Carl Arthur Greene, Regina Grilli, Lorraine Eva Groulx, Jean Alma Grover, Carolyn Lois Grundstrom, Lois Evelyn Gurney.

Frank Halloran, Evelyn Ann Hanson,[1] Priscilla Mildred Hartmann, Juliette Ann Hebert,[1] Vivian Madeleine Hebert, Rachel Virginia Hewitt, Carol Irene Holman, Judith Elizabeth Holman, Barbara Ann Hooper, Sandra Mary Hovagimian, Joseph H. Hrycay, Paula Hurley.

Shirley Elizabeth Jackson, Marjorie Ann Jameson, Petronela Helen Jaszewski, Irene Anne Jodlowski, Carol Ann Jodoin, Donna Lee Jones,[1] Lisa F. Jones, Vernia Mae Jones.

Camille Ann Kaczowka, Barbara A. Kamuda, Anne Marie Kane, Dinah Kay Kaplinger,[1] Joanne Beverly Keane, Sandra Mary

[1] Honor students.

Keeley, Dennis F. Kimball, Gwendolyn Viola King, Emmanuel P. Klenakis, Portia Klenakis,[1] Beverly Ann Knaus, Robert G. Knox, Marie Elaine Koob, Victoria Jane Kucharski, Cathryn Ann Kudrikoff [1].

Gail Margaret LaBrode, Joyce E. LaCroix, Shirley Ann LaPine, Marie Ellen Larro, Eleanor Louise Larson, Carol Lauer, Linda Ruth Law, Janet Leddy, Kathleen Marie LeDuc,[1] Annette Celia Lemire, Elaine Ann LeMoine, Constance Ann Letourneau, William Spiros Leventis, Elizabeth Ann Lewis, Joyce Marilyn Lewis, Priscilla Elsa Lindquist, Maryann Frances Lipczak, Margaret Ann Lohan, Patricia Ann Loizzo, Angelina Marie Lombardi, Sandra Diane Marie Longhi, Sandra Anne Lopata, Angela R. Lore, Barbara Ann Los, Ann Lotito,[1] Richard Allen Luchini, Joan Luppi, Lucille Barbara Lussler, Elizabeth Anne Lyle, Joanne Lilla Lyman,[1] Charlotte Louise Lynch.

Linda Jane Macaulay, Carolyn Mamuska, Virginia Mantoni, Ann Shirley Marie Marino, Elaine Virginia Markham, Susan Mary Marren, Daniel Martin,[1] Donald G. Martin, Ruth H. Martin, Joyce A. Marucua,[1] Alberta Mason,[1] Diana Mastrangelo, Roger Mayhew, Judith Ann Mazza, Patricia J. Mazzie, Maxine Alma McCants, Dorothy Louise McCaskill, Cecelia May McCormick, Lenard G. McCoy, Patricia A. Mederian, Dorothy Ann Meissner, Patricia Gail Mellen, Janet Theresa Merola, Muriel Elizabeth Millette,[1] Elizabeth Ann Moline, Wendy Ann Moran, Judith Ann Moriarty, Kevin John Moriarty, Joanne Marcia Morin, Dorothy Morini, Theresa Muia.

Susan Eunice Nadelman, Jean Ann Nelson, Robert J. Newman, Gail Nicholson, Marilyn Claire Noel, Art W. Noren, Marilyn Ann Norris, Patricia Lee Norris.

Joanne Margaret Ober, Patricia Mary O'Connor, Christine Shirley O'Donnell, Elizabeth A. O'Donnell, Lynn O'Leary, Judith Ann Oliver, Carol Eivor Ottoson.

Patricia Ann Palozie, Soola G. Passidakis, Ann Marie Paul, Yvonne Mary Pelletier, Paul Penna, Madeline Rita Perrotta, Joyce Elaine Pierce, Thomas Adams Pietras, Joanne Pietras, Mary Pietroniro, Marlene Elena Planzo, Elizabeth Jane Plourde, Arnold Podgorski, Mary Rita Poulos, Carol Ann Pratt, Donald Maurice Prifti, Edith Annie Prindle, Cherrie Lea Putnam, Patricia Merle Putnam, Theresa Carolyn Pyzik.

Frances Rae Quaggin.

Dorothy Joyce Richards, Marcia Claire Richards, Virginia May Richards,[1] Violet Eden Richardson, Marcia Faye Richmond, Judith Rose Rickson,[1] Louise Ellen Robbins, Judith M. Roberts, Emily E. Robinson, Bonnie Sue Roode, Teresa Donna Rourke, Frances Rozkuszka, Kathleen Mary Ruel.

Betty Ann Safarik, Carole M. Samble, Barbara Jean Sarage, Alice Ann Sares, Nancy Eleanor Savage, Joanne Carroll Savoy, Robert Louis Scott, Crystalou Sergides, Gloria Marie Serra, Norma Jean Sharpe, Ronald Edwin Shaw, Kathleen Mary Shea,[1] Patricia Gail Shea, Margaret Ruth Sheldon, Patricia A. Sherman, Patricia A. Siano, Charles F. Simard, Gary Lee Small, Carolyn Janet Smith, Elizabeth Ann Marie Smith, Gloria Mary Smith, Mary Ann Smith, Sandra Faye Smith, Barbara Elaine Snyder, Beverly Ann Snyder, Eleanor H. Soja, Nancy Ann Spagnoli, Gene Spencer, N. Lesly Spry, Joan V. Stabile, Ann Marie Steiger, Carol-Ann Filomina Stella, Ruth E. Sterner, Margaret M. Stewart, Sarah L. Stovall, Barbara Joyce Streeter,[1] Elizabeth Louise Stuart, Barbara Lee Sturtevant, Barbara Jean Sullivan, Joan Margaret Sullivan, Lillian Sullivan, Rosalie Sutton, Carol Jean Swiattouski.

Diane Marie Talbot, Carol Marie Tamkovich, Judy Ann Taverner, Elizabeth Jeanne Taylor, Patricia Ann Teel, Katherine Mary Theocles, Cynthia Sue Theroux, Ruth E. Therrien, Edward B. Thomas, Grace Margaret A. Thomas, Paige Ann Thompson, Marilyn Anne Till, Ann Marie Tranghese,[1] Doris Charlotte Treat, Barbara Ann Trela, Janet Marian Tremblay, Arline May Trombley, Judith Mary Tunstall, Joyce Jeanne Turcotte.

Beverly Jean Vaz, Shirley Rose Veratti,[1] Yvonne Marie Vermette, Richard Verville, Judith Ann Vignone, Shirley Rosalie Villeneuve, Louis Anthony ViVenzio, Jr., James Charles Voltz, Patricia Bertha Vyskocil.[1]

James Curtis Wadleigh, Judith Alden Wadsworth,[1] Lynn Irene Watson,[1] Joan Ann Wdowiak, Beverly Jean Webster, Mary Anne Whatley, Barbara Jean White, Lillian White, Pauline White, Linda Anne Wiley, Barbara J. Williams, Frances M. Williams, Bonnie Leah Wills,[1] Elizabeth Mary Wilson, Eugenie Wisiolek,[1] Sandra Anna Wojcik, Patricia B. Wondolowski, Edward Francis Woods, Alan Cleaves Wright, Thomas E. Wright, Patricia Ann Wyman.[1]

Gloria Jean Yando, Carol Mae York.

Carolyn Zawrotny, Virginia Zucco.

[1] Honor students.

## Will We Point With Pride?

EXTENSION OF REMARKS

OF

### HON. GORDON H. SCHERER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 21, 1960*

Mr. SCHERER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech:

WILL WE POINT WITH PRIDE?

(Speech by GORDON H. SCHERER, Republican, Ohio, at Convention of National Society of Professional Engineers, Boston, Mass., June 10, 1960)

When President Eisenhower took over in 1953, he decided that a new and dynamic highway program had to be brought into being to break the traffic bottlenecks and snarls that were slowly but surely strangling a large segment of the American economy. He decided that our outmoded and deteriorated highway system had to be rebuilt in the shortest possible time to reduce the tremendous loss in life and property which was increasing at an alarming rate.

Those of us on the Roads Subcommittee in the Congress, who in 1954 began the formulation of legislation to make the President's program a reality, at first had no conception of the magnitude of the undertaking, even though we knew that we were embarking on the biggest public works program in the history of the world. We had only a faint glimmer of the difficult and complex problems which would be encountered in the planning and construction of this highway system.

We get some idea of the magnitude of this program when we realize that, if we could have a public works program which would combine the Panama Canal, the Grand Coulee Dam, and the St. Lawrence Seaway into one tremendous construction project, and then multiply it 35 times, we would have the equivalent of this highway construction program I am talking about today.

This highway effort which is now under serious attack from various quarters contains some new, basic, and sound provisions and principles. If we lose our perspective, some of these landmark provisions of the act are going to fall. You men of the engineering profession should be in the frontline of the fight not only because of your own personal interests but also because the basic concepts and principles established in the 1956 Highway Act conform to the general ethics which are a guide to the engineering profession.

Let's take a brief look at the four benchmarks of this historic legislation.

The 1956 act for the first time provided that highways should be built and the money spent where the need exists, where the roads would do the most good for the general public, where they would relieve the terrible traffic congestion which is adversely affecting our whole economy, where they would cut the terrific accident and death toll. In support of this principle, the 1956 act, insofar as the Interstate System is concerned, did away with the old pork-barrel formulas for distributing funds and specifically provided that the money should be spent where the need exists.

Let us move on to a second, basic principle enunciated by the 1956 act. For more than two decades the Federal Government has been going deeper and deeper into debt. During practically all of these years we have had unbalanced budgets and have engaged in deficit financing, thereby feeding and accelerating the ruinous fires of inflation which have devalued Uncle Sam's dollar all over the world and increased the cost of everything we buy and sell.

In the 1956 Highway Act we finally decided to pay for this tremendous public works program as we built it and not pass the cost on to our children.

Third, we provided that the beneficiaries and users of these highways should pay for them in proportion to the use and benefits derived. I, for one, recognize that we must reexamine—and we will—whether or not those who are now classed as users and beneficiaries are paying fairly in accordance with this principle. We must also decide whether or not the tax base should be broadened to include others who may be beneficiaries of this program but are presently contributing nothing to the highway trust fund.

Prior to the passage of the 1956 act the highway program went along on a sort of hit-or-miss plan. Congress appropriated funds every 2 years. The States, highway engineers, contractors, and suppliers were never certain as to the amounts that would be available. There could be no planning ahead. In the 1956 act, as I have said, we provided for a 13- to 16-year construction and financing program. We thought we could complete the entire job in that time. Thus the States, highway engineers, contractors, and others could plan a well-integrated program. They could safely expand their organizations to do the job.

Some will say: "Well, SCHERER, if these are such fine and sound principles, why are we now facing such a crisis in this highway program? Why all the bitter and unpleasant controversy?" Let me tell you.

During the hearings on the 1956 act we were told by the experts that the 40,000-mile Interstate System would cost $27 billion to build. Today we know that, in order to complete the Interstate System as now contemplated, it will cost $40 billion or more. Of course, the cost of the ABC System has increased in almost the same proportion.

Why almost a 50 percent increase in a 4-year period? Who goofed? Let me tell you five things that happened which put us in this precarious financial condition.

You will recall that sufficient revenues were provided for the trust fund over the 16-year period to pay the estimated cost of this program. Here's what happened.

1. The trust fund absorbed, as was not contemplated, approximately $1.5 billion of highway obligations due and owing on the effective date of the 1956 act.

2. In 1958 Congress, particularly the Senate, got the recession jitters and provided in the 1958 act for an acceleration of the road program by $1.6 billion. This was done without providing the revenue for the trust fund to meet this increased cost.

3. The Senate also added 1,000 miles to the 40,000-mile Interstate System. These are

[1] Honor students.

often called political miles. Again, no revenues were provided for the trust fund to pay for this additional mileage.

4. Highway standards and requirements were increased to take care of some local needs. Standards had to be increased because, like our population, there was an unexpected and unforeseen increase in motor vehicles. Even since 1956 motor vehicle use on our highways had increased at a far greater rate than was predicted by the experts just 3 years ago.

5. The original estimates of cost on which the 1956 act was based were made rather hurriedly by the State highway departments in 1954. There were some miscalculations. From 1954 to 1958 construction costs and right-of-way acquisitions increased by about 12 percent because of inflation.

We can now understand why on July 1, 1959, almost $500 million then due the States for obligations already incurred could not be paid. We can now understand why the apportionment of the $2.5 billion provided for fiscal year 1961 could not be made, and why this July only a token apportionment of the $2.2 billion for fiscal year 1962 could have been made.

It was apparent on January 1, 1959, and to some of us sooner, that the trust fund was busted. The President immediately asked for an additional 1½-cent increase in the Federal gas tax in order to meet the crisis. This would have made up the deficiency.

The Congress faced three alternatives: pass the 1½-cent gas tax increase; stop the road program for a little over 2 years, which, of course, would have been disastrous for the country and for those industries which had expanded their organizations at the request of the Congress to accomplish this mammoth highway construction job; or, third, borrow the money and go further into debt with all of the attendant evils which I have pointed out resulting.

The majority in the Congress dawdled and politicked for 9 months while the road program started slowly to grind to a halt. Finally in September of last year they provided a 1 cent gas tax increase for 21 months. The balance was provided by deficit financing as a result of diversions from the general fund. Of course, the total amount provided for 1960–61 was far short of the moneys contemplated to be spent under the construction levels provided in the 1956 act. The interstate construction levels for these 2 years have had to be cut back between 20 and 25 percent.

Now there are a lot of people in the United States who either through ignorance or politically motivated, are blaming the administration or the Bureau of Public Roads for these cutbacks, for the so-called contract controls that have had to be put into effect.

This is pure and unadulterated nonsense. The responsibility lies with the Congress for not providing the necessary funds. Furthermore, the Congress enacted the so-called Byrd amendment which in effect says that the Bureau of Public Roads cannot approve contracts unless there will be sufficient money in the trust fund to pay the Federal Government's share when the States present their bills for reimbursement.

Now while we have had a cutback for these 2 years, I feel confident that this program will be straightened out, that it will go forward as contemplated in the 1956 Highway Act. As you know, there are two reports called for by the 1956 act. These will be before our committee next year. These reports, resulting from exhaustive, scientific studies, will enable us to determine the many highly controversial questions that have temporarily stymied the program.

Here is what these two reports will tell us:

1. Should the tax base for the trust fund be broadened to include other than highway users who may receive benefits from our modern highways, such as adjoining landowners, Department of Defense, and so forth?

2. What effect do various vehicles have on the highways and the life thereof, and what standards and costs of construction are made necessary to carry and support the different sizes and weights of vehicles?

3. What is the fair and equitable share of the taxes or charges that each class of highway users should pay?

4. What will be the actual cost of completing the Interstate System?

5. Are highway users paying too much or too little of the cost of building and maintaining highways?

6. Are commercial vehicles paying too much or too little compared to passenger cars?

7. Should standards of construction, right-of-way widths, etc., be increased or decreased?

8. Is the Interstate or ABC System being discriminated against?

9. Should the formula of sharing costs between the States and the Federal Government be changed?

Now you have seen what has happened and what can and in all probability will be done to get this program back on schedule. In the meantime, unfortunately, when the funds ran out, when the construction program had to be curtailed for the reasons I have shown, there were some people, both in and out of Congress, who panicked. There were others who wanted to and did make political hay out of the highway crisis.

They looked for scapegoats. The Bureau of Public Roads and State highway departments became the chief whipping boys and so did private consulting engineers. In the short space of a few weeks we developed an amazing number of sidewalk highway engineers and experts on road legislation.

The country was led to believe from the way some people talked that the depleted condition of the trust fund was due to the fact that the highway engineers and others had gone hog wild with the people's money.

Charges of waste, inefficiency, and even fraud in the administration of the highway program were hurled about with some abandon. State highway departments were repeatedly accused of squandering money on the Interstate System because the Federal Government was paying 90 percent of the cost. It was argued that by raising the State's contribution to the Interstate System, this waste could be stopped.

Now I would be the last to say that in a program of this size, the biggest public works program in the history of the world, one encompassing the whole United States, one involving millions of people, both in government and in private industry, you are not going to have some mistakes, inefficiency, waste, and even fraud.

In speech after speech, as far back as in 1956, I discussed at length the necessity of guarding against waste, graft, and fraud in a program such as this. I pointed out the necessity of having a committee maintain constant surveillance over this program in order to keep these incidents at a minimum.

What some of us wanted was a committee which realized that in a program of this magnitude there was bound to be negligence, fraud, and graft, but a committee that would keep these incidents in proper perspective with the entire program.

We did not want a politically inspired committee which would leave the public with the impression that the whole program was fraught with waste, inefficiency, and fraud. We wanted a fair comparison between the deficiencies in the program and the magnitude of its accomplishments.

We did not want the public misled by charges of wholesale overdesigning, frills, excessively wide rights-of-way, and unconscionable engineering costs unless and until such wholesale charges were proved by competent evidence.

As you know, there was eventually appointed a Special Highway Investigating Committee. Whether we got the type of committee that was wanted only time will tell. I have been highly critical of some phases of this committee because of the political connotations attached to its organizational makeup and some of its activities.

The committee recently completed hearings in connection with the construction of a bypass around Tulsa, Okla. These hearings were an elaboration of a local grand jury investigation which had returned a series of indictments for fraud in connection with the building of this bypass. Both the grand jury investigation and the hearings revealed evidence of gross fraud and chicanery.

Employees of the State highway department, some of them inspectors and engineers, readily admitted that they had engaged in various fraudulent practices. Their conduct was certainly reprehensible, not only insofar as this particular job was concerned, but also because it gave to those who were seeking headlines and wanting to discredit the road program the opportunity to throw an ominous shadow over this great construction effort. For this reason their acts were more reprehensible.

There is no question but that the conduct of these people in Oklahoma weakened the confidence of the public in this great highway effort and hurt it badly.

Frankly, as I have indicated, this is not only a vitally needed construction program in which we are engaged, but to date it has been a highly successful one. We can point with pride to hundreds of fine accomplishments resulting from the competent and dedicated service of the men in the Bureau of Public Roads—headed by that excellent administrator, Bert Tallamy, and his assistants, Frank Turner and Ellis Armstrong—the fine service of the overwhelming number of State highway engineers and their staffs, and of you men in the private engineering organizations.

This unfortunate fiasco in Oklahoma should be a lesson to all of us that we must be extremely careful and scrupulously honest in every phase of this program; that, like Caesar's wife, we must even be above suspicion, because there are always those who for political considerations or otherwise are willing to tear down at the slightest pretext. Unless we follow this course, we can discredit and bring about a dangerous curtailment of this highway construction program. This will be a disservice to the Nation and certainly a disservice to those whose business it is to build highways.

Now let me pass for a minute to another and a little brighter note. All of us are aware of the fact that, as the result of the shortage of money in the trust fund and the charges of frills and overdesign, the Bragdon staff at the White House was about to make recommendations that the Interstate System in urban areas be substantially cut back. The adoption of such a policy would have been a serious mistake. I feel certain that such a policy and such a course have now been averted. But all of us who are interested in highways must keep on top of the efforts that will continue to be made by some to cut back on standards and design.

Let's be sure that such a mistake is never made.

Remember we are building these roads so that, when they are completed about 1975, they will be able to handle 1975 traffic. Traffic like our population is now increasing at a rate far exceeding that predicted by the experts just 4 years ago. We need to build permanence into the new highways to protect this multibillion dollar investment from becoming obsolete at the very moment it is completed.

In the years past the most crucial failure in highway construction has been to underestimate traffic, the potential of the automobile, and the urgent need for sufficient highway capacity. We must realize that, if we cannot buy rights-of-way adequate for future widening, we do not have the correct location. As Charles Noble, the former Ohio highway director, said: "We must not allow today's desires and pressures to blind us to tomorrow's needs."

In the Wall Street Journal, we find this quote which pretty well answers the question as to what constitutes real waste: "Some of these plans may look too big for their britches in 1959, but they will fit just right in 1979. It does not make sense to build something new and then have to rebuild it in 10 years. That is real waste."

Before concluding, I want to discuss briefly the problem with which you here today are most vitally concerned, namely, the use of private professional engineers by Government agencies in the construction of public works.

As I have previously pointed out, when it was found that this great highway program which had started with so much promise was grinding slowly to a halt because of the lack of money in the trust fund, some people began to look for scapegoats, either to excuse their own failures to act or to make dramatic headlines. One of the principal charges was that the Interstate System was overdesigned; that the rights-of-way were too wide, and the interchanges too complex; and that the entire highway layout was adorned with too many frills. It was then that the roof fell in on you consulting engineers and you wondered who had kicked away the supports.

Well, I will tell you. These charges of overdesign were the answer to the professional bureaucrats' prayer, the boys who believe in bigger and bigger Government and the paternalistic, all-powerful state. For quite some time these professionals have been attempting to build up and expand the engineering departments of the Federal Government. This is the very nature of the bureaucracy with which we are plagued in this country and, believe me, it is not confined to one department, one agency, or one field of activity.

You private engineers should not get too chesty and feel that you are the only segment of private enterprise that is constantly being given the bum's rush by the professional bureaucrats and politicians who believe that the Great White Father in Washington knows best. This charge of overdesigning gave these boys the club they have been looking for to knock you completely out of Government work. So you were charged with overdesigning and overbuilding so that your percentage cut for engineering services would be higher.

Now, as I have indicated, with a program of this magnitude, in all probability we will find occasionally where this charge can be justified. You have some bad apples in the engineering profession, the same as we find in other professions, in business, in labor, and in Government—but not quite as many proportionately. However, we cannot tar the entire engineering profession or let the bureaucrats get away with it because of a few bad boys. But, believe me, they are trying.

To say that the taxpayer will save money by having the various agencies of the Federal and State Governments set up huge staffs and bureaus to perform all of the engineering services required by Government for all of its public works programs, including highways, is plain, unadulterated nonsense. I have been around Washington just long enough to know that, whenever it is possible to have private enterprise perform a service, it is done more economically and more efficiently than when Government tries its hand.

Let me give you the prize example. As you know, during the 8 years I have been in Congress, I have been a member of the Committee on Public Works. I have heard the liberals, the spenders, the proponents of big Government and the welfare state, use TVA as an example or yardstick of a successful Government operation. Every time the proponents and operators of the Tennessee Valley Authority come before our committee, they go back to the valley with their arms in slings from patting themselves on the back for their accomplishments.

I am no engineer, I am no businessman, just an ordinary lawyer, but if I could not operate an enterprise successfully if the Government gave me all the money to start the business, provided additional amounts when I needed to expand it, and did not require me to pay any income taxes, my parents ought to disown me.

Now why do I mention TVA? Simply because it is the best illustration of the point I want to make. Of all the Government agencies, TVA is the only one that has its own fully staffed, engineering department and never uses private consulting engineers in any way. You guessed it—it is at the head of the class—it takes first prize as having the highest engineering costs of all governmental agencies for the type of engineering services required. Need I go further?

The Atomic Energy Commission which has only a skeleton engineering staff of its own to make preliminary studies and to supervise the Commission's construction projects, makes the greatest use of private consulting engineers. According to the Hoover Commission task force report, its engineering costs are 5.23 percent which are the lowest of any Government agency. It is significant that those agencies which make the least use of private engineering organizations have the highest costs, some running as high as 17 percent. In fact, the engineering costs of agencies increase in proportion to the lesser use they make of the services of private engineers.

And don't let those who are crying crocodile tears and looking for whipping boys because of the increased costs of the highway program tell you that it is different when it comes to highway engineering services. The companies and organizations which built most of our toll roads with private capital have used the highest standards of highway construction because they want to be able to handle the tremendously increased traffic loads in the next 5, 10, and 15 years. The toll road people, to be able to pay off their bondholders, had to keep their costs at a minimum. All the engineering work on these toll roads was done by private consulting engineers. These costs, as you know, averaged approximately 8.79 percent. This is considerably lower than the engineering costs for any publicly constructed highways. By contrast, the State of California which has a fine highway engineering department, and does all of its own highway engineering services has a comparable cost of 24.1 percent.

Now don't get me wrong. The various highway departments of the several States are excellent organizations headed by competent and dedicated men who are doing an outstanding job in getting this mammoth highway program under way. To their credit they have used, particularly in urban areas where the design is unusually complex, consulting engineering firms. It is not the fault of these men if their costs are higher.

This always happens, as I have pointed out, when Government performs a service. It is the very nature of bureaucracy. It is the result of the way Government works, the result of political and other pressures, and the fact that the department does not have to make a profit or pay taxes as do your private organizations.

There are peaks and valleys, as we all know, in highway construction. We had a cogent example last year when the highway program ground almost to a halt because Congress dawdled and politicked and for 9 months failed to provide the necessary moneys for the depleted trust fund. A great big valley resulted which hurt everyone connected with the highway program. The contractors and engineers who had expanded their organizations and invested large sums of money, some through borrowing, in order to meet this great construction challenge, were left sitting, holding the bag because of the dropoff in awarding contracts they had been promised by the 1956 act.

As I have said, there are peaks and valleys in this game. When a State highway department builds up an organization of sufficient magnitude to take care of the engineering services that are so vitally needed during the peaks, then it has a lot of people sitting around, twiddling their thumbs during the valleys. This costs money—this is waste—and it is not the fault of the State highway engineer if the professional politicians want that kind of operation and adopt that kind of a policy.

In contrast, the private consulting engineer during the off seasons has his organization geared to perform a dozen different types of engineering services not only for other agencies of Government but also for the great private industrial empire in this country.

I am aware of the fact that the General Accounting Office of the Government, which is not entirely free from the attitude of the professional bureaucrats I have been talking about, last year complained about the use of private consulting engineers on the highway program and blamed some of the increase in costs on their use. Now, as I have said, you are going to find an occasional instance where they will be able to substantiate that charge, but I will bet my last dollar that on the thousands and thousands of highway projects, this charge will not stand and that the very opposite is true. In fact, if you read GAO's report carefully, you see that it makes the general charge without substantiating it by competent evidence or reasonable arguments.

Let's look at a few of the excerpts from the report and findings of the task force of the Hoover Commission on this very subject. We find this language:

"The Atomic Energy Commission has the most efficient design and construction procedures of all Government agencies. AEC takes full advantage of the services of private architect-engineer and construction organizations by contracting all phases of its design and construction work. Its small technical staff is engaged in preparation of preliminary plans and budgets and in the supervisory control normally exercised by a client employing an architect-engineering firm.

"If other Federal agencies could attain the operating efficiency of the AEC, the savings to Government in just the cost of design and supervision of construction, on the basis of present volume of business, would be more than $100 million annually."

In another part of its report, we find this language:

"The Tennessee Valley Authority is the only Federal organization of the eight under consideration which does not use the services of private engineering-construction organizations. Its costs for engineering and construction services are abnormally high."

Finally, the Hoover task force makes this recommendation:

"That the Federal design and construction organizations retain in their own organizations only the personnel required for preliminary study, preplanning and budgeting, and essential supervisory management and control, and that they contract to private architect-engineering and construction firms design and supervision of construc-

tion to the maximum extent consistent with national security."

In spite of the findings and recommendations of the Hoover Commission, you are going to have an increasing demand for bigger and bigger engineering departments and for the elimination of private engineering services in Government work. The only way to stop this assault on this particular segment of the private enterprise system is to bring about an informed public opinion through an educational process.

This special Highway Investigating Committee, of which I am a minority member, is going to investigate private engineering costs. I assure you there is a lot of preconceived sentiment for the reduction or elimination of private consultants in highway work. Of course, they will overlook that section of the Highway Act which says:

"It is declared to be in the national interest to encourage and develop the actual and potential capacity of small business and to utilize this important segment of our economy to the fullest practicable extent in construction of the Federal highway systems, including the Interstate System. In order to carry out that intent and encourage full and free competition, the Secretary should assist, insofar as feasible, small business enterprises in obtaining contracts in connection with the prosecution of the highway program."

We must insist that before any action is taken, an unbiased study be made of highway construction engineering costs by both Government agencies and by private engineering companies. In other words, the Hoover task force report made in 1955 must be brought up to date. I myself have no doubt as to the outcome of an impartial survey, especially if there is taken into consideration the fact that the private organizations pay taxes back to the Federal Government on whatever profit they make.

# SENATE

## WEDNESDAY, JUNE 22, 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 Thou who art from everlasting to everlasting: We come conscious of the cloud of witnesses no longer here in the flesh, but who look down upon this Chamber where vital questions challenge the best in mind and heart.

We pray that those who, in this tense day, bear the responsibilities of public office may serve in the spirit of the great legislators and liberators of the past.

May the final enactments which emerge be the true expression of the fairer ideals of brotherhood and freedom which now are seeking their incarnation in a new age.

Grant that the servants of the state may feel ever more deeply that my diversion for private ends of the powers with which the people have entrusted them is a betrayal of the Nation.

In the red glare of the titanic battle now engulfing the earth in a war against Thy supreme sovereignty and against the rights of the individual man, may those who speak or write from any pedestal of influence, scorning party cunning, unite to breathe a new dedication to the things of the spirit which alone have made our America the hope of the world. Amen.

## THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 21, 1960, was dispensed with.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 2384. An act for the relief of Tommy Tadayoshi Shuto (Tadayoshi Takeda);

S. 2740. An act for the relief of Julia Sukkar; and

S. 2969. An act to authorize the award posthumously of appropriate medals to Chaplain George L. Fox, Chaplain Alexander D. Goode, Chaplain Clark V. Poling, and Chaplain John P. Washington.

The message also announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 1765. An act 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;

S. 2941. An act for the relief of Mrs. Ming-Chen Hsu (nee Nai-Fu Mo); and

S. 2967. An act for the relief of Huan-pin Tso.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 6479. An act to provide for the conveyance of certain real property of the United States to the village of Highland Falls, N.Y.; and

H.R. 8241. An act to amend certain provisions of the Civil Service Retirement Act relating to the reemployment of former Members of Congress.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 103) favoring the suspension of deportation in the cases of certain aliens, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1422. An act for the relief of Alessandro Maraessa;

H.R. 1526. An act for the relief of F. P. Tower, Lillie B. Lewis, the estate of Manuel Branco, John Santos Carinhas, Joaquin Gomez Carinhas, and Manuel Jesus Carinhas;

H.R. 1588. An act for the relief of Julius F. Steinhoff;

H.R. 1643. An act for the relief of Francesco Carozza;

H.R. 1671. An act for the relief of Hans E. T. Hansen;

H.R. 1681. An act for the relief of Maurice Devlin;

H.R. 2117. An act for the relief of Ireneo D. Brodit and Antonio D. Brodit;

H.R. 2124. An act for the relief of Mrs. Teruko Teri Miyamoto (nee Ikeda);

H.R. 2584. An act for the relief of Gourgen H. Assaturian;

H.R. 2705. An act for the relief of Bernardo Paternostro;

H.R. 2716. An act for the relief of Miss Elisabeth Hollander;

H.R. 2944. An act for the relief of Luciano Di Franco;

H.R. 3534. An act for the relief of Epifanio Trupiano;

H.R. 3536. An act for the relief of Guadalupe Villarreal, Jr.;

H.R. 3800. An act for the relief of Mrs. Maud A. Provoost;

H.R. 3804. An act for the relief of Rosolina Ciuferri;

H.R. 4236. An act for the relief of Mah Quock;

H.R. 4555. An act for the relief of Anatolijs Janitis;

H.R. 4835. An act for the relief of Milton S. Koblitz;

H.R. 4970. An act for the relief of Haralambos Groutas;

H.R. 4981. An act for the relief of Mina and Henek Sznaider;

H.R. 5647. An act for the relief of Wong Gee Sing;

H.R. 6338. An act for the relief of Miss Hedwig Dora;

H.R. 6804. An act for the relief of Mary Elizabeth Tighe Crespo;

H.R. 7425. An act for the relief of Mrs. Humiko Ross;

H.R. 7551. An act for the relief of Hubert O. Beckles;

H.R. 7854. An act to provide tax relief to the annuity fund of the electrical switchboard and panelboard manufacturing industry of New York City and the contributors thereto;

H.R. 7877. An act for the relief of Vladislav Fotich;

H.R. 8054. An act for the relief of William Edgar Weaver;

H.R. 8253. An act for the relief of Pierre R. DeBroux;

H.R. 8384. An act for the relief of Otto Small;

H.R. 8882. An act for the relief of John Calvin Taylor;

H.R. 8989. An act for the relief of Ralph W. Anderson;

H.R. 9042. An act for the relief of Anna Semechole Marcolina;

H.R. 9079. An act for the relief of William Radkovich Co., Inc.;

H.R. 9432. An act for the relief of Maj. Edmund T. Coppinger;

H.R. 9610. An act for the relief of Sister Frances Cabrini (Virginia Bilbao);

H.R. 9648. An act for the relief of Mrs. Elizabeth Fowler;

H.R. 9913. An act for the relief of Lt. Matthew A. Wojdak, U.S. Navy (retired);

H.R. 9958. An act for the relief of Brooklyn Steel Warehouse Co.;

H.R. 9960. An act for the relief of Dr. Tze I. Chiang;

H.R. 10002. An act for the relief of Ida Exle (nee Ida Sterio);

H.R. 10376. An act for the relief of Adolf B. Jochnick;

H.R. 10431. An act for the relief of Isami Nozuka (also known as Isami Notsuka);

H.R. 10793. An act for the relief of Ray C. Thompson;

H.R. 10801. An act for the relief of Clark L. Simpson;

H.R. 11165. An act for the relief of Robert J. Reeves;